



Yukon Legislative Assembly

Number 15

3rd Session

34th Legislature

HANSARD

Wednesday, October 30, 2019 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2019 Fall Sitting

SPEAKER — Hon. Nils Clarke, MLA, Riverdale North
DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun
DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North

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NAME	CONSTITUENCY	PORTFOLIO
Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
Hon. Ranj Pillai	Porter Creek South	Deputy Premier Minister of Energy, Mines and Resources; Economic Development; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation
Hon. Tracy-Anne McPhee	Riverdale South	Government House Leader Minister of Education; Justice
Hon. John Streicker	Mount Lorne-Southern Lakes	Minister of Community Services; Minister responsible for the French Language Services Directorate; Yukon Liquor Corporation and the Yukon Lottery Commission
Hon. Pauline Frost	Vuntut Gwitchin	Minister of Health and Social Services; Environment; Minister responsible for the Yukon Housing Corporation
Hon. Richard Mostyn	Whitehorse West	Minister of Highways and Public Works; the Public Service Commission
Hon. Jeanie Dendys	Mountainview	Minister of Tourism and Culture; Minister responsible for the Workers' Compensation Health and Safety Board; Women's Directorate

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Yukon Liberal Party

Ted Adel	Copperbelt North
Paolo Gallina	Porter Creek Centre
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Yukon Party

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Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Wade Istchenko	Kluane	Geraldine Van Bibber	Porter Creek North

THIRD PARTY

New Democratic Party

Kate White	Leader of the Third Party Third Party House Leader Takhini-Kopper King
Liz Hanson	Whitehorse Centre

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**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, October 30, 2019 — 1:00 p.m.**

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

Prayers

Withdrawal of motions

Speaker: The Chair wishes to inform the House of changes that have been made to the Order Paper.

On October 29, 2019, the Member for Lake Laberge gave notice of a motion, Motion No. 79, seeking to have the Government of Yukon fully comply with an order of the Legislative Assembly. The motion is referring to Motion for the Production of Papers No. 3 that was debated and carried in this House on Wednesday, October 23, 2019. It is a principle of parliamentary procedure that “A decision once made must stand.”

In this case, the Assembly has already ordered the production of papers in Motion No. 3 and the decision has been made. Therefore, Motion No. 79 has not been placed on the Order Paper.

The Chair also wishes to inform the House that Motion No. 3, standing in the name of the Member for Copperbelt North, has been removed from the Notice Paper, as the actions requested have been completed in whole or in part.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Ms. Dendys: I would like to ask my colleagues to help me in welcoming a number of special guests here today for a tribute that will happen shortly.

First, I would like to acknowledge Brian Fidler, Brandon Wicke, Mary Sloan, Brett Chandler, Rosie Stuckless, Jenny Hamilton, Laurel Parry, and Eric Epstein. Thank you so much for coming here today for the tribute.

Applause

Hon. Mr. Pillai: Mr. Speaker, I would ask the members of the Legislative Assembly to welcome our many guests here today for our tribute to the Culinary Festival. With us today, we have Coralie Ulyett from TIA Yukon; Cat McInroy from Well Bread Culinary Centre; Michael Bock from Air North — I heard that there were some cookies that were delivered — thank you from everybody here — they are out in the lobby — appreciate it; Donna Novecosky from Klondike Rib and Salmon; Heather Gillespie from Yukon Brewing; and I think that we have the team here from Mammoth Marketing — both Matt Douglas and Richard Eden. We have Krista Roske — if you want, Mr. Speaker, the best turkey in the Yukon for Christmas — I had one for Thanksgiving — that is who you

talk to; Lorne Metropolit — thank you for doing what you do — from Yukon Gardens; Emma Barr and Theresa Barr as well, who played a role in the Culinary Festival; Sonny Gray — a fierce leader of agriculture in the Yukon; Scott Story from Inn on the Lake; Crystal Birmingham, I see there — you have always had different roles in this sector; and from Tourism and Culture, Frank Wilps, Jason Marcotte, and Jonathan Parker. They are all with us today for our tribute.

Applause

Ms. White: I would also like to welcome someone to the crowd. There is Kaori Torigai, who is also here for a tribute to the Guild Hall today.

Applause

Hon. Mr. Silver: I would be remiss to not also introduce here — also for the Guild Hall 40th anniversary tribute — self-proclaimed theatre nerd Emily Farrell.

Applause

Speaker: Are there any further introductions of visitors? Tributes.

TRIBUTES

In recognition of the 40th anniversary of the Guild Society

Hon. Ms. Dendys: It is absolutely my pleasure to rise today on behalf of the Yukon Liberal Government to pay tribute to the 40th anniversary of the Guild Society. From its humble beginnings out of two donated World War II-era shacks in 1979, the Guild Hall has grown to become a vital hub for live performance and community events and a beloved and respected fixture of the Yukon arts scene.

I grew up just a block away from the Guild Hall and I recall that my very first introduction to live performance was at this very theatre.

From theatre to dance recitals, comedy nights to craft fairs, the Guild is a cherished gathering place and an artistic incubator. Through the productions and workshops held at the Guild, Yukon playwrights, technicians, and performers have a collaborative and supportive space to take the stage, learn from the veterans, and hone their own crafts. Many find their voices thanks to the community and opportunities at the Guild.

Community theatre always requires resourcefulness, and the Guild family wears many hats to mount their productions. Whether building sets or tending bar, board members, actors, and volunteers alike all pitch in to lend a hand wherever it's needed to get the show off the ground. The Guild has always served as an inspiration and a catalyst for the establishment of other community arts facilities in Whitehorse and instills the acting bug in many talented alumni.

For its 40th anniversary, the Guild has curated a season that pays tribute to some favourite performances from its past, while also showcasing its commitment to adventurous and compelling new works.

Two additional events have been thrown into the mix for this banner year. The season kicked off in fine form with the

retrospective *Stories and songs from 40 years* gathering in September, and there is a special Christmas review planned for December, entitled *A Yukon-famous Christmas Carol*, featuring Yukon-famous celebrities and past performers of the Guild. This holiday extravaganza promises to be a fun-filled celebration of the Guild's history and of course the holiday season.

We all know that Halloween is upon us, and as always, the popular Guild haunted house is once again in full swing. Created and run entirely by the Guild's board and dedicated volunteers, this annual event continues to frighten and delight the spooky at heart of all ages.

Whether it is a haunted house, cabaret, musical, or drama, the quality of Guild productions is always very high. One never knows how the space will be transformed, but by walking into a Guild production, you are transported into a different time and place. As the Guild theatre celebrates 40 great years, I encourage all Yukoners to awaken their winter with the wonderful entertainment and atmosphere at the Guild.

In paying tribute today to this wonderful organization, we pay tribute to all the performers, board members, mentors, organizers, and volunteers, past and present. Yukon government is absolutely proud to support the Guild Society through the arts operating fund. Thank you to the Guild theatre for helping to keep arts in the Yukon vital and vibrant. Thank you for the many, many notable performances over the past 40 years and for the many that are yet to come.

Applause

Ms. White: I rise on behalf of the Yukon NDP and the Yukon Party to celebrate the 40th anniversary of the Guild. The history of the Guild goes back much further than the 1979 inception of this community theatre space. By all accounts, the two buildings that are the basis of what we now know as the Guild were built in the 1940s by the army, and not at their current location. One side was used as a residence while the other was a workspace, and you can still find signatures scrawled on the foundation of what is known as the "other room" by soldiers wishing to leave their mark.

In the late 1960s, the buildings were moved to their current location by the Porter Creek Community Association to be used as meeting space. The space was used by many in the decade leading up to the formation of the Guild, from sculpture classes by Donald Watt to space for the Boys and Girls Club. It saw our kindergarten kids, boy scouts, and bingo players all stream through its doors. It was home to a daycare in the early 1970s where both Ivan Coyote and Jenny Hamilton were attendees, so it should come as no surprise that they are both so comfortable on the stage.

By 1979, as the Alaska Highway through Rabbit's Foot Canyon improved, the building was being used less and less. It was the perfect place for the Yukon educational theatre to lay some roots. They began rehearsing and presenting in half of the old building — the half that would eventually become the Guild stage.

The generosity of the Porter Creek Community Association knew no bounds when later, in 1979, they donated

the building to Chris Dray and a group of volunteers who would become the founders of the Guild Hall.

Despite the long history of the structures, the Guild has always been much more than a physical space. It's about the beauty that is 40 years of community theatre, 40 years of learning, experimenting, performing, and feeling. It's about folks finding their voice and a generation of audiences being carried along for the ride. The Guild has nurtured performers both young and old. Even I got my start at the Guild Hall when, as a child, I played the all-important role of a bustle in the play *Cinderfella*.

The Guild has become a natural progression and training ground for the students entering and leaving the MAD program. It has been a safe and supportive launch pad of career in all sectors of the arts, directing, performing, writing, set and costume design, stagecraft, and more. The selections of seasons will vary, but there is a guarantee that, as an audience member, your emotions will be toyed with as you laugh, cry, and possibly cringe. The truly beautiful thing about theatre is that it takes the audience away from what we know and immerses us in another world where we may be better able to understand the experience of others. It makes us better for it.

No matter its beginnings or its iterations, the Guild has always had something to say or sing and a willing audience to listen. It's an important perspective to note that the Guild has not always been a continuous organization. It began with a group of friends who wanted to make theatre and then moved on. Then another group arrived and made it their own, and in turn the building was passed on to people who recreated the place and, in a sense, continued to define what we know as the Guild.

We want to thank those from the beginning days to the present and wish those well in the future. This list is but a fraction of that: Chris Dray, Geri Walshe, Sheila Dodd, Jo de Beaudrap, Arlin McFarlane, Eric Epstein, Tina Woodland, Bernie Philips, Mary Sloan, Mike Curtis, Anthony Trombetta, Katherine McCallum, Brian Fidler, Brandon Wicke, Jenny Hamilton, and countless others who have invited us along for the ride as they helped to shape and define the Guild over the years.

Applause

In recognition of Yukon Culinary Festival

Hon. Mr. Pillai: I rise to pay tribute to the Yukon Culinary Festival on behalf of the Yukon Liberal government. Established in 2013 by the Tourism Industry Association of Yukon, this annual event is a highlight and a much anticipated occasion for many.

In only seven years, the festival has transformed a summer-only event to a year-round initiative focused on celebrating and showcasing the best of Yukon agriculture, chefs, restaurants, and culture and is a major influence in helping develop culinary tourism in the Yukon.

This year, the festival took place from August 1 to 4 and delivered five signature events in and around Whitehorse. Leading up to the festival, there was a 10-week radio segment on CBC's morning show that featured a variety of festival

participants and Yukon culinary partners. As always, there were the satellite events just before the festival. The two this year highlighted a collaborative approach, with local restaurants and chefs teaming up to provide more intimate and unique dining experiences.

It was also capped off by the annual Yukon Culinary Festival restaurant challenge which saw 12 local restaurants offer a dish that featured at least two local ingredients over the month of August.

Year after year, the festival and its associated events continue to deliver high-quality food and experiences and boost Yukon's reputation as a culinary destination.

Mr. Speaker, in fact the festival was included in the Forbes Travel Guide list of Canada's best summer food and drink festivals, a feature in *The Globe and Mail* stated that Yukon's culinary scene is one of the most unique in the world, and lifestyle website *brit.co* named the festival one of the top 10 most delicious foodie festivals around the world.

All over the world, attitudes and interest in food are shifting. People are becoming more aware and conscious of where food comes from and whether it has been sustainably raised and harvested or what cultural associations it carries with it.

Yukon has much to offer, with an array of locally foraged, produced, and harvested food products and incredibly unique northern ingredients and talent. It's exciting to see the emerging importance and focus placed on culinary tourism and eating local.

This government recognizes the exciting opportunities afforded through culinary tourism and has identified it as one of the action plans in the *Yukon Tourism Development Strategy*. The Tourism Industry Association of Yukon is leading the implementation of this action plan and is working to develop a five-year Yukon culinary tourism strategy with support from both the federal and territorial government. We look forward to seeing the strategy in the new year.

I want to thank everyone involved who has opened up this new dimension of tourism in Yukon for locals and visitors alike. In particular, I would like to recognize the Yukon Culinary Festival organizers, the sponsors, the chefs, food growers and producers, venue providers, entertainers, and others who continue to work to develop and grow culinary tourism in the Yukon.

Mr. Speaker, just because we don't get an opportunity on many occasions — some of these busy entrepreneurs don't get time to come and spend it here with us — just as I look at who is here today, I just want to thank people like Cat McInroy for taking the chance and doing what you're doing, which is so unique, and adding to it. Michael from Air North, who continues to be a leader — it's so exciting to see Air North-branded items now in the grocery store. Donna Novocosky, in the institution that you built, you never stop working at what you do; Krista — taking the chance on what you've done with your farm; and also Lorne — and I know all of us have had an opportunity to go see him — Lorne being in a situation to produce locally grown food right in the city and using biomass

to do it. These are incredible things that people are doing and they should be noted.

With that, I look forward to future festivals and the progression of Yukon's culinary industry.

Applause

Ms. Van Bibber: I am pleased to rise on behalf of the Yukon Party Official Opposition and the Third Party, the Yukon NDP, to recognize the 2019 Yukon Culinary Festival. The first festival took place in 2013, hosted by the Tourism Industry Association of Yukon, in an effort to showcase homegrown food, culture, and culinary talent — a success and now an annual event.

Through a series of events, farms and culinary masters come together to highlight the concept of "farm to table", incorporating a variety of local foods into brilliant menus to tease the palates of adventurous Yukoners. This year, the festival hosted some teaser events prior to the main festival event to get the week going. Smoke and Sow and Wood Street Ramen teamed up to offer seating for diners to enjoy the ultimate ramen bowl menu, featuring 100-percent Yukon meats and produce.

The welcome party featured Klondike Rib and Salmon and Lulu's food truck, with live entertainment going into the night at the MacBride Museum. Chef Cat McInroy and Chef Glenys Baltimore joined forces to offer a hands-on culinary experience at Well Bread Culinary Centre, showcasing Spanish-, Mexican-, and Aztec-inspired dishes.

The ever-popular Cocktails, Costumes, and Canapés event offers guests a chance to board the *SS Klondike* for an evening of fun. Inn on the Lake Chef Carson Shiffkorn and his staff kept the appies coming, while Yukon Spirits and Yukon Brewing provided drinks.

The festival's signature Feasting and Foraging event at the Kwanlin Dün Cultural Centre featured Yukon-based chefs and outside guest talent. They provided an array of Yukon-grown produce, meats, fish, and poultry, charred to perfection in the open-air barbecue pit. I hear the morel appetizers were the highlight of the night.

I would like to give a special nod to the Family Farm Fun Lunch, which wraps up the festival with an enjoyable day at the ranch. This year, guests descended on Horse Haven Ranch and were able to chat with farmers about their farms and animals. Educational and fun-filled, this event is truly one for the whole family.

Kudos to TIA Yukon for bringing Yukoners' food and talent together for another incredible week, and special recognition to all the chefs and their teams, to the local farmers, businesses, volunteers, and individuals behind the settings and the exquisite food and drink pairings. "Thanks" just doesn't seem enough — but thank you.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Silver: I have for tabling the Public Accounts for the fiscal year ending March 31, 2019.

Hon. Mr. Mostyn: I have for tabling a legislative return in response to Motion for the Production of Papers No. 3.

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

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

Mr. Adel: Mr. Speaker, I rise today to give notice of the following motion:

THAT this House congratulates the Government of Yukon and Skookum Asphalt for successfully completing the paving of the Dawson City Airport runway, which will improve services and travel experiences for Yukoners and visitors.

Ms. Hanson: I rise to give notice of the following motion for the production of papers:

THAT this House urges the Yukon Geographical Place Names Board to consider renaming Miles Canyon in a manner consistent with the principles set out in chapter 13 of the *Umbrella Final Agreement*.

Mr. Cathers: I rise today to give notice of the following motion:

THAT this House urges the Yukon government to recognize that serious highway safety issues, including aggressive driving, on the Mayo Road and the Alaska Highway are due in part to the lack of passing lanes on the long section of highway between Vista Road and the top of Two Mile Hill and to take action to address this, including:

(1) reinstating the four lines on the Mayo Road in the Hidden Valley-MacPherson area;

(2) moving forward with the planned widening of two kilometres of the Alaska Highway at the Mayo Road-Alaska Highway intersection, including turning lanes and a through lane; and

(3) adding a turning lane on the Alaska Highway in front of the Porter Creek Super A.

Speaker: Are there any further notices of motions?

Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Mayo aerodrome

Mr. Hassard: So, in his ministerial statement about the Mayo aerodrome on March 13 of this year, the minister said that the Liberal government would be investing \$5 million in upgrades this summer at that aerodrome. It looks like, so far,

there has only been approximately \$1.15 million in expenditures at the Mayo aerodrome.

The Minister of Highways and Public Works often brags about how he has improved capital planning so much. He even said that announcements will be thoughtful and well planned out so that projects don't go overbudget and that announced money is actually spent. Yet here we have the minister only seven months ago saying they will spend \$5 million on the Mayo aerodrome this summer, yet we have seen less than a quarter of that actually spent.

Can the minister tell us if in fact only \$1.15 million of the budgeted \$5 million has been spent? If so, why are the Liberals lapsing \$3.85 million from the Mayo aerodrome project?

Hon. Mr. Mostyn: We are making great progress in investing in the Mayo aerodrome, including runway reconstruction, runway lighting, and purchasing new maintenance equipment and facilities. This summer, we applied to Transport Canada to certify the aerodrome as an airport. This will allow scheduled flight service on a long-term basis, which will help support resource development in the region.

Mr. Hassard: Well, that was a long way from an answer, so let's try another one here, Mr. Speaker.

In March, in the ministerial statement where the minister announced the \$5 million, he stated, "We currently have authorization from Transport Canada to test scheduled air service into Mayo until October 2019." I believe that this is the end of October. It seems that the minister claimed to have lined up the necessary Transport Canada approvals back in March. With the Liberals now failing to live up to their commitment and lapsing some 75 percent of the total project funding, how can the scheduled service carry on beyond this fall?

Hon. Mr. Mostyn: Transport Canada will inspect the site to ensure that it meets certification standards once the runway reconstruction is complete. The work required for daytime operations was completed on October 18. Lights will be installed next year to allow for night operations. Highways and Public Works is spending \$1.1 million in upgrades this year and another \$1.8 million next year.

Mr. Hassard: So it appears that the ministerial statement isn't worth the paper that it is written on.

In that statement, the minister also stated, "Certification of the Mayo aerodrome will require on-site and dedicated maintenance staff. We have budgeted a further investment of \$300,000 per year to support ongoing operation and maintenance dedicated staff at the aerodrome in Mayo."

Mr. Speaker, has this money been spent as part of the work announced by the minister back in March, and when is the work at the aerodrome scheduled to be completed?

Hon. Mr. Mostyn: As I said earlier, the Government of Yukon is making some investments in the Mayo aerodrome, including runway reconstruction, runway lighting, and purchasing new maintenance equipment and facilities. The member opposite is absolutely correct — there will be a required increase in ongoing operation and maintenance at the Mayo aerodrome of approximately \$300,000 a year. We have allocated the capital funding in the department's five-year capital plan. The work is expected to be completed in 2021.

Question re: French immersion programming

Mr. Kent: I have some questions for the Minister of Education about the French immersion programming and space for those students.

In the Selkirk Elementary School Council minutes from February 2017, they mention a report that was commissioned by the Department of Education on how the school might be expanded to meet the growth of the school as the French immersion program grows. According to the minutes, this document was detailed with proposed building layouts and cost projections. Of course, this project hasn't been mentioned in either of the five-year capital concepts that this government has tabled. So can the minister provide us with a copy of this report and update us on work done in this regard over the last two and a half years?

Hon. Ms. McPhee: Early French immersion is a popular program here in Whitehorse, and it's offered at Whitehorse Elementary School as well as Selkirk Elementary School. We are working with families whose children have requested access to these schools on an annual basis. I can also indicate that, at Selkirk Elementary, there are two kindergarten classes for French immersion, and those classes proceed up through Selkirk Elementary. At the moment, there are suitable spaces in Selkirk Elementary, and as in all cases with elementary schools here in the territory, we carefully watch the enrolment and make adjustments accordingly with respect to school spaces so that all of our students can be accommodated — hopefully in the school of their choice and in programs of their choice, but certainly accommodated — looking forward, planning with the Department of Education, for enrolment here in the City of Whitehorse and enrolment across the territory.

Mr. Kent: Hopefully the minister can address this in the supplementary answers. I'm looking for a copy of this report that was discussed at the February 2017 Selkirk school council meeting.

According to enrolment reports on the department's website, Selkirk Elementary School added 33 students this year compared to 2018-19, which makes it the fastest-growing elementary school in the Yukon. Also, in those February 2017 minutes, there was discussion about the value of keeping this school as a dual-track facility, meaning that there's an English stream of students as well as the French immersion stream.

My colleague, the Member for Watson Lake, attended the most recent school council meeting where the installation of a portable is now being discussed for the school to meet these attendance increases. Will the minister confirm that Selkirk Elementary School will remain a dual-track school, as requested by the council, and will the school be expanded, as per the report of two and a half years ago, or will portables be installed?

Hon. Ms. McPhee: I'm always pleased to have the opportunity to speak about education, in particular the Selkirk school in this question. The intention at this point is to keep Selkirk as a dual-track school. We work closely with school councils to ensure that their wishes are respected — and with school administrations.

School administrations work closely with school councils to make sure that their wishes are respected to the best of their abilities. At this time, there are opportunities for a portable to be placed at Selkirk Elementary School. I won't make any references to the report noted by the member opposite. I don't have a copy of that in front of me. It is some two years old. I will endeavour to obtain a copy and provide it, as requested.

Mr. Kent: We look forward to getting a copy of that report. It is two and a half years old, as the minister mentioned.

In this year's enrolment at Selkirk, there are two French immersion kindergarten classes, as the minister mentioned, and one English-stream kindergarten class. We know that there was a lottery for French immersion spaces held for this year, and 11 families were left out, so the program continues to grow in popularity. We have heard that the minister has made a commitment to the school council that only one French immersion kindergarten class will be accepted at Selkirk next year.

Can the minister confirm that statement for us? Will other schools that have room be considered for French immersion to alleviate the need for a lottery?

Hon. Ms. McPhee: As I have noted already in my answers, early French immersion is very popular here in Whitehorse. It currently occurs only at Whitehorse Elementary and at Selkirk Elementary schools. We work with families who have requested that their children be placed there to find suitable options for their children, including — if there are no positions or spaces left — entry at grade 1 and late French immersion at grade 6. Students who are placed on a waiting list — if they choose to be, with their families — to enrol in early French immersion are dealt with on a case-by-case basis. As spots become available, those are made available to those families.

As I have noted, additional space in early French immersion opens at grade 1. At this time, there are plans to proceed with the enrolment in French immersion as it currently exists at Whitehorse Elementary School and at Selkirk Elementary School.

Question re: Climate emergency declaration

Ms. White: Earlier this month, the Yukon Legislative Assembly unanimously passed a motion urging the Government of Yukon to declare a climate emergency. The motion signalled to the Government of Yukon and the world that this issue is one that needs to be taken seriously. What is odd, though, is that we haven't heard a peep from the government, save for one T2 statement printed in the *Yukon News*. It says — and I quote: “The Cabinet communications director... confirmed to the *News* that a declaration had, in fact, been made shortly afterwards.”

Mr. Speaker, this raises so many questions, like whether the declaration was made on 100-percent recycled paper, or was it like a movie where dramatic music welled up in the background and the Premier stoically looked into a camera while uttering the words, “I declare a climate emergency”?

Mr. Speaker, did the government declare a climate emergency? If so, can they share it with House and the Yukon public?

Hon. Mr. Silver: Mr. Speaker, we did declare an emergency — absolutely. We are committed to focusing and to addressing climate change and ongoing endeavours from a whole-of-government perspective in a number of ways. One of those ways of course is by putting a price on carbon but also by taking a look at the practices that we do on an everyday basis and moving forward in those initiatives.

We spoke about a new plan to work with municipal governments and First Nation governments to have 150 action items — more to come on that as we engage with Yukoners on something that's extremely important to Yukoners.

Ms. White: Perhaps it was naïve to expect that this government would move quickly to make a public declaration of a climate emergency. At the very least, we expected to get something more than a one-line statement from Cabinet communications. It's not that we have anything against Cabinet communications, but we were hoping for a bit more "oomph" or something.

When this House unanimously voted to declare a climate emergency, Yukon received national and international news coverage. Yukon even received coverage in the *Houston Today* — granted, it was from Houston, British Columbia, but you get the point. Think of the reach Yukon could achieve with the Premier and his Cabinet making a formal climate declaration. Mr. Speaker, think about the photo opportunities.

All kidding aside, it would make a powerful statement both literally and figuratively for the Premier to make a public declaration of a climate emergency accompanied by a public posting of a signed declaration. Mr. Speaker, how did the Premier publicly declare a climate emergency?

Hon. Mr. Silver: Again, Mr. Speaker, we are formalizing and finalizing our strategy that's going to be available hopefully soon in 2020. We have already taken steps to reduce greenhouse gas emissions to adapt to climate change.

We're also working on appointing a youth panel on climate change, as we see youth leading the charge in this important issue. Climate change has been a major focus of discussion in the Yukon Forum, for example, with the Yukon First Nation chiefs. Me as well — whether it be at the Northern Premiers' Forum or the Western Premiers' Conference or at the Council of the Federation or First Ministers' meeting — I am always talking about the important conversations — when we are talking about funding for infrastructure — how we not only have to replace buildings, but also look through a climate lens to make sure that we are protecting our buildings for the new reality.

Mr. Speaker, whether it comes to Arctic strategies and policies and making sure that Ottawa understands that northern decisions need to be made by northerners, or whether it's talking about the federal conversation about Arctic sovereignty and others talking about having a military presence in the north — we are talking and agreeing with the Senate of Canada that we need to make sure that our communities are resilient, that our First Nations and indigenous partners in small communities

all across the north are extremely well-protected and that they make decisions because of the new reality.

I could continue, Mr. Speaker, but I'm limited in time.

Ms. White: The Premier can rest assured that he has another minute and a half to respond.

When this House voted to declare a climate emergency, I appreciated the commitment and the leadership of the Liberal caucus. They were so passionate that several of them rewrote the record to say that they had declared a climate emergency in their throne speech. Well, we don't need to rewrite history, but that's the kind of passion and the kind of excitement Yukoners were looking for on this issue. Declaring a climate emergency is a symbolic gesture, but sometimes symbolic gestures can have real and tangible impact.

Mr. Speaker, when will the climate emergency be publicly posted, and where can Yukon and world citizens find the climate emergency declaration made by the Yukon government?

Hon. Mr. Silver: The NDP does not own climate emergencies. When it comes to this file, over the last three years, we have been endeavouring to make sure that we change the government perspective when it comes to dealing with the climate change emergency and the new realities of man-made climate change. This is absolutely front and centre in the decisions that we make, whether it be when I move on to conversations with my colleagues on a federal basis right across Canada, or speak with the federal government when it comes to infrastructure spending, or when it comes to strategies, moving forward for protecting the north, or this new normal of trade happening in the pan-northern area — we are always putting these conversations on the forefront.

There's more to come, Mr. Speaker, and we have talked about 150 climate change action plan items in our new strategy. I also want to take this opportunity to thank my Minister of Environment and my Minister of Community Services for their decades of contributions to the climate change emergency, to the conversations that are not new to anybody on this side of the Legislative Assembly, whether it is in decades of protecting caribou very successfully — probably the most successful caribou protection strategies in the northern hemisphere — or preparing me for when I had conversations like COP21 and signing onto the Paris declarations. For this government to be able to do that was an extremely important endeavour that the Yukon Party went through as well. We will continue with the good work of making sure that Yukon is front and centre when it comes to a changing climate.

Question re: Highway guardrails

Mr. Hassard: On November 21, 2017, the Minister of Highways and Public Works wrote to a constituent of the Member for Watson Lake who raised concerns regarding the lack of guardrails between Watson Lake and Upper Liard. In the minister's response, he indicated that the Department of Highways and Public Works would be reviewing the guardrail requirements across the Yukon in the winter of 2017-18.

On March 11 of this year during debate on the budget, the Member for Mayo-Tatchun confirmed that this assessment was

completed. His quote was: “Highways and Public Works has completed assessments throughout the territory on stretches of highway that could benefit from the addition of guardrails as a safety precaution...”

We originally requested a copy of this assessment on October 17, 2018, which was just over a year ago now, but the government has still not provided us a copy. Can the minister provide us with a copy of this assessment of the guardrail requirements throughout Yukon, Mr. Speaker?

Hon. Mr. Mostyn: Our Government of Yukon takes the safety of travellers using the territory’s highways very seriously. This government has made great progress in implementing a new, modernized program that will improve the quality and frequency of highway and roadside maintenance. Through greater brush-clearing, line-painting, clear zone safety, and roadside barriers and delineation, the new roadway maintenance improvement program will enhance highway safety throughout the Yukon.

This year, under the new program, three kilometres of new barriers have been installed, more than 1,000 kilometres of highway will be brushed, and approximately 1,600 kilometres of lanes will be painted.

Mr. Hassard: Once again, we are a long way from an answer.

I asked the minister if he would provide us with a copy of the assessment of guardrail requirements throughout Yukon, and it appears that he is not going to commit to doing that, which is too bad. We have been asking for this for over a year, as I mentioned — so much for open and accountable, I guess, Mr. Speaker.

Since the minister won’t share it publicly, will he at least tell us what this assessment says about the guardrail assessment for the stretch of highway between Watson Lake and Upper Liard, Mr. Speaker?

Hon. Mr. Mostyn: I have spoken about this many times over the last year or so. We have taken a more methodical, conscientious, and thoughtful approach to the way that we maintain our highways. Over the next five years, we will actually repaint all necessary roads. We will put new barriers up across the territory. We are using concrete barriers now. They are a much more effective way of making sure that our cars stay on the road in places that are dangerous. We are going to do this over the next five years, and we will make sure that, when travellers are carrying on down our roads, they have more barriers, more line-painting, and much clearer sightlines.

There will be better brush-clearing, and it will be done in a methodical manner, Mr. Speaker. Over the next five years, we will do the entire highway system — something that hasn’t been done in the past.

Mr. Hassard: It is interesting that the Premier keeps telling us that this is our time to get answers to our questions, but apparently he has not briefed the Minister of Highways and Public Works on that agreement.

The lack of transparency from this minister as to the results of this safety assessment to our highways is concerning. In the Member for Mayo-Tatchun’s remarks, he stated that the guardrail assessment outlined priorities for guardrail

installations in his riding — so the government appears to have provided him with the assessment.

Since the minister won’t provide us with the safety assessment, will he provide us with the work plan for the installation of guardrails along all Yukon highways?

Hon. Mr. Mostyn: In my previous responses, I have said that the program that we have instituted in the territory — in Highways and Public Works, I am very proud of the work that they are doing and the progress we’re making on this initiative that will result in better sightlines and right-of-way visibility, improved lane delineation, fewer hazards in the right-of-way, and better roadside barriers along our highways, Mr. Speaker — and not just sporadically, but throughout the entire highway network — all 5,000 kilometres.

Historically, there has been no scheduled roadside maintenance for line-painting, brush control, or barrier maintenance. Service was reactive — addressing areas only when they became problematic. The new program takes a strategic, proactive approach by classifying highways, setting service standards, and scheduling work to ensure maximum adherence to the service targets at the lowest possible operating cost.

Question re: Continuing care wait-list

Ms. McLeod: Is the Minister of Health and Social Services able to tell us today the current wait-list for continuing care?

Hon. Ms. Frost: I didn’t quite get the question that the member opposite was asking. Is she asking for the wait-list for continuing care — and if I can just ask her to restate the question?

Speaker: Order, please. This will be the first question. Member for Watson Lake, first question.

Ms. McLeod: Thank you, Mr. Speaker. Is the Minister of Health and Social Services able to tell us the current wait-list for continuing care?

Hon. Ms. Frost: I hope everyone can hear me okay. Right now, as I understand it, there are no wait-lists for long-term care, and we have significant beds available. We do have some pressures in our communities, and we’re working very closely with our respective community members and our indigenous communities. We are ensuring and will continue to ensure that we bring collaborative care in health care to all Yukoners.

Ms. McLeod: I just want to reiterate what I think the minister said — that there are no pressures at this time.

The Liberals’ comprehensive health care review is asking Yukoners whether or not continuing care fees should be increased. Either the Liberal government is willing to consider increasing these fees or, if they’re not, they’re wasting everyone’s time by allowing that question to be asked. Will the Liberals rule out increasing continuing care fees — yes or no? If they will not, how much are they considering increasing them by?

Hon. Ms. Frost: The review that’s being conducted by the independent panel is just that — it will be assessed by the

panel and recommendations will come to us, as a government, and we'll take those under advisement.

Ms. McLeod: Not much comfort for Yukoners.

The former continuing care facility, Macaulay Lodge, is closed now and sits empty, of course. What are the government's plans for Macaulay Lodge?

Hon. Ms. Frost: With respect to all of our facilities — as we know, the facility that housed the senior population was a long-term care facility and was closed. The members opposite planned that in such a way that they opened up the Whistle Bend facility, and we were able to provide the necessary services. We will take into consideration the facility, and we will do that in due time.

Question re: Agriculture policy

Mr. Cathers: The current Yukon agriculture policy was finalized and completed in 2006. The Yukon government has consulted with stakeholders and the public as part of developing updates to the policy. I also do appreciate the fact that the Minister of Energy, Mines and Resources has met with the Leader of the Third Party and I to talk about agriculture issues, including updates to the agriculture policy.

This spring, when I asked him about timelines for completing the updated policy, he said — and I quote: “We are expecting the completion of our policy no later than this summer.”

It's now the end of October, and the policy is still not done. Would the minister please tell me what the revised timeline is for finalizing the updated agriculture policy?

Hon. Mr. Pillai: Mr. Speaker, I appreciate the opportunity to speak to the agriculture policy question. This week of course is a big week for agriculture. I'll be talking about it at the annual general meeting of the Yukon Agriculture Association on Friday. I know that my colleagues here and I will be attending and supporting and listening to their ideas for the future of agriculture. The Government of Yukon is developing a new agriculture policy with a guide that will guide the industry to 2030.

Over the summer of 2018, the Government of Yukon completed public engagements to collect input on Yukon's new agriculture policy. We received 206 responses on the online survey, as well as another 46 inputs through face-to-face meetings, e-mail submissions, and group meetings. We've received input from First Nations, industry associations, farmers, and the general public.

We have released our “what we heard” report, which is available on engageyukon.ca. This spring, we contacted all Yukon First Nations for further consultation regarding issues identified from the initial engagement. This new policy is now in the final stages of drafting, and we remain open to comments about improving agriculture.

I look forward to questions 2 and 3 and will speak to the timeline as well after those particular questions.

Mr. Cathers: If the minister is able in his response to provide a timeline, that would be appreciated.

One of the important parts of the agriculture policy is the section about developing new agricultural land. In 2006, the

Yukon Party government changed the land-pricing policy and the policy to make it easier to develop new farmland. Under the previous agriculture policy, new farmers developing land faced the so-called “two-for-one” pricing model which required them to spend twice as much as the land was worth before they would receive title. That was replaced in the 2006 policy with the current one-for-one model, which requires farmers to spend an amount equal to the lands value before they get title. However, the price of land, including agricultural land, has increased dramatically since 2006.

Can the minister please tell us whether any changes to the land-pricing model will be in the new agriculture policy and, if so, whether those changes will reduce the cost of developing agricultural land and getting title to it, or make it even more expensive?

Hon. Mr. Pillai: The new policy will seek to improve agricultural land use and Yukon food production and advance the goal of food- and self-sufficiency for Yukoners. We're looking at factors such as the efficient use of agricultural land, the suitability of our current protection of agricultural land, and how best to support the industry as it becomes increasingly commercial.

We see this as an ongoing conversation across the country — specifically, you hear a lot about it on the west coast, like British Columbia, where the protection of agricultural land is so, so important.

With that in mind, as we come to the completion of the agricultural policy, which a large portion of that — I commend the Agriculture branch for the work they've done — and of course having the interface with the agriculture advisory panel is so important, as well as the Yukon Agricultural Association.

We are just getting ready to release, as we finish grappling with some of those conversations really around land — but all the while taking our direction from the agriculture sector. So, we are not looking to make things more pricey or difficult but trying to ensure that we don't lose agricultural land, which is so near and dear in a climate such as ours. I look forward to the last question.

Mr. Cathers: I do appreciate the information that the minister provided.

As the minister will recall, I previously urged him to make developing new agricultural land a higher priority in local area planning initiatives, and I urged the government to recognize the value of developing new farms as one part of a wildfire risk mitigation strategy.

In addition to targeted harvesting of spruce and pine trees in the near communities, development of more farmland would help create firebreaks near communities that would be beneficial if a major wildfire occurs. This is just one more benefit on top of the obvious value of increasing local food production, improving food security, and growing our agricultural economy.

Can the minister please tell us whether developing new agricultural land through planned developments and spot land applications will be a priority in the updated agricultural policy?

Hon. Mr. Pillai: Mr. Speaker, the development of agricultural land, although complex, has always been a priority in my work with the branch. First of all, really taking a look at some of the work that was done in Ibex and some of the lots that have come out, but also looking at trying to fast-track additional work in that area.

As some of the members opposite will know, it's very complex and there are many different feelings about this type of land development. I can say that, when you think about sustainability and we talk about a climate change emergency — we look at GHG emissions — having local food production has to be part of what we support, because we know that 62 percent of our GHG emissions from 2017 were coming through transportation. We have to grow our local food and we're going to need the land to do it. We have to make sure that the land that we do have as agricultural land — that we don't lose it.

Those are the things that we're grappling with. Just because I know there have been a couple of challenges across the way today about not — on what we're answering — so (1) looking to have this completed in 2019; (2) making sure that we support agricultural land; and (3) all the while, making sure that we listen to the agricultural industry and the advisory committee, ensuring that the values that they want us to have in the agricultural policy are in that policy.

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

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 32

Clerk: Motion No. 32, standing in the name of Mr. Hutton.

Speaker: It is moved by the Member for Mayo-Tatchun: THAT this House congratulates the Na-Cho Nyäk Dun, Tr'ondëk Hwëch'in, Vuntut Gwitchin First Nation, Gwich'in Tribal Council, and the Government of Yukon on finalizing the Peel land use plan and supports the final *Peel Watershed Regional Land Use Plan*.

Mr. Hutton: I rise today to speak in support of Motion No. 32.

On April 14, 2018, I was very happy to receive the unanimous support of this House on Motion No. 267, urging the Government of Yukon to work with the parties on the final recommended *Peel Watershed Regional Land Use Plan* — which, in future references, I may refer to as “the Peel plan” or “the plan” — dated July 2011, and to complete the Peel plan based on the final recommended plan. I am hopeful that Motion No. 32 receives the same unanimous support today as we move forward with beginning to implement the plan.

The signing of the plan was a fantastic, heartwarming event. It took place on the banks of the Stewart River in beautiful downtown Mayo. Even the weather cooperated, Mr. Speaker. It was a fantastic warm and sunny day. Approval of this plan has fulfilled a mandate commitment to accept the

Peel Watershed Regional Land Use Plan and demonstrates the Yukon government's commitment to implement the First Nation final agreements for the benefit of all Yukoners. It is consistent with the Supreme Court of Canada's decision and direction.

The plan addresses a broad range of issues, including: protection of key ecological and wilderness values, such as the five major rivers — the Peel, Hart, Wind, Bonnet Plume, and Snake; critical habitat for boreal caribou, a threatened species under Canada's *Species at Risk Act*; ecological components such as fish, habitat, and wildlife; management strategies to avoid or minimize land use impacts in the vicinity of heritage and historic resources; a focus on monitoring and adaptive management based on cumulative effects and best management practices as tools to achieve the goals of the integrated management areas; maintenance of economic opportunities, including designations for areas in which industrial activities can be integrated with other values; and protection of key features — for example, major river corridors for the wilderness tourism sector.

The plan minimizes the potential for land use conflicts in the region. The planning region falls within portions of the traditional territories of the First Nation of Na-Cho Nyäk Dun, Tr'ondëk Hwëch'in, and Vuntut Gwitchin First Nation. Lands as outlined in the *Yukon Transboundary Agreement* from the *Gwich'in Comprehensive Land Claim Agreement* are also included within the planning area.

The affected First Nations participated as plan partners throughout the planning process and were all consulted — as stipulated by chapter 11 — during the recommended plan in 2011, the final recommended plan in 2014, and the final plan 2018 review process.

It is critical that implementation of this plan begin as soon as possible. It has taken 15 long years to get to this point, and our world has seen some dramatic changes during this time. After seven long years of consultation from 2004 to 2011 with Yukoners, the Yukon Party government in 2013 decided to hijack the plan and gut it to remove many of the proposed protected areas, even though over 80 percent of Yukoners who were consulted supported the final recommended plan put forth by the Peel Watershed Planning Commission in July 2011.

The ultimate plan put forward by the Yukon Party government resulted in legal action against the Yukon government. The Yukon Supreme Court deemed that the Yukon Party government had not followed the process according to the applicable First Nation final agreements and required the parties to return to a previous stage in the process. The Yukon Party government then decided to double down on their position and made the decision to use Yukoners' tax dollars to appeal this decision to the Yukon Court of Appeal. The Yukon Court of Appeal overturned the trial court decision and ordered the Yukon Party government to return to the point in the process where the commission had submitted its recommended plan to government for approval. First Nations and conservation groups responded by challenging the Yukon Party government in the Supreme Court of Canada.

In December 2017, the Supreme Court of Canada ruled that the Yukon government and the other parties had to return to the step in the process wherein they would consult on the commission's 2011 recommended *Peel Watershed Regional Land Use Plan* with affected First Nations and communities.

The court's decision included direction to only make recommendations to the plan that were either minor or based on circumstances that had changed since 2011. It is truly unfortunate that so much time and money was squandered, which set back the implementation target for years. The parties have complied with this direction and have now finalized and signed the Peel plan.

Mr. Speaker, you might remember Currie Dixon, the architect of the Yukon Party's Peel plan which recommended development in 71 percent of the Peel region, reversing the Peel watershed land use planning commission's recommendations. Transparent? Hardly, Mr. Speaker.

It was then-Environment minister Currie Dixon and the Yukon Party who undermined the land use planning provisions of the *Umbrella Final Agreement*. Open and accountable behind closed doors? I think not.

It was then-Environment minister Currie Dixon and the Yukon Party who championed a plan that would have fragmented and sullied the Peel watershed, compromising ecosystems that had sustained members of five First Nations for thousands of years.

The end result was thousands of dollars spent on legal fees and absolute and total disregard for the documented wishes of the vast majority of Yukoners, and years of time were wasted — a shameful legacy indeed, Mr. Speaker — wasting Yukoners' time and money to fight against them in court.

While I'm extremely happy that we are now nearing the implementation phase, I'm also truly saddened by the loss of so many who contributed so much over so many years to this process, but who never got to see their good work come to pass. Some of these people deserve mention, and I will mention them, Mr. Speaker: former Chief of the Na-Cho Nyäk Dun Richard Moses, involved with the Peel watershed committee in its earliest form in the 1990s before the planning process ever began; former Chief Robert Hager; former Deputy Chief Billy Germaine — I must mention that former Deputy Chief Bill Germaine is still with us today; the rest of the people I will mention have unfortunately passed: former Tr'ondëk Hwëch'in Chief Steve Taylor; former Vuntut Gwitchin Chief Joe Linklater; former Gwich'in Tribal Council President Robert Alexie Jr.; knowledge keepers and elders Charlie Abel and John Joe Kyikavichik.

They have left a grand legacy, Mr. Speaker: a vast, largely pristine area, a place for all future generations, a university, a church, a hospital. These are all some descriptions of what the Peel watershed offers in terms of educational, physical, and spiritual opportunities to live, thrive, survive, and grow in this environment which has sustained First Nations in this area for thousands and thousands of years, Mr. Speaker. The most significant outcome those elders sought was to preserve and protect this not only for the youth of today, but for all future generations.

I would now like to say a few words about some of these young people. There is a group who call themselves the Youth of the Peel — young, strong, vibrant, and passionate youth. First, from my home community of Mayo, Geri-Lee Buyck — an amazing young woman whose passion for protecting the Peel came through every time she was given an opportunity to speak. She has become a role model for today's young people, Mr. Speaker. Bobbi-Rose Koe made three river trips from the headwaters of the Wind River to the mouth of the Peel. She plans to start a business to do educational river tours — another inspiring young woman. Other members of this youth group were Prairie Dawn, Robert Neyandre, and a young man we have all come to know, Dana Tizya-Tramm, the current Chief of the Vuntut Gwitchin First Nation.

I truly feel that our future is in excellent hands, Mr. Speaker. I look forward to the amazing things that our Yukon youth will achieve going forward. I am elated that we have given them a legacy in the preservation of our Peel watershed to allow them to carry on the fantastic work that they have done so far.

Mahsi'cho and thank you to every person anywhere who supported this fantastic process. It truly is a gift to the entire planet, Mr. Speaker, and I look forward to the support for this motion from all members of this House.

Mahsi'cho. Thank you.

Ms. Hanson: In rising to speak to this motion from the Member for Mayo-Tatchun, I just want to state at the outset that of course the New Democratic Party does congratulate, has congratulated, and will continue to congratulate the parties who worked so hard over the many years to fulfill the principles set out in chapter 11 of the First Nation final agreements. We congratulate those First Nations for their persistence.

The member opposite has done a fairly good job of going into some of the history — the long history of this battle — this challenge, because it became a battle. I guess my real question is: Why are we still talking about this? It's time to move on and it's time to fulfill the expectations of all Yukon First Nations and all Yukon citizens to fulfill the commitments we made — that we made as Yukoners and that Yukon government made as the Yukon government to complete land use planning in the territory.

This is not an idle thing. Mr. Speaker, there is no doubt that the Yukon NDP has been there since the beginning. Over the course of my career in this Legislative Assembly — even prior to this Legislative Assembly — I made a submission in support of the final recommended plan. In this Legislative Assembly, we've asked at least 52 different sets of questions about the planning process. I'm not going to go into a long litany of the misdeeds of the previous government. We saw what the court said.

I sat through those court hearings, Mr. Speaker, along with some of my colleagues and along with many of the First Nation citizens and other Yukon citizens who demonstrated in front of the courthouse and who went into that courthouse and listened for each of the full weeks that court hearing went on. We understood and we fervently believed in the integrity and the

importance of what had been put forward in that final recommended plan. We stood in solidarity with the First Nations, with CPAWS, and with the Yukon Conservation Society. We tabled a petition of over 8,000 names in this Legislative Assembly.

Mr. Speaker, if you can imagine outside when those drums were pounding and they presented the petition to me — it was on sheets that stretched around, and around, and around — all those names. Now we couldn't table those sheets. The Clerk will be happy to know that we didn't attempt to table sheets that would go up that high. We had them photocopied.

So, we raised and debated extensively at least three different sets of motions in addition to all the questions we raised about this. We had the privilege of joining with elders at their invitation at Cache Creek on the Dempster Highway to hear from them about why this region and to see that edge — not in the region there, but the notion of that traditional territory on a very chilly March day a number of years ago.

Our belief is — as we celebrate the successful completion and the recognition that the *Peel Watershed Regional Land Use Plan* has been accepted by the parties, by the Na-Cho Nyäk Dun, the Tr'ondëk Hwëch'in, the Vuntut Gwitchin First Nation, the Gwich'in Tribal Council, and the Yukon government — that the work begins now on that plan — on implementing it. Our job, as legislators, is to ensure that the integrity of the process that is set out in chapter 11 is lived up to.

What we do think is that, as I said, we should be encouraging all governments to move ahead on the remaining land use plans that have effectively been on hold. Work has begun, I understand, and I would seek confirmation from the government minister responsible on the Dawson and Tr'ondëk Hwëch'in traditional plan — or a plan in their traditional territory — a plan that was put on hold when it went to the Supreme Court. A significant amount of work was done on that. We attended open houses on that as well.

But this does leave comprehensive land use plans — as are set out in chapter 11 — for the Northern Tutchone, Na-Cho Nyäk Dun, Little Salmon Carmacks, and Selkirk First Nation traditional territory, Teslin Tlingit Council traditional territory — again, that was one that began and stopped — a comprehensive plan for the Kwanlin Dün, Ta'an Kwäch'än, and Carcross traditional territories — and Kluane, Champagne and Aishihik traditional territories. We have said this before many times — notwithstanding the fact that White River and the Kaska First Nations did not complete or sign final agreements, there are — and we should not be constrained by a lack of imagination or political will to enter into planning processes with those First Nations. We have seen — and have talked about at length in this Legislative Assembly — the constructive and creative work that was done by the Government of British Columbia and the Kaska in BC on the completion of the Muskwa-Kechika land use plan in that beautiful territory there.

We have to remember why we have these land use plans and why we, as citizens of this territory, through our respective governments, committed to completing these plans.

We have land use plans, according to chapter 11, to minimize actual or potential land use conflicts. Every day, we see that these conflicts are likely to grow without planning. It recognizes and promotes the cultural values of Yukon First Nation people, a recognition that certain cultural activities are intrinsically linked to the land. We do this to ensure that sustainable development — and this word was so important; it's a defined term; it goes back to the Brundtland Commission in 1992 or so.

Sustainable development is supposed to underpin the whole of the planning process in the Yukon. We committed to ensuring sustainable development by developing social, cultural, economic, and environmental policies that apply to the management, protection, and use of land, water, and resources in an integrated and coordinated manner. Those words were not chosen idly, Mr. Speaker.

Those plans were to spell out how and where land uses may or may not occur and to increase land use certainty. My colleague across the way has talked about the importance of beginning the work of implementation.

We could not agree more, but one of the challenges that we face is the absence of concerted and focused effort to move forward on completion of the land use planning process that is required under chapter 11 of First Nation final agreements. We have seen a particular focus by this government on sub-regional planning. I think that it's going to be a huge challenge, and we need to have this conversation publicly about how sub-regional plans may or may not fit within the context of the commitments that we all made in the First Nation final agreements.

Mr. Speaker, one of the things that I want to point out is that on October 5, 2017, the Land Use Planning Council was established in the *Umbrella Final Agreement* — with representation from government and First Nations — with a mandate to oversee the completion of land use plans in the Yukon. They wrote then to the Chief of the Na-Cho Nyäk Dun and the Minister of Energy, Mines and Resources to indicate that — with respect to the regional planning area, the Land Use Planning Council noted that there is no formal agreement by the parties regarding the general planning regions in Yukon. They talked about and recommended to the parties the creation of the Northern Tutchone region and noted — in that correspondence to the political leadership of both the Na-Cho Nyäk Dun and the Yukon government — that in fact the notation of a Northern Tutchone region has appeared on the Yukon Land Use Planning Council's maps since 2000. The parties have talked about this.

A concern arises when we get pressured by certain segments of the economy or the society to ignore what has gone before and to ignore the commitments made. Although it has not been ratified by the parties — that map or the notion of that Northern Tutchone region — if the parties do agree with this as a region — which would be a comprehensive region for land use planning — then the Stewart watershed would occupy over 50 percent of the Northern Tutchone planning region, which includes the traditional territories of the Selkirk First Nation,

Tr'ondëk Hwëch'in, Ross River Dena Council, and potentially other First Nations with transboundary interests.

This appears to be a very large sub-region — although without any legislation, a Yukon-wide land use strategy, or updated implementation plans, there is no clear point of reference.

So the council has been seeking for years — since this government got into power — a means for bringing a common understanding to the interpretation of chapter 11, including the need for a detailed process to create sub-regional plans — you know, Mr. Speaker, the Yukon Land Use Planning Council did contract and complete a sub-regional planning document recognizing that the Yukon government seemed to be intent on moving into sub-regional planning without clarifying how this links to the constitutionally entrenched commitment to complete land use planning pursuant to chapter 11. They did this in the summer of 2018, I believe. In that paper, they sought to clarify if the parties to the land claim agreements are interested in having sub-regional plans completed under the terms of chapter 11 of the UFA.

The challenge that they face — and the challenge that we have going on right now — is that we have, in the Mayo region — the Member for Mayo Tatchun's very own region — a process of sub-regional planning that has been carried out with respect to the Beaver River watershed land use plan, a sub-regional plan. This is a plan that has gone on for at least a year and a half now. There is an agreement. One of the challenges that the Government of Yukon — and I think several governments — will now face is the possibility that there is a perception within the Government of Yukon — and perhaps within the government of Na-Cho Nyäk Dun — that a sub-regional plan can trump a final agreement, chapter 11 plan.

I say that because, when I read the agreement that was signed on January 21, 2018, it talks about a conflict between the plan and a road access management plan: “If there is any conflict or inconsistency between the provisions of the Plan...” — that plan being this plan for ATAC Resources' access into the Beaver River area — “... the provisions of the Road Access Management Plan will prevail over the Plan to the extent of any inconsistency or conflict, unless the parties agree otherwise...”

That's not the only challenge to the land use planning process under chapter 11. There is a suggestion that the plan that may emerge out of the Beaver River watershed land use planning process may in fact be able to supersede chapter 11, Mr. Speaker. I think that there will be some challenges.

I reference a May 10, 2019, letter from the Mayo District Renewable Resources Council addressed to the Minister of the Environment, the Minister of Energy, Mines and Resources, and the Chief and Council of Na-Cho Nyäk Dun. The Mayo District Renewable Resources Council stated — and I quote: We “... would like to express our concerns of the Beaver River Watershed Sub-Regional Land Use Plan (The Plan), and the proposed ATAC Resource Access Road (The Road).” The Mayo District Renewable Resources Council “... was established under the Umbrella Final Agreement (UFA) and the Yukon First Nations Final Agreement (YFNFA) as ‘a primary instrument for the local renewable resources management in

that Traditional Territory as set out in a Settlement Agreement, Chapter 16.6.1’.”

They went on to say that the Mayo District Renewable Resources Council has “... 3 main areas of concern: Wildlife/Habitat, the Road and the Plan.

“Wildlife and Habitat are the primary source of concern for MDRRC and this area with previously limited access if of great importance.” They noted that: “Yukon Government is only in the research and drafting stage of...” — the wetlands policy. “The Beaver River Watershed is a prime example of wetlands with diverse wildlife habitat. Moose are one species which benefit greatly from wetlands habitat.

“Council has for many years been actively engaging with YG regarding the moose populations in the Mayo area; which have continually been in decline. Specific surveys in the Plan area have shown it to be an area of high concentration of moose activity, with preferred moose habitat directly along the proposed road corridor.”

Mr. Speaker, the Mayo District Renewable Resources Council also said that they are “... extremely concerned with the proposed road. The Road, will create opportunity for increased human activity and harvesting... It is uncertain at this time if the new Resource Roads regulations will govern the road. If not, this could ultimately define the road as ‘public’ removing the authority of ATAC to regulate access.”

They noted: “The proponent has stated at public meetings that the road is preferred to off-set the cost of helicopters. MDRRC does not agree this is justifiable for exploration.

“MDRRC did not and continues to disagree with the staking of claims for the purpose of access and/or road building; therefore, we do not support this type of development activity.”

They went on to say, “A ‘Resource Road’ should not be approved until that regulation process is in place and certainly not until proven mine development is imminent.” They went on to say, “The Plan, simply put, does not adhere to the...” — *Umbrella Final Agreement* and the Na-Cho Nyäk Dun First Nation final agreement — “... and the process of the Yukon Land Use Planning Council and Commissions (Sec-11.8.4) has been disregarded.” The Mayo District Renewable Resources Council “... feels that the Plan is being pushed through, under pressure, despite the overwhelming majority of consultation results that indicate an opposition to the proposed road.”

So, Mr. Speaker, there are concerns about sub-regional planning that is linked to the provisions, both in the *Umbrella Final Agreement* and, in this distinct case, to the Na-Cho Nyäk Dun. I raise this because the Mayo District Renewable Resources Council was not alone in raising these objections. If you go on the website and read the “what we heard” document, you will see a number of other concerns being raised from outfitting concessions, from the Canadian Parks and Wilderness Society, which also raised the simple question of why the planning process was being conducted outside of the *Umbrella Final Agreement* when the *Umbrella Final Agreement* provides for sub-regional planning. Why not do it in the context of chapter 11 and be really clear about it? Why set up conflict that we're trying to avoid by the provisions of chapter 1?

They further ask the question, which is the potential — as I outlined at the outset. The question is: Why does this agreement that I referenced — the January 21, 2018, agreement signed by the Government of Yukon and the First Nation of Na-Cho Nyäk Dun — state — and I quote: “... the provisions of the Plan... will prevail...” — over any other local area district or regional land use plan — “... to the extent of any inconsistency...”?

The question is: How can a plan of this nature — which was not done pursuant to chapter 11, not under the aegis of the land use planning council — how can it purport to prevail over a regional land use plan that should be done under chapter 11? It doesn't align with chapter 11 of the First Nation final agreement and/or the *Umbrella Final Agreement*, because chapter 11 says that sub-regional plans are intended to conform to regional plans — absent a regional plan, it's pretty damn hard to get that sub-regional plan to conform.

There are a number of issues, and as I said, there are a number of people who have raised some very thoughtful issues with respect to the processes. While we congratulate — and I know the Yukon government really likes to pat itself on the back and say “Well, aren't we doing good.” But you know, what we need to do is step back and say, “How do we ensure that, going forward, we're not going to do something that is going to mess this up?” We do not need another protracted legal challenge, and that is what the Government of Yukon is setting up by attempting to deal off the side of the table, off the side of the process that was negotiated over the course of 30 years.

The Member for Mayo-Tatchun identified and named a number of the people who were involved in that process. They didn't do it for fun, Mr. Speaker. They believed fervently in what they were doing and we do them no service. In fact, we disrespect not only them, but the efforts and the work that they put into it when we cavalierly suggest that, notwithstanding what all the parties agreed to — what is constitutionally entrenched — we can simply go off and do something as a sidebar activity and hope there will be no challenges.

I just wanted to — as I said, this has been a matter — the *Peel Watershed Regional Land Use Plan* has been something that has been really important on a personal as well as a political level. Around the time I got elected, I had written an article about getting Yukoners involved in the Peel watershed land use plan — because to me, one of the key things about — as much as the ugliness and the disputes caused great friction, ironically, what the Yukon Party did was they brought people together to understand that First Nation final agreements are actually the agreements that bind us all together. The outcome of those agreements and how we give effect to them are who we are.

When I wrote this article in December 2010, I also made some points that I do want to conclude on. I am not sure if I have a couple of minutes.

Speaker: You have unlimited time.

Ms. Hanson: Unlimited? I can read the whole thing, but I won't do that, Mr. Speaker.

One of the things that always struck me about the Peel plan — and why I think it is so important to go forward with completion of the regional land use plans that are required

under chapter 11 — is that what they allow to be brought to the public, to the fore, is the voice of the people. When the final recommended plan is handed over to the parties by the commission that is established, they give a letter of transmittal, which is basically a letter that says, “Okay, we have done our work. Here you are, folks. You guys go and do the job.”

When I reflected on the Peel plan as it was presented, I said — and I am just going to quote from this article: “My sense is that we, in Yukon, are lucky to have had people involved in the land claims process who saw the wisdom and the necessity for land use planning.

“This plan was put together after extensive, multi-year consultation and after amassing a vast amount of scientific, geological, economic, socio-cultural and other data.

“An important aspect of the Peel River Watershed Land Use Plan is that the authors of this recommended approach to planning for this unique area of the Yukon are fellow Yukoners: parents, grandparents, friends and neighbours.

“Although they relied upon experts in many fields — mining, environment, tourism, traditional knowledge et cetera — the final recommendations were made with a commitment to a basic, and common-sense, approach that is profound.

“Yukoners...” — and this was at that time when we were still contemplating it — “... are asked not to respond based on their labels as miners, environmentalists, tourism operators or politicians but as parents: to consider how you would explain the decision you take in response to the recommendations made by the Commission to your grandchildren.

“The Peel River Watershed Land Use Planning Commission worked hard to avoid setting up confrontations between and among interests.

“The basic premise of the plan is that it preserves Yukon's options.” They said — and I quote: “We can always decide to develop in the future but once this decision is made, we cannot return to a pristine ecosystem and landscape — not in our lifetimes and not in the lifetimes of our great grandchildren. It is better in our view to go slow. Going slow has many advantages, including the possibility that we may be able to do things better and with less expense in the future. Changes in techniques, knowledge and technology and, perhaps, attitudes can open windows of opportunity for development. To be cautious and to preserve options, the Commission did not call for existing mining claims to be extinguished.”

I said at the time and I say now — because what I see happening — and this is my concern as expressed this afternoon about the expediency overruling — or trying to overrule — the provisions of chapter 11. It may be expedient to try to press and push forward — for example, on the Beaver River land use plan — but it's not consistent with the *Umbrella Final Agreement* or the First Nation final agreements.

I do believe, as I have said many times in this House, that what that plan did — if we live up to the expectations, we will commit to finalizing the remaining land use planning processes, pursuant to chapter 11. Then the plans that they put before us — and before the respective governments that are involved in each of those plans — because there will be multiple parties — are intended to help us visualize and achieve the kind of future

we want. That's the challenge — and it goes back to what I was saying earlier about why the people of Mayo-Tatchun referenced — and others who we've paid tribute to and talked about — often sadly in the past tense — spent so much time and believed fervently in the notion of sustainable development.

However, Mr. Speaker, what the *Peel Watershed Land Use Plan* did not address and what was not part of the mandate in chapter 11 — but has become increasingly charged as an issue — is an issue that the Government of Yukon has to seize and act upon. One of the big challenges we saw when the Peel plan announcement — when the planning process was going to begin — was that there was a call to put a moratorium on mineral staking in the area. The government of the day ignored it, and suddenly we have 4,000 to 8,000 — I can't remember which one it was — a range — a large number of instant staking occurring. Similarly, in the Beaver River area, a request was made to put a moratorium on staking until you've done the planning.

Then there's a claim — an assertion — that somehow, when you reach an agreement on what the plan is going to look like, the citizens of the Yukon Territory are liable for — I'm putting in air quotes here — “compensation”.

I want to go back and raise what I still believe, nine years later, are issues still to be addressed. “It is not the job of the Land Use Planning Commission...” — or of any land use planning commission — “... to address the implicit policy issues raised by the recommendations of...” — any land use plan. I still think it's past due. “What is clear is that a public discussion is past due on what Yukoners, as the owners of Yukon land and resources, should demand in exchange for allowing access to, and extraction of, those resources.” That wasn't the job, but it became the challenge to the success of that plan.

Several ministers — both of Environment and of Energy, Mines and Resources — in the previous government got hung up on that, because they had not given thoughtful policy consideration to these issues and allowed themselves to get like a squirrel, sideways on that.

“The Yukon government...” — this Yukon government — “... must hear calls to address the competing demands for access to land for staking of mineral claims and for other purposes, whether they are residential, recreational, wilderness outfitting or tourism.

“Rather than fostering false divides in the community that is Yukon, the Yukon government can play a leadership role and open a dialogue within Yukon on how to balance expectations for a sustainable mining industry...”

Unfortunately, the process that's going on right now isn't geared toward that, Mr. Speaker. I think that dialogue would be with the expectations of Yukoners that the decisions made about where and when mining occurs, including exploration activities, are decisions that can be made in a 21st century context. That's what we saw — the reason I say this, Mr. Speaker — because when the Peel plan was going through — all the years the process wound through — there was much discussion — sometimes verging on threats — that any

decision to follow the recommendations of the *Peel Watershed Regional Land Use Plan* would result in litigation and the payout of millions in compensation. I've actually heard it in this Legislative Assembly not that long ago.

Yukon citizens expect its government to find ways to address competing interests in a fair and balanced manner. You know, Mr. Speaker, Yukon is not the first jurisdiction to have to deal with finding this balance. I will say again that Yukon cannot allow the issues to drag on rather than take action. Both British Columbia and Alberta have regulations that respond to the issue of mineral compensation. In the early 1990s, as a result of efforts to designate the Kluane, Wrangell, Glacier Bay, Tatshenshini/Alsek areas as a UNESCO World Heritage Site, the BC government set up the Schwindt commission, which reported in 1992, and the BC regulations came into effect in 1997.

Mr. Speaker, that report — the Schwindt commission's report — and others — identified some principles that could serve as a basis for beginning the conversation in the Yukon. I think we need a principled conversation — principles have to be stated out loud for the public to know what's guiding that conversation.

The principles that Schwindt outlined in that commission — which guide decisions in British Columbia — one of the principles was that a mineral claim is not ownership of property. It provides access to the minerals owned by the taxpayers through the Crown. These minerals do not belong to the miner until they have been extracted from the ground, and even then, they are subject to royalty or mining tax as a resource rent.

You know, Mr. Speaker, the interesting thing is that we heard an echo — an exact echo — of that statement through the Yukon Financial Advisory Panel. It's fascinating. This is not a revolutionary concept, but it is one that often scares people to say out loud. That is why we asked the Yukon Financial Advisory Panel when they appeared before this Legislative Assembly to read that into the record, because we were astounded — because we have been told: “No, you can't say that out loud.”

Another principle is compensation policies — “Compensation policies should not induce private investment in resources that are likely to have a higher value in public use.”

When the governments of Canada, British Columbia, Yukon, Alaska, and Champagne and Aishihik First Nations decided that this area in north BC, Yukon, and Alaska was worthy of being designated a UNESCO World Heritage Site, they had to take into fact that this was a determination that the public use of those lands — if you have ever been there, and I did that two years ago — it's astounding country with massive glaciers and powerful rivers — some things that society determines are better in the public realm.

A further principle that Dr. Peter Schwindt identified is that: “Care needs to be taken in any conversation about compensation; taxpayers should not be made to be ‘insurers’ against the risk of expropriation.”

Further, we need to determine how to value the investment made and compensation that taxpayers might pay, because it is

quite reasonable to expect that there will be, in some cases, a requirement. In the case of when they created this UNESCO World Heritage Site — people will recall the infamous case of the Windy Craggy mine, owned by Peggy Witte, who owned the Giant Mine prior to that. It was determined that, because this was an operating mine and it was on its last legs — but she did get a payout of \$76 million and left a mess. She did get a payout.

But it was done on certain principles.

“We need to determine how to value the investment made, and compensation that taxpayers might pay, if there was a decision to not allow any further mining exploration in a given area.”

The recognition of the significant federal and territorial incentives needs to be taken into consideration — such as tax deductions, et cetera — that are already allowed to investors and mining exploration companies — we think of things like flow-through shares and others.

So, Mr. Speaker, we can't allow ourselves to get deflected from the key issue here, which is the completion of regional land use plans — celebrating the victory, finally, through the Supreme Court of Canada, of the parties to the Peel River watershed land use plan, but committing to getting the remaining done and not being distracted by these other matters that are the rightful job of government as policy — to have that public conversation in establishing these policies and to ensure that we're not being held hostage because we haven't done the necessary work.

My colleague and I were so disappointed that we couldn't go to that celebration in Mayo. We were attending a Canadian Council of Public Accounts Committees and had notes exchanged from folks from the various First Nations and other organizations that said, “Are you coming?” It was like, “No, we can't come” — but our hearts were there. It's a disappointment when you have sort of been through all the other pieces of this puzzle to not be able to be there when the party happens. We salute them all, and as my colleague and I made an ill-fated little trip into the Peel watershed — I'll never forget having Jimmy Johnny as we camped down at the lake in Mayo coming down that morning before we took off with a bowlful of wild strawberries that he had picked for us for our trip. The friendships that are forged as you stand with people over the years are deep, and we treasure them very much.

That segment, that part of our history, is done. We do right to be happy about it, and now we must do right by getting the remaining land use plans done with some serious commitment to a time frame that will see them done before my grandkids are as old as I am.

Hon. Ms. Frost: It gives me great pleasure today to speak about the Peel — something that is very important and very near and dear to the Gwich'in people of the north and all Yukoners — something I dedicated my life to with my professional career and work on the Peel and the implementation of our agreements. I too have been very actively involved in the Peel plan and the negotiations.

I want to thank the Member for Mayo-Tatchun for bringing this important issue forward today. Implementing and supporting the *Peel Watershed Regional Land Use Plan* is good for conservation. It's good for reconciliation with Yukon First Nations. It's good for habitat protection, and it will benefit generations to come.

I want to thank the parties who worked together with the Government of Yukon to make this happen: the First Nations of Na-Cho Nyäk Dun, Tr'ondëk Hwëch'in, and Vuntut Gwitchin, and the Gwich'in Tribal Council. There were many elders and many members of our community who were not able to celebrate with us the signing of the Peel plan and yet dedicated their lives to protecting the things that are very important as defined under the self-government and the final agreement. That means the integrity of their very existence in this area. As they always said, in seven generations from now, we want to see the resources as they are now — the pristineness of our wilderness, the pristineness of the resources that are there. The parties collaborated closely to find consensus on the plan and embarked on a final consultation process that respected the direction from the Supreme Court of Canada and the final agreements.

This included community meetings, stakeholder sessions, online questionnaires, and a website to gather input for consideration by all parties. On August 22, I had the honour of representing the Government of Yukon, but more importantly, I had the honour as the MLA for Vuntut Gwitchin of representing my community as we came together with our four First Nation partners to conclude a land use planning process 15 years in the making and signed the Peel land use plan.

The Peel watershed covers 67,431 square kilometres of wilderness in an area roughly the size of Scotland. The watershed contains dramatic mountain peaks, pristine boreal forest, extensive areas of subarctic tundra and wetland complexities, and seven rivers that ultimately drain into the Beaufort Sea. Grizzly bears, wolves, moose, caribou, and lynx call this area home while millions of migratory birds find seasonal sanctuary in the region.

That's not all, Mr. Speaker. We have First Nation people who have occupied that space for time immemorial. We have elders from my community who have set foot in that area, who lived and thrived in that area, and who continue to do so today.

The Porcupine caribou make the longest land mammal migration on Earth, from the wintering grounds in the Peel to their calving grounds in Alaska. The Peel watershed provides sanctuary to them and provides sanctuary for plants and animals that must adapt to the disruption brought on by climate change.

We talked about that today, Mr. Speaker. We talked about the significance of declaring climate change and climate action. The First Nation people of that region have known for many years — 30-plus years, as they have indicated, that they have observed and seen climate change, and they have participated in that process. They have participated in educating us, as young people from our communities, on the significance of why it's important to declare a climate action and climate emergency and how we must adapt to our environment.

For the four First Nations who call this very special place home, the watershed has always provided physical and cultural nourishment. As I mentioned before, former Tr'ondëk Hwëch'in Chief Eddie Taylor, perhaps said it best when he explained — and I quote: “As our elders say, the Peel Watershed is our church, our university and our breadbasket. It sustains our spirit, our minds and our bodies. It is as sacred to us as it was to our ancestors, and as it will be to our grandchildren.”

The plan provides clear direction for managing land and resources in this region. The cornerstone of the plan is sustainable development. This guides the plan in three specific areas: environmental protection; heritage and cultural protection; and economic development.

Conservation areas make up 83 percent of the watershed, and integrated management areas make up the remaining 17 percent. This includes the protection for the boreal caribou. The conservation areas are made up of three types of designations: special management areas, which provide permanent protection and make up 55 percent of the land base; wilderness areas, which provide interim protection and make up 25 percent; and a new designated wilderness area for boreal caribou makes up three percent of the region. This provides interim protection with the additional requirements during planned implementation for legal designation in management plans.

This designation was created to provide additional protection for Yukon's boreal caribou population and address our responsibilities under the federal *Species at Risk Act*. Over the course of the fall, work will continue with our partners on implementation. As per a letter of understanding, a Peel implementation committee made up of representatives from all five parties to the plan has been struck.

The Peel implementation committee will be initially tasked to create terms of reference and an implementation plan before the end of this year. Our implementation plan priorities include: designating and creating a management plan for special management areas and wilderness areas; assisting in the establishment of national historic sites for two areas along the Peel River that are of high cultural importance to the Tetlit Gwich'in; designating off-road vehicle management areas through regulation; and recommending the permanent protection of mineral claim staking and other resource dispositions for the special management areas and renewing existing prohibitions on an interim basis in the wilderness areas.

As committed to and directed in my mandate letter from Premier Silver, which I received on October 10 of this year, in collaboration with the Minister of Energy, Mines and Resources, we will implement the *Peel Watershed Regional Land Use Plan* and support other land use planning processes.

The Member for Whitehorse Centre asked earlier today: Why are we still speaking about this? Well, Mr. Speaker, we have an obligation to inform Yukoners about the next stage of the plan, about what it is that we are going to do.

To reflect a little bit on the history, we have members of this Legislative Assembly who participated in the plan that took us significantly off-track. We have members who sat in this

Legislature as Minister of Environment, Minister of Energy, Mines and Resources, and Minister of Economic Development. This dates back to early 2011 to 2013 to just recently in 2016.

In July 2011, the Peel planning commission released the final recommended land use plan, recommending protection of 80 percent of the region from development. Yukon First Nations celebrated. It took us many years. It took Yukon First Nations, the stakeholder groups, the interested parties, and everyone in the Yukon — it took a lot of effort and a lot of years to reach that significant milestone.

The Yukon Party worked for three years to undermine that process and came away in January 2014 with a plan that significantly differed from the final recommended plan that the signatory five parties signed off on in good-faith negotiations and discussions. This saw the newly crafted plan suggesting a much-reduced protected area. That was not what Yukoners wanted, it's not what Yukon First Nations wanted, nor was it what the commission recommended — far from it.

A challenge followed. Aboriginal rights and the integrity of our agreements — the self-government agreements — were called into question and deviated significantly from the obligations laid out in chapter 11 of the First Nation final agreements.

The question is: What happened after that time? Mr. Speaker, let me tell you: the Yukon Party challenged the integrity of the agreements all the way to the Supreme Court of Canada. Never once did they apologize to Yukon First Nations. I don't expect that we will see an apology, nor will Yukon First Nations and the stakeholders. They will not have a do-over. History was made, and decisions were made with irreversible damages that were done. The final recommended plan will be implemented — it was agreed to and interpreted by the Supreme Court of Canada.

In addition to the Peel, the relationship the previous government had with First Nations was quite concerning — very concerning. It had a negative impact on relationships with Yukon First Nations pretty much from the very beginning. We are seeing that today with numerous questions that are being asked in the Legislative Assembly around cost-drivers for the essential services and programs, like mental wellness strategies, health and wellness strategies, housing initiatives, and family and children's services. These are fundamental human rights and services that Yukoners deserve. Never once did they think of the costs and expenses of the litigation pressures that Yukon First Nations saw. It took away from the very limited resources they had to ensure that their people were provided with efficient essential services, and we are seeing the repercussions of that now. In some cases, Mr. Speaker, the damage was done for 14 years, and in some cases, it is irreversible.

The hundreds of thousands of dollars it took the First Nations of Na-Cho Nyäk Dun, Vuntut Gwitchin, and Tr'ondëk Hwëch'in and the Gwich'in Tribal Council to fight their way to the Supreme Court of Canada to make a ruling on the obligations of chapter 11 of the *Umbrella Final Agreement*, specifically referencing 11.6.4 referring to the mandate as set out in the *Umbrella Final Agreement*: “The Yukon Land Use

Planning Council shall make recommendations to Government and affected Yukon First Nation...” — pursuant to 11.3.3.

Furthermore, Mr. Speaker, in 2011, the minister responsible, Patrick Rouble, sent a letter to the First Nations proposing to reject the proposed plan, with no regard whatsoever for the obligations clearly negotiated in good faith by our self-government agreements.

That brings me further to Bill S-6. Amendments to YESAA legislation under the leadership of the members of this Legislative Assembly who sit across in the opposition cost Yukoners and Yukon First Nations significant financial burden — all for what? The four recommendations that were brought forward undermined the authority and autonomy of Yukon First Nations and undermined the land claims final agreements yet again.

This caused major concern for Yukoners and for Yukon First Nations who signed off on the agreements in good faith. I’ll refer to when Bill S-6 was endorsed by the ministers of Energy, Mines and Resources, Environment, and Economic Development and the Premier of the day — endorsing Bill S-6, saying that the changes would enhance the investment climate and therefore would provide certainty — certainty for investments, I understand.

That wasn’t done in good faith, Mr. Speaker, nor was it done in collaboration with the First Nations. It was an interpretation by the Yukon Party — by the then-government in power — suggesting that we must be consistent with other jurisdictions. Well, Mr. Speaker, we have unique circumstances in the north — unique circumstances in Yukon. The unique circumstances we have are that we have self-government agreements. That is not seen elsewhere in the country. That gives us certainty. That was intended to give us some certainty around good-faith discussions on land use planning processes, around what we do with resource development and what we do with our partners.

The Premier of the day stated — and I quote: “... S-6 was federal legislation”. He said that it’s our path to “... reconciliation with Yukon First Nations...” and it “is ongoing”.

My recollection — because I was directly involved in those discussions; I was directly involved in representing my community — Bill S-6 and the amended Peel land use plan are not reconciliation in action — certainly not. Yukon First Nations pursued yet another lawsuit, much like they did with the Peel plan, stating that the plans and visions that the Yukon Party dreamed up while burning the midnight oil did not in fact represent the best interests of Yukoners but created more uncertainty. In fact, it violated the final agreements.

With their track record, I don’t think I want to take much advice on the implementation of the Peel plan from the members opposite. There are many paths to reconciliation, and we will continue to work with our First Nation partners as we move to implement the final Peel recommended plan that we worked so hard to endorse.

Chapter 11 of the *Umbrella Final Agreement* and the specific self-government agreements speak very clearly. We will do what we were elected to do, and that’s to represent the

interest of Yukoners in a transparent and respectful manner, not to undermine and interpret the agreements as perhaps as — I’m not sure how it was interpreted. Certainly, it was not interpreted in good faith, nor was it interpreted with our partners, nor Yukon First Nations, nor the interest groups.

I certainly recall the plan coming to my community. “It’s a good plan,” I was told. My community and the elders were told, “It’s a good plan. You must endorse it.” No, Mr. Speaker. Yukoners have spoken — many, many Yukoners have spoken and we listened. We are guided by the Supreme Court of Canada’s decision. The five parties worked collaboratively to complete and approve the plan and we will now proceed to implement it. It is my great pleasure to watch as our Premier Sandy Silver signed off on the plan —

Speaker’s statement

Speaker: Order. The Minister of Environment will refer to the other members by either their portfolio or their electoral district or riding. Thank you.

Hon. Ms. Frost: My apologies, Mr. Speaker. It is my pleasure to watch as the Premier signed off on the plan protecting 83 percent of the Peel. That is reconciliation in action.

When the Yukon Party member stands up, perhaps they would officially apologize to Yukon First Nations for disrespecting the integrity of the final and self-government agreements, specifically for breaching the obligations of chapter 11.

Mr. Hassard: It’s a pleasure to rise today to speak to this motion.

Mr. Speaker, as you know, we have already debated the substantial elements of this motion many times in this House. The government has made numerous speeches and ministerial statements on this topic and has failed to provide any new information or any new details. This is even though there have been very reasonable questions posed by the opposition parties. But I guess it’s easier for the government to just keep recycling their motions and speeches over and over.

The 2017 Supreme Court decision provided clarity on chapter 11 of the *Umbrella Final Agreement* and that was a good thing for Yukoners. The decision set out a process and a path forward for the government. The Official Opposition respects the *Umbrella Final Agreement*, the First Nation land claim agreements, and the First Nation self-government agreements in the Yukon. I believe today’s motion is in line with the process and the ruling of the Supreme Court.

Regarding the wording of this motion, or whether or not to support the final plan, the Supreme Court has set out the path and has said that the final plan has to be supported, so of course we respect the court’s decision and of course we support the motion. It’s clear that the government has to go forward with this.

Further, we do note that the Liberals did commit themselves to accepting the final recommended plan during the 2016 election. Again, I believe this motion is supporting that

campaign commitment. Given that these questions have all been settled already, we are left wondering why the Liberals are focused on the past.

Mr. Speaker, this government has developed a reputation of being unable to do anything or make any decisions. There are a lot of issues with respect to land use planning and development that haven't been settled yet. The Liberals' inability to move forward on these files is creating a lot of uncertainty.

Today, instead of debating a motion on something that a decision has already been made on and has been settled for years, why aren't we debating a motion talking about other land use planning processes? Why is this government not updating us on the Dawson land use planning process? Why are we not getting updated on the Beaver River land use planning process? Why is this government unable to answer simple questions about the actual implementation of the land use plan that is discussed in this motion today?

Why are the Liberals so focused on the past? That's easy: It's because they have no vision, and they have no plan for the future.

The questions and concerns that the Official Opposition has had with how the final recommended plan will be implemented remain. We worry about the amount of land in the territory that can no longer be developed and what impact this may have on future generations of Yukoners. As recently as two weeks ago, we asked the government a number of simple questions about the implementation of this final plan. So far, the government has been unable, or unwilling, to answer these questions.

In the ministerial statement from two weeks ago, it was noted that Yukon government officials are now working with partners to implement the final approved plan. In our response, we asked if the government could provide a timeline and a budget for when full implementation will be complete, but we didn't receive an answer.

The ministerial statement said that they would be designating and creating special management plans for special management areas and wilderness areas. We asked for an update on what that process entails. Will there be public consultation on those specific management plans? Again, we received no answer.

The ministerial statement referenced the creation of national historic sites. We asked: What does that entail? What is Parks Canada's role in that? Who will be paying for the costs associated with those sites? Again, we received no answer.

The ministerial statement referenced a prohibition of mineral staking and other resource dispositions as well as renewals of existing prohibitions. As we all know, there are third-party interests in the Peel watershed with significant costs associated to those parties if their claims are expropriated either directly or indirectly. I will just quote from a *Whitehorse Star* article on August 26: "... the Yukon Chamber of Mines has suggested it's quite likely exploration and mining companies will be seeking financial compensation because the plan essentially expropriates their existing mineral claims in the Peel region." The article went on to state: "The premier, however,

said in a press conference following the signing ceremony the Yukon government is not contemplating compensation." I am quite sure that the Premier knows what will happen to our reputation as a safe place to invest if he expropriates mineral claims, especially without compensation. So we asked whether the government has done any analysis on the value of the claims that industry would be seeking compensation for — but again, no answer.

We asked: What would the impact of such compensation be on the government's bottom line? There was no answer. We asked: Have they done any legal analysis on the possibility of a lawsuit if they do not proceed with compensation? Surprise, surprise, Mr. Speaker — again, no answer. We asked: Will the Premier extend the relief from assessments for claim holders in the region until the question of compensation is settled? Still no answer.

The ministerial statement also referenced the designation of off-road vehicle management areas through regulation. We asked: Is this contemplated as part of the current review of ORV management that the government is conducting, or is this a separate process entirely? Again, no answer. So you may see a bit of a trend forming here, Mr. Speaker. This Liberal government is unable to provide answers about the future.

The ministerial statement referenced continuing work for more regional land use plans. We asked the government to provide us with an update on the planning for the Dawson region. We know that six more plans need to be completed. Does the Premier have a schedule for which ones will proceed and when? Again — no answer.

So maybe the government can answer some of these questions here today, but since their motion is recycled, I am sure that the speeches are recycled as well, so I doubt that they are capable of answering any of these questions that are being asked directly to us by Yukoners, I should add, Mr. Speaker. These are questions and concerns that we continue to have, and I believe that they are important questions.

Before the government gets mad at me for raising these questions, I just want to remind them that we are here as elected representatives on behalf of Yukoners. These are legitimate questions that we have heard directly from Yukoners. They are important questions, and it is fair for Yukoners to ask them. As MLAs in this House, it is our job to raise these questions on their behalf. These questions won't affect how we vote on today's motion — which we will be supporting, as we believe it is in line with the Supreme Court's ruling — but it is unfortunate that the government is still unable or unwilling to answer simple and important questions about the actual implementation of the plan.

Mr. Speaker, these aren't new questions. The Liberal government has been aware of these questions for quite some time, and they still won't answer them. I would encourage them to spend a little less time at ribbon cuttings and eating of the cake, and spend a little more time actually governing and making decisions.

Ms. White: I thank the member for the intent with which this motion was brought forward. I wasn't going to speak, but I

would really like to just recirculate the tone from the last two speakers.

What a phenomenal achievement this is for the First Nations, the environmental groups, the Yukon government, and all those who were involved. My relationship with the Peel watershed land use plan and the area — I'm going to go as far back as my mother, who grew up in the Mayo area and who is well familiar with the Wind River road. For myself, it has been since 2011.

As the Member for Whitehorse Centre said, we had the really incredible fortune of being able to go into the Peel watershed area in 2012, so we flew into McClusky Lake. The water was at an all-time high at that point in time, and Jim and Pam Boyd were the leads on our trip. Based upon the skills of me, the Member for Whitehorse Centre, and two others, the decision was made that a helicopter ride out of the watershed would be expensive, but, worse than that, losing two-thirds of the Yukon NDP caucus in an incident would be catastrophic. We flew into McClusky Lake, and we lined down the creek. I will put a pitch in — I think it should be called "Dry Mouth Creek". If anyone doesn't like the sound of rushing water or if it makes them anxious, I can tell you that I didn't have enough saliva to eat crackers at that point because it was so stressful for me on the way down, although I'm not sure why, because on the way back up, it was fine.

We had the opportunity of camping right where — it's an unnamed creek — the creek joins the Wind River. We were right there on that plateau. We were in the area for 10 days. We did a lot of hiking, and I took a lot of photos. At the Peel celebration that was just held at the Kwanlin Dün Cultural Centre — I like to talk about my past as a baker, and I like to use those skills when I can — I had the good fortune of being asked to participate with those skills. I built — I think it was very lovely — a three-cake tableau. It was actually from one of my photos at that spot in that meadow with the flowers looking toward the mountain. I thought the really fascinating thing was that people who had been to the area recognized the location, based on the cake. That was something that was pretty neat for me.

Mr. Speaker, I never knew, when I got this job initially, that I would be learning how to speak over the sound of drums or people outside the gallery. That's a unique talent all on its own. The one thing that this process showed me is the power of people and the power of positive engagement.

The fact that Yukon citizens, the First Nations, the environmental groups, and the people who just kept participating — they kept coming in and they kept coming back. I talk about it, but for the 33rd Legislative Assembly during Question Period, we were never here on our own. There were always people in the gallery who had T-shirts on that said to protect democracy, protect the plan, protect the Peel. They sat in the gallery every Question Period for the entire length of the 33rd Legislative Assembly.

Imagine that — imagine those hours of sitting here, just bearing witness to the proceedings.

I remember what it was like. It was pretty awful. I also remember the power of the elders when we were invited to

Cache Creek. We went down to Cache Creek on the Dempster Highway and got to listen to elders talk about their family stories along the Peel River within that watershed and the importance of the area. I had the good fortune of going to the Yukon River Inter-Tribal Watershed Council meeting in Mayo. It took three years to get to the consensus vote, but it was the building of a consensus vote on steps forward. On that weekend, there was a discussion about the importance of the watershed and its protection.

I think that we can re-hash — I can talk to you about sitting in the courtrooms and watching that, or I can talk about participating in rallies, but more than anything, I just want to congratulate the people who never gave up, who did think about what they wanted for their grandchildren and who made submissions to the panel, which always held onto their truth and participated to the best of their ability and in the good faith that they did.

All politics aside, it is just a congratulations to the territory, to the country, and to the world that we have preserved this beautiful spot. Having gone in, I know personally how beautiful it is, but I don't think that you actually have to physically have gone into the watershed to be able to value that it is there and that it is protected. For me, it is knowing that it's there and that, if the opportunity ever arises for people, they can go. It is knowing that the water flows and that the animals live. If you are lucky enough to be there and see things — just what that means. I just want to congratulate the First Nation of the Na-Cho Nyäk Dun, the Tr'ondëk Hwëch'in, the Vuntut Gwitchin, the Gwich'in Tribal Council, CPAWS Yukon branch and the Yukon Conservation Society for bravely taking that forward.

I was told at Cache Creek, actually, by chiefs of the First Nations that they were patient and that, when the time came, they would react. Sure enough, they did. I read the first court decision on the steps with the previous Member for Mayo-Tatchun, Jim Tredger, with a group of people when that first decision came out, and everybody cried when we figured out what it meant. We went back for the appeal and for the second appeal. There was that participation, but I think that more than anything people just kept coming out. We saw that at the last Peel celebration, because you need to celebrate achievements and that was a really big achievement.

Like my colleague, the Member for Whitehorse Centre, said, it was terrible to be in Ontario when that party was going on in Mayo. It was awful. It was awful to know that we were on the other side of the country. We talk about our environmental responsibility. The opportunity to fly home — I mean, I guess we could have, but it would have been literally flying home to drive to Mayo and to fly back to Ontario to drive. It just didn't make that kind of sense.

To know that we were missing that event — the accumulation of all that work — was awful. We were asked by friends who were there to send a statement that could be read at the party, and we just talked about how proud we were of people and how fantastic to finally get to a point where it was like a celebration without worrying about the next step.

Mr. Speaker, I do believe that all the parties to the signed plan — the Peel watershed land use plan — absolutely deserve our congratulations. More than that, the Member for Mayo-Tatchun listed off the people who aren't here anymore — and there are tons. There's Robin, who used to come to the gallery and who passed away. There are countless others who participated for all they were worth, and sadly, they didn't get to see that day, but they were always hopeful that we would get there.

Mr. Speaker, absolutely — we congratulate all those who were able to be there for part of the signing, but we also really want to take a second to thank and acknowledge Yukoners for their participation, because they never gave up hope in that entire time. It did at times feel very hopeless. I thank the Member for Mayo-Tatchun for his motion. We do absolutely congratulate all those who were involved in the process. We look forward, as has been said, to the completion of the last remaining six land use plans in the territory, because we have only completed two out of eight so far.

Hon. Mr. Pillai: There were lots of interesting points made by the opposition today — both the Official Opposition and the Third Party.

I think it's appropriate to set the record straight on a couple of different items that were focused on today and to just ensure that Yukoners and our hard-working public servants who are working on many of these files are also aware of the perspective of the government and also just to give a little bit of background on some of the key items that we've been working on and why it's important to have this conversation today, Mr. Speaker.

First of all, I would like to thank the Member for Mayo-Tatchun for bringing this forward. I appreciate — why are we having this discussion? We are having this discussion because this was an extremely, extremely important undertaking and important work. As the Leader of the Third Party said, so many individuals were vested in this process and had spent so much time on the process. That's one of the reasons we're talking about it.

The other reason is, we hear how sometimes the opposition will — they like to recant the fact that, when in government, we got new phones — and to be very open, I have to be — like an expenditure like I had — I was given a new phone in my last five jobs. It's actually a tool that's used in a modern economy.

But we're here too because millions and millions of dollars of taxpayers' money was spent on that decision, and taxpayers don't want us to forget that the legal bills mounted, and mounted, and mounted. So I think it's a little bit dismissive to hear from the Leader of the Official Opposition that we — you know, that this is history. Well, guess what? We don't want history to repeat itself. That's why we're here.

In many cases, when we are in the Legislative Assembly, we are scolded for bringing up something that happened 36 months ago or 48 months ago, but it is imperative that we all have a very clear understanding of what would happen in the future maybe if the same people were given another opportunity to have a set of decisions. I think that is very important. I think it's relevant. I think it's something that —

part of the reason why we're having this discussion. Millions of dollars — millions and millions of dollars on legal fees that were spent — and throughout that process, when Yukoners asked and wanted to know, they weren't told, as the tab continued to run up. I think that's extremely important to understand.

This was a critical issue of course of the 2016 election. In Porter Creek South, when I went door to door, there were two things that continued to trend in those conversations — and it was people who were business owners, who support development, who work in mining. "What are you going to do with the Peel?" was one, and "Do you support fracking?" That is what I heard over and over again at those doors. "Where are you at?" We were very clear that we would support the recommended plan and that we would put a moratorium in place on fracking. That is what we said we would do, and that is what we did — and I stand by that. If this is the only chance I ever get to be in the Legislative Assembly, that is a commitment that was made and we stuck to it — and the people who I get to represent, I think, appreciate that. Does that mean that 100 percent of the people in every neighbourhood felt that way? No, but I feel that the majority of people I talked to — an overwhelming majority — felt very strongly about those particular items.

After years of legal limbo that was a result of these missteps, the Supreme Court of course made the decision, which stated that the parties are to return to the 11.6.3.2 stage of the land use approval process where Yukon can approve, reject, or modify the recommended plan and the non-settled settlement land after consultation with specific parties, as we know.

The Leader of the Official Opposition had said earlier that — which we hear — in the future, there is no vision — what is going to happen? Is this work going to be done? Very clearly, on the front of our documentation that we put out during the election — it was about the economy and the environment — the environment and the economy. That is what we have been committed to.

It is a difficult thing to do because the Official Opposition certainly doesn't own the economy, because we see what is happening now, and the Third Party doesn't own the environment — those issues. We sit here all the time and continue to hear that, but that is not correct — because two things have happened. This economy is one of the strongest economies in the country right now and we are protecting more land than had been done before. That is the balance.

There are First Nations, through the final agreements, that have waited for a long period of time to look at withdrawals because that is the commitment that was made — not because it is a value judgment. It was because there was a contract signed during the self-government or final agreement and they are wondering what happened.

Today, Mr. Chair, the Minister of Community Services and I started the day off in Carcross and we received a letter. One of the questions was: When the commitments were made to these particular items with withdrawals, why — over the last number of years, even though they were committed to in these

contractual relationships — weren't they signed off? Why weren't they signed off? Why did the minister of the day decide, "Guess what? I just don't like that," even though it was signed off? That goes right back to the *Umbrella Final Agreement* — the constitutionally anchored documents that were there.

Within this work, balancing it, it is complex. It is something that takes into consideration a lot of time to think, consult, and speak with individuals. I like opening the newspaper today and hearing that Air North is going to expand their services because of mining in the southeast, activity in the southeast, and mining in Mayo — it's all busy. Probably, soon enough, they will be flying into Minto — or one of the airlines will — and they will be hiring more Yukoners. I like the fact that we are continuing to do regional land planning, sub-regional land planning, and local area planning. What I heard from the NDP today was that, if it is not chapter 11, you don't do it. Should I be mixing words? I don't think — that was the theme that I heard. If you do other levels of planning prior to that, are they going to be in conflict with a regional plan? Well, I can tell you that Kwanlin Dün has reached out to us and said that it is long overdue for us to do planning on the Fish Lake Road and Jackson Lake area. We have committed to that, and that's the work that we are looking at. The Member for Lake Laberge will tell you that it's long overdue to look at local area planning in Shallow Bay and the Fox Lake area. These are all important pieces.

Does the NDP want me to call up the Ta'an Kwäch'än Council or the people who reside in those areas and are non-indigenous but want to see planning done or the people at Kwanlin Dün and tell them, "Hey, it's not in chapter 11, so we can't do local area planning. We can't do it because that's not the prerogative"?

Should I go to the next Yukon Forum and say, "Hey, I know that all the chiefs at the table here and the Yukon government unanimously passed a commitment together at the Yukon Forum to do regional planning, sub-regional planning — and, in the case of three indigenous governments, they want to do indigenous planning in a particular area of the Southern Lakes — and that planning doesn't count either because it's not part of chapter 11"?

Cherry-picking a particular item and actually challenging the decision that was made by the Na-Cho Nyäk Dun government's chief and council — because I was in a room with the chief and council that signed off on an agreement. Everybody is trying to balance both the economy and the environment. I think that just because the previous Leader of the Third Party was citing her own primary source that she wrote doesn't mean that it is any more important or any more accurate to the perspective and argument that she is making. I thought it was beautiful. I have never seen that before. What I will try to do is get some published documents so I can cite my own documents and make it seem like a stronger argument.

Beyond that, I think that there were a lot of things that were said today by the previous Leader of Third Party that were in contravention of the work that's being done at the Yukon

Forum, the work that's being done by the lands branch, and the work that's being done by multiple First Nation governments.

This morning, in our discussions with the Minister of Community Services, what do we hear? We sat down, and one of the land management board members — because we met with the Chief of the Carcross/Tagish First Nation land management board — talked to us and challenged us a bit about where are we at when it comes to indigenous planning, and within that, we said from the start that we're going to support that process.

We want to be able to support, but inevitably, we need to come together, because we believe that a collaborative model of planning is the way to go. We don't believe that one set of governments should go together and just do final planning. Basically, the reason why some of these things have happened is because they're frustrated. They're frustrated because they signed an agreement to a land planning process that was something that was meaning to come along. It hasn't happened, and so, at some point, they're saying, "Look, we have to do some planning." That was the reason.

As a government — and in Energy, Mines and Resources, we have said, how can we support that? Inevitably, we have to come together to look at regional planning together.

I appreciate that we have discussions with many nations who are saying, "Yes, we're ready to go", whether it be in Kluane country or whether it be in Na-Cho Nyäk Dun country. Those are discussions where, every time that we have sat with the federal government in discussions on bilateral agreements around land planning, whether it be a Senate hearing at the Westmark, where I sat with the group of senators who had come — and we had a Conservative senator who was previously in a role of Premier and also someone who has a very good understanding of the north — and in those discussions, we requested that we have more funds put in place so we can complete both land planning, regional planning, and implementation.

Those are the same ways we have sat down during Yukon Days when we travel with Yukon chiefs with a collective voice on topics and, during those discussions, had said that we need to ensure that we have the right financial capacity to do the land use planning that we need to do, because we're way behind. There's a lot of work to do, and people are yearning to see that.

It's going to be complex; it is going to be. There is a lot of balancing that has to be done. There will be land that's protected. That is a necessary part of it. There will be other lands that there will be good and strong clarity too so that we can look at developing. We can ensure that generations of Yukoners can create a better quality of life because of those resources.

Mr. Speaker, it was an incredible day on August 22 just to be there — from my perspective — just to be there. There were a whole bunch of people who spent a lot of time. I am absolutely thankful to be in the position every day I wake up to be able to do the work, and being there was great. I stood and watched all these other people who had committed so much time to this work. As the Leader of the Third Party said, there were so many people.

I do want to state for the record that, through those processes, I do want to commend the Premier. When we get into these conversations where certain groups or political parties believe that they are the voice of that — when the members of the Third Party were in the Peel and sitting with elders — the Premier was there. Maybe not on one particular trip, but I remember him travelling, being there, and working with the Tr'ondëk Hwëch'in elders. This has been something, as this process has happened, that many groups of people have been part of. I just want to commend him on that. He has never brought it up, but I remember the work and supports and his close relationships with many of the Tr'ondëk Hwëch'in elders. I know of his respectful and close relationship with Elder Henry.

It is key, Mr. Speaker, that we do understand — you will watch the wording as the Leader of the Official Opposition spoke and how calculated it was in that it spoke to the Supreme Court decision, and we won't be in contravention of that; therefore, we support it. But really, do you support the spirit and intent of the agreement you signed to many years ago with the *Umbrella Final Agreement*? That is the gist of this. Where are we as we go forward? If there is ever a scenario where the same group of people are in positions of these ministerial roles, would the same thing happen? I think that is really important.

I do thank the Leader of the Third Party for her comments congratulating the people and congratulating the Member for Mayo-Tatchun on the work. In contrast, I just have to point out — we are in a friendly debate — that previously the Third Party just came in and chastised us over here for actually celebrating. Then the new Leader of the Third Party said, “Congratulations for being congratulatory.” Maybe some work on congruency there on what is happening.

I think that having a longer discussion around land planning is always something that myself and the Minister of Environment are ready to engage in. We will be continuing to do work where that has sat on the shelves previously, whether it be the local area plan or the regional plan.

We all work here on behalf of Yukoners, and even if we don't get along or we have a difference of opinion or a particular direction, we still all — every one of us who are elected are all committed to working on behalf of our constituents and Yukoners. With that in mind, there have been comments made by the Official Opposition around the Peel and it was, “Hey, mistakes were made.” Probably some think that, “Hey, we would have liked maybe taking a different route”.

I would like to know what the substance of that is because if we're truly all going to work on behalf of Yukoners and we don't want to repeat those mistakes, I would like to know. Currently, I have the task of dealing with the Dawson regional plan. I want to know how to do that work in the appropriate manner. I want to make sure that people who have maybe come before me — I don't think that partisanship should get in the way of working to the best effect of Yukoners. I think that, on behalf of all Yukoners — if there are things — where there are elements of wisdom that can be passed on by previous ministers, I think that would be absolutely appropriate.

As we said, these discussions, when it comes to land planning, are extremely complex. There are treaty obligations that we have to ensure are respected and implemented. The courts have shown this. We should be doing much of this because it's the right thing to do, but also, we have decisions that were made — before any of us were elected — by previous MLAs and previous party leaders. Those decisions and those signatories have set a course and we have to ensure that we don't forget that, because inevitably, going down that road and challenging that leads to significant loss of taxpayers' money, which is something we always have to keep in mind. Also, it gives us instability.

When we talked about this particular case, one of the most challenging parts was to take that time to go back out to the world and have a discussion about how we were going to approach things and to ensure that we could bring a stability into the investment world on the economy side and to say that we were going to have strong and respectful relationships with our indigenous governments. It's not without challenges. I think many of the indigenous governments would say the same. It's hard work but important work.

So, with that being said, I just wanted to take an opportunity to set the record straight on a couple of items and I look forward to further discussion on this. I want to thank the member and I'm looking forward to the vote on this very important topic.

Speaker: Is there any further debate on Motion No. 32?

If the member now speaks, he will close debate. Does any other member wish to be heard?

Mr. Hutton: Thank you, Mr. Speaker. I would like to thank the members opposite, especially the Leader of the Third Party, the Member for Whitehorse Centre, for some very salient comments.

I do want to end on a positive note. The reason I brought this motion forward was I wanted to show the people of the Yukon that this entire Legislative Assembly supports the Peel plan, and not because we were forced to by the court, but because it's the right thing to do. That was the reason for the motion today.

I just wanted to clear up — in terms of the comments made about expropriation. I've heard the Premier stand in this House before and indicate that there will be no expropriation of claims in the Peel watershed. Any prospector or claim-staker out there knows there are a lot of risks involved in staking claims, especially if you stake them in a remote jurisdiction like the Peel watershed where there is no road access and there is no guarantee that it's ever going to be easy to access those claims up there. The fact that a land use plan is going to be put in place perhaps may make things more difficult. It's certainly not going to make them impossible. So, claim holders in the Peel will have the same opportunity they always had to go and spend a lot of money to access their claims up there.

In closing, Mr. Speaker, I would just like to thank all members of this Legislative Assembly for their support. I want to reiterate the thanks from the Leader of the Third Party to all

Yukoners out there, because I absolutely agree that the perseverance, the dedication, the passion and commitment that Yukoners showed — they just never gave up on this issue.

Fifteen long years have gone by, and they just kept at it and kept at it until government finally did the right thing. Thank you to all those First Nations, elders, youth, and every other Yukoner, CPAWS, the Yukon Conservation Society, and everyone else out there who made today possible. I am very happy that we're here today.

Speaker: Are you prepared for the question?

Some Hon. Member: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Madam Deputy Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Agree.

Mr. Kent: Agree.

Ms. Van Bibber: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Hanson: Agree.

Deputy Clerk: Mr. Speaker, the results are 18 yeas, nil nays.

Speaker: The yeas have it. I declare the motion carried.

Motion No. 32 agreed to

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Member for Lake Laberge, on a point of order.

Mr. Cathers: I believe that the next matter on the agenda is the motion standing in the name of the Member for Copperbelt North. The matter has already been substantially dealt with by this Legislative Assembly and, in fact, on October 8, 2019, was voted on. Since the Speech from the Throne contains the explicit statement — and I quote: "... your government is also taking a necessary step to reduce and curb pollution; it will be implementing a ban on single use bags." That is on page 9 of the throne speech. Of course, they issued a companion press release on October 10 that indicated that the

government would deal with key priorities, including — quote: "... ban single-use bags".

As noted, this matter was voted on by the Legislative Assembly on October 8, 2019. I believe that it has been substantively dealt with, so the motion is no longer in order and should be struck from the Order Paper.

Speaker: Sorry — October 8, 2019?

Mr. Cathers: Yes.

Speaker: Okay. Are there further points on the point of order?

Hon. Ms. McPhee: Thank you very much, Mr. Speaker. I am not aware of the reference of October 8, 2019, or what the member opposite is noting has already been voted on. What I can indicate with respect to the motion that is being called here — of course, it is the Speaker's role to determine whether or not something is out of order. The debate here will be on how such a process will be implemented. We are clearly interested in hearing from the members from the other side of the Legislative Assembly, as well as members from the government side of the Legislative Assembly, with respect to the details of such implementation and the value in Yukoners hearing the debate with respect to this particular issue.

Speaker: The Member for Lake Laberge, on the point of order.

Mr. Cathers: Mr. Speaker, just as a point of clarification, since the Government House Leader was asking: This matter was dealt with in a vote that is recorded on page 80 of Hansard from the same date I referenced when members voted on the Address in Reply to the Speech from the Throne.

Speaker: Leader of the Third Party, on the point of order.

Ms. White: With respect to debating Motion No. 4 this afternoon, although I appreciate what the Government House Leader has said, by expanding the motion, the wording in the motion says, "... urges the Government of Yukon to ban single-use bags." As we have heard from the Member for Lake Laberge, that was referenced in the throne speech, which was then voted on that day and did pass.

Speaker: To be clear, are you supporting the Member for Lake Laberge's point of order?

Ms. White: I am, Mr. Speaker, sorry — it would be repetitious.

Speaker: I would like to take, I would say, at least five minutes to review the material that has been referenced — I don't have it — and to confer with the Clerks-at-the-Table. I will make a decision. It could take a bit longer than five minutes, but we will try to do this as quickly as possible.

Do we agree to a brief adjournment?

All Hon. Members: Agreed.

Speaker: The House is adjourned for between five and 10 minutes.

Recess

Speaker's ruling

Speaker: Order, please.

Thank you for the House's indulgence. After consulting with the Clerk and after having had a brief opportunity to review previous Speakers' rulings, I have determined that the point of order was not raised at the earliest possible opportunity, and at this point, in fairness to the members who have prepared for debate, we shall proceed with the calling of the motion.

With respect to the issue about whether the Motion for an Address in Reply to the Speech from the Throne is equivalent to the House having made a decision, the Chair will review that issue and will return with a ruling in the future if necessary.

Motion No. 4

Clerk: Motion No. 4, standing in the name of Mr. Adel.

Speaker: It is moved by the Member for Copperbelt North:

THAT this House urges the Government of Yukon to ban single-use bags.

Mr. Adel: Mr. Speaker, thank you for the opportunity to speak to the House today about an issue that is gaining momentum around the world and is an important aspect to helping to save our environment.

In June 2019, all Canadian jurisdictions approved the zero plastic waste strategy led by the Canadian Council of Ministers of the Environment. In that same month, the Government of Canada announced an intention to ban harmful single-use plastics, such as plastic bags and other products, by as early as 2021, where supported by scientific evidence. In support of these two initiatives, I feel that an appropriate step for us to take as a territory would be to ban single-use bags.

It is great to see that a few communities in our territory have already taken this step at a municipal level. The Village of Mayo was quite progressive, passing a bylaw banning single-use plastic bags in 2009. The Village of Carmacks passed a bylaw banning single-use plastic bags in July 2019. I also saw that just recently Dawson City gave first reading to a bylaw that will prohibit plastic shopping bags, utensils, straws, and polystyrene takeout containers and cups. If heavy-use tourist areas like this can be progressive in their thoughts, I think we can follow.

We have seen statements from the chair of the Whitehorse Chamber of Commerce citing an overwhelming desire from the business community for a ban on single-use plastic bags. While those initiatives focus solely on plastics, Yukon residents have consistently expressed interest in actions to reduce single-use products. Waste management and the cost of recycling are growing issues in the Yukon, as well as across Canada and around the world.

The cost of diversion credits paid by the Government of Yukon to recycle all materials has grown exponentially in the past five years to the point where the recycling system is in a deficit of approximately \$1.5 million per year. Waste that is not recycled ends up in landfills or the environment. Plastics have been found in waterways, forests, and even the stomachs of birds and wildlife.

Once in the environment, plastics require thousands of years to break down. During the decomposition process, minuscule plastic pieces can accumulate in aquatic life. Many Yukon residents harvest and eat local fish and meat. As a result, plastic accumulation in the environment can directly affect humans.

I recently learned that a 14-year old Yukoner, Bruce Porter, was on his way to Abu Dhabi to participate in Expo-Sciences International. His research was around measuring microplastics in the Yukon River. He conducted tests at multiple locations and found that more microplastics were found in the area with lower water velocity. It's wonderful to see brilliant, young minds like this in the Yukon, and I really look forward to seeing more from this young man in the future on this topic. As I stated during my response to the throne speech, our youth are our future, and we must listen to them.

Now, shifting back to bags specifically, I want to be clear that plastic bags are not the only issue. Despite being compostable, paper bags also have significant negative environmental impacts. Paper-bag production is a high-energy process that creates large amounts of water pollution, air pollution, and chemical by-products. Biodegradable bags share similar product issues as paper bags. They often require specific conditions to degrade, and they may contain plastic and metal additives.

There are a few local incentives that I would like to speak about, Mr. Speaker. Zero Waste Yukon conducted a survey this summer over a six-week time frame at the Fireweed Community Market.

They engaged with market goers on their waste concerns and what barriers they encounter when trying to reduce waste. They asked, "What is the biggest waste issue that you see in your neighbourhood, town, or community?" More than half of the respondents saw plastic as the biggest waste issue.

Others comments received were overconsumption and overpackaging. Respondents cited that one of the biggest barriers to living waste-free was food packaging. Something about this survey that I find very encouraging is that 87 percent of respondents said that they had changed their waste practices in the last year, and 75 percent of people said that they feel they are part of a community striving to meet zero waste. This is really heartening, and I am proud to be part of a community that has these values.

There are several businesses within our community that are doing amazing work when it comes to waste reduction. I have always been keen to learn about what steps people are taking when it comes to reducing waste in their shopping and how the businesses are supporting that. A leader in our community is Aroma Borealis. They have installed bulk containers for shampoo, conditioner, bubble bath, and body wash. They have a few other products that you can purchase in bulk. They also offer several products package-free. I would like to say "Well done" to this Yukon business for being a leader and setting a wonderful example for how we can work toward reducing overall waste.

I wanted to talk about these creative packaging ideas because I think that, if we're talking about banning single-use

bags, the natural next question is: What do we use now? How do I know that I am making a good choice when it comes to reusable bags? Not all reusable bags are alike. There are a variety of options on the market — a variety of fabric bags, plastic bags, and paper bags. All of these bags have advantages and disadvantages when it comes to their durability and their environmental impact during the production phase. I would encourage people to do their research and make an informed choice when they are evaluating what kind of reusable bag to purchase.

On the other side of this, I recognize that it will take some work to get there. How we are going to implement this ban when it comes to fast-food packaging in the restaurant industry? Since tabling the motion, I have heard from a few folks in the industry. It was great to have their take on things. I can appreciate that we will face some unique challenges in determining how we manage food and beverage items in such a way that health and safety concerns are appropriately mitigated.

I sought information from the Department of Environment on this matter and understand that they are working with inspectors from the Department of Health and Social Services to ensure that a ban would be implemented in a way that complies with food safety standards.

Mr. Speaker, the Department of Environment has been leading discussions around single-use bags to date, and I understand that they plan to engage directly with retailers, business owners, and the public on the details of the ban. This work was triggered by an announcement from the Speech from the Throne on October 3, during which the Commissioner announced that the Yukon government would be developing a ban on single-use bags.

In my research on this topic, I came across some very interesting articles. One of them was an article that focused on McDonald's and specifically highlighted the ways in which a few different McDonald's locations are working to reduce their environmental footprint. In the European Union, for example, many single-use plastic items will be banned by 2021. A McDonald's location there conducted a pilot project where they opened up a nearly plastic-free restaurant. They swapped out plastic for other sustainable products, such as paper straws, wooden cutlery, and sandwiches wrapped in grass packaging rather than paper. After this trial session, they opened up two green restaurants in Canada. One is located in British Columbia and the other in Ontario. I really respect the fact that a large restaurant chain is taking the initiative in making strides to be environmentally friendly and setting a wonderful example for other chains.

Mr. Speaker, I have every confidence that our government departments will do an excellent job engaging with our local retailers and finding ways in which a ban could be implemented in an effective manner that is suitable for retailers, including our local fast-food chains such as McDonald's.

I will conclude my remarks for now. I really look forward to hearing from the others on this debate today. I think it's important that we strive to work toward saving our environment from any more damage.

Mr. Kent: I rise to speak to this motion as brought forward by the Member Copperbelt North today. I appreciate the opportunity to do so.

As we mentioned before — and as we know — the Liberals announced in their throne speech that they will be implementing a ban on single-use bags. The government announced it again in a press release issued after the throne speech on October 3 of this year. Earlier today, the Minister of Community Services was going to deliver a ministerial statement confirming once again that — guess what — the Liberals are implementing a ban on single-use bags. However, they pulled the statement at the last minute because they remembered that they had this motion today, so they were worried about this motion being pulled from the Order Paper. Again, there was an awful lot of work put in by opposition parties and, I'm sure, by the government in preparing responses to that ministerial statement, similar to what we had talked about earlier today with people preparing for this debate this afternoon.

There was an awful lot of work that went into preparing for that ministerial statement response, which, I was advised, was being pulled when I walked in here shortly before 1:00 at the start of proceedings here today. Perhaps there should be a little bit more coordination in the Liberal caucus.

Including the Speech from the Throne, the press release, the aborted ministerial statements, and today's motion, that's four announcements of the exact same policy in just three weeks. Let's call it three and a half, since they stumbled and bumbled the ministerial statement. Even so, that's a new record, even for a government that seems only capable of re-announcing the same things over and over and over again.

There is no debate to be had here today. The government has already made its decision. This motion is completely redundant because, regardless of what happens here today, the government is already moving forward. They aren't waiting for this motion. They have already announced that they are doing this.

I will, just for the record, indicate that we do have questions and concerns about this policy path. I think that it's important to make a distinction between single-use bags and single-use plastic bags. We believe that there are major questions remaining about banning paper bags. We have heard from representatives of the business community who are concerned about what the impacts of banning paper and plastic bags will be on businesses, especially the food and beverage industry, as referenced by the Member for Copperbelt North.

For example, if you get takeout or use the drive-through, what will they put your food in? Mr. Speaker, there needs to be an impact statement and research done on the food service industry. The Member for Copperbelt North mentioned today that he has been contacted by representatives of the food service industry since he put this motion on the Order Paper and subsequent to calling it today.

We ask the Liberals again: Why are they asking us to vote on a decision to ban single-use bags before this research is done? We have seen this before with the Minister of Highways

and Public Works on the closing of the Queen's Printer and the closing of Central Stores — where they make the decision first and then they decide to consult later.

We have heard as recently as this afternoon at lunch — the Leader of the Official Opposition and I — from businesses in town that are still being consulted on the decision to close Central Stores, in this case.

So again, rather than evidence-based decision-making, it's decision-based evidence-making after the fact — again, as we have seen with this government time and time again.

We also have questions about what this means for garbage bags. What does it mean for produce bags that you get at the store? They are all single-use bags.

Some Hon. Member: (Inaudible)

Mr. Kent: The Premier is beaking off at me off-mic right now. He will have an opportunity to speak. I know he will have an opportunity to speak.

There are a lot of questions that we think there need to be answers to before the government rushes headlong into banning something without understanding the impacts or having solutions to that ban. But as we stated, we feel that this is waste of the House's time, as brought forward by the Member for Copperbelt North.

Once again, thank you to the member for allowing the government to re-announce their re-announcement of this re-announcement. But the government has already made their decision, so there's no debate to be had.

Motion to adjourn debate

Mr. Kent: Mr. Speaker, I move that debate be now adjourned.

Speaker: It has been moved by the Member for Copperbelt South that debate be now adjourned.

Some Hon. Members: Agreed.

Some Hon. Members: Disagree.

Speaker: Order. The Speaker was unable to determine the plurality.

Division

Speaker: The Speaker calls Division.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Disagree.

Hon. Ms. McPhee: Disagree.

Hon. Mr. Pillai: Disagree.

Hon. Ms. Dendys: Disagree.

Hon. Ms. Frost: Disagree.

Mr. Gallina: Disagree.

Mr. Adel: Disagree.

Hon. Mr. Mostyn: Disagree.

Hon. Mr. Streicker: Disagree.

Mr. Hutton: Disagree.

Mr. Hassard: Agree.

Mr. Kent: Agree.

Ms. Van Bibber: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Hanson: Agree.

Clerk: Mr. Speaker, the results are eight yea, 10 nay.

Speaker: The nays have it. I declare the motion defeated.

Motion to adjourn debate negated

Speaker: Is there any further debate on Motion No. 4?

Mr. Gallina: There seems to be some debate on the importance of private member motions that are brought forward to discuss in this Assembly. As a private member, Wednesdays are an opportunity for me, other government members, and other private members to bring those issues forward that are important to me, as an MLA, in representing constituents in Porter Creek Centre and bringing forward their concerns for debate in this House.

We hear today that this is a waste of the House's time, that the government has already made this decision, and that there are questions. But in the theme of the questions brought forward by the Member for Copperbelt South, I didn't actually hear one question. I didn't hear a succinct question that could have been debated. This is the opportunity to do that, Mr. Speaker. This is an opportunity to raise those concerns from the member's constituents and from what he is hearing.

Again, a previous motion brought forward by the Member for Mayo-Tatchun a couple of weeks ago — the Member for Lake Laberge reiterated that the motion was redundant and it was a waste of time. The member then proceeded to spend an hour and 45 minutes telling government members why that motion was a waste of time.

So, I disagree, Mr. Speaker. I disagree with the notion that this is a waste of time. This is our opportunity to debate — this is one opportunity; there are many opportunities. There are opportunities in Question Period. There are opportunities to write letters. There are opportunities to have meetings. There are opportunities to debate motions. Frankly, that is a privilege that I — representing Yukoners — take very seriously. From what I am hearing, it doesn't sound like all members are taking that responsibility as seriously as I do. That is unfortunate.

Mr. Speaker, I am happy to speak to this motion today, brought forward by the Member for Copperbelt North. I am excited to speak to it because it is an important issue. I am excited that the Member for Copperbelt North brought forward this issue because there are many people having conversations around hazardous plastics and single-use bags. This is an important discussion and this is another opportunity for us, here in the Legislative Assembly, to debate this important topic — to ask questions and to bring concerns forward.

As we have heard today, the evidence is clear — single-use bags are very harmful and they have a harmful impact on our environment.

I am going to spend some time talking about the momentum that has been created throughout Canada and here

at home when it comes to addressing the elimination of single-use bags and hazardous plastics. As we looked at work being done on the national level in November 2018 — as the Member for Copperbelt North spoke to — environment ministers agreed to work collectively toward a common goal of zero plastic waste. They approved in principle a Canada-wide strategy on zero plastic.

The strategy outlines areas where changes are needed across the plastic lifestyle from design to collection, cleanup, and value recovery. It underscores the economic and business opportunities resulting from long-lasting, durable plastics. The strategy is a driver for innovation and creates opportunities that will increase competitiveness in new business models, product design solutions, waste prevention, and recovery technologies.

Mr. Speaker, the Canada-wide action plan on zero plastic waste is driving a national trend toward the reduction of harmful environmental impacts of plastic waste. As we scan the country for action toward the reduction of single-use bags, we see that some BC municipalities are intent on banning single-use plastic bags and they are asking the province to take decisive action.

Ontario is weighing a ban on single-use plastics as part of a broader strategy to send less to landfills. The Government of Ontario recently released a discussion paper on reducing litter and waste, and it's asking the public and stakeholders for input on how best to address this problem. One question the paper asks is if a ban on single-use plastics would be effective in reducing plastic waste. There are many who believe that it would.

In Nova Scotia, the province's Liberal government passed legislation just yesterday that will ban single-use plastic bags at restaurants and other businesses. Industry will have one year to prepare before the bags are prohibited. There will be no requirement to charge a fee for alternative plastic bags, leaving the choice to business operators. Earlier this year, a Nova Scotia grocery giant, Sobeys, announced it would no longer offer plastic bags at its stores beginning in January 2020.

Locally, we have businesses that are setting great examples when it comes to waste reduction. I've enjoyed learning about alternatives and creative ways that businesses here are employing when addressing the important issue of reducing harmful plastics. My colleague already mentioned the great work that Aroma Borealis is doing when it comes to packaging. Another leader in our business community is Riverside Grocery. Riverside Grocery announced that it was taking steps to eliminate single-use plastic grocery bags back in July 2015 — over four years ago, Mr. Speaker. They had strong support from the community for this decision. They encourage customers to bring their own box or bag to do their shopping, and if you need a hand, there are staff who will assist customers in getting groceries to the car.

Riverside Grocery also has an amazing bulk section, where they encourage customers to bring their own containers or reusable bags. Further to this, they have also added options for many other items that were previously in single-use bags or

disposable containers such as penny candies, bar soap, and shampoo bars.

Mr. Speaker, Riverside Grocery also carried products from Joella Hogan's Yukon Soaps Company, which is working hard to reduce waste by offering soaps with no packaging. The Yukon Soaps Company has been around for nearly 20 years, and it is indigenous owned and operated by Joella Hogan. Made with many locally grown ingredients, her soaps are a staple for Yukoners looking for natural, hand-crafted products. Joella states that she was raised to be aware of human impacts on land, water, and the environment, and she strives to live a simple, self-sufficient lifestyle. She supports others making things that are homemade.

When Joella started this business, she wrapped her soaps in paper with a sticker. Wanting to cut down on types of packaging and quantities, she later moved to a simple sticker on plain bars of soap, drastically cutting down packaging.

I will also mention Fahrenheit Hair salon. They are the only hair salon in the Yukon to be designated as a Green Circle salon. Green Circle Salons is a business dedicated to diverting salon and spa waste from landfills and other waterways. By signing up with Green Circle, Fahrenheit now has a way to repurpose and recover some of the resources that they cannot recycle locally, many of which are contaminated. Fahrenheit pays Green Circle for service when they ship out salon waste to be recycled. Some of the costs are recouped by charging a \$2 eco-fee to customers, and they are glad to pay that. All the recyclable materials and contaminants are collected and stored before they are shipped out to Green Circle.

Mr. Speaker, I raise some of the other actions that are happening in the territory to speak of the momentum that is taking place and moving toward reducing single-use bags, but also harmful, hazardous plastics. I will highlight a neat initiative in Dawson, which is the reusable bag libraries. These little painted wooden boxes are spread throughout town outside some of the grocery and hardware stores. If you have forgotten your reusable bags, rather than asking for a single-use bag, you can borrow one of the reusable bags from the libraries. When you buy next, you can return it.

Mr. Speaker, following a presentation to Whitehorse City Council, Councillor Laura Cabott obtained unanimous support when she sought support to have the issue of plastic waste brought forward to a meeting of council members and senior administration. Councillor Cabott also made reference to a meeting she attended of the Federation of Canadian Municipalities in Quebec City where a workshop on plastic and waste was very well-attended.

Mr. Speaker, there are leaders in our territory who have taken steps to eliminate single-use bags, including in Carmacks and Mayo.

Mr. Speaker, last spring, Zero Waste Yukon collected 1,689 signatures on a petition that wanted to see a user fee associated with single-use plastic bags. The group felt that the 5-cents-per-bag voluntary fee that is currently in place is not enough. The idea was that the fee would help to adjust shoppers' behaviour and serve as a reminder to make sure that you have your reusable bags. The system has proven effective

in places such as the Northwest Territories, where the implementation of a 25-cent fee saw retail bag use decline by over 70 percent. In Ireland, they saw a 90-percent reduction in bag use with the implementation of a 22-cent fee per bag.

Yukoners have consistently expressed a desire to see a reduction in waste, especially when it comes to single-use products. I think that this motion will help us to achieve that not only by reducing our waste, but by raising our awareness and making us think about how reliant so many of us have become on single-use bags.

As I close deliberation from my perspective on this debate, I just want, for the record, to state that this motion is in order. This motion was ruled in order. We are debating an important subject that I believe many of us are committed to. I have heard from my constituents, and I have heard from business owners. They want this government to be thoughtful in the considerations that are being made when addressing the reduction of harmful plastics, including single-use bags. I'm happy to speak to this motion today, Mr. Speaker, and I look forward to further comments.

Mr. Cathers: It seems that, with this motion, the Liberals seem to have banned single-use motions and single-use speeches as they seem only capable of recycling the same announcements over and over again. This motion here today by the member opposite is something that the government has already clearly stated that they are doing. While it may procedurally be in order — and respecting your ruling, Mr. Speaker — in fact, there is not much point in debating a motion of something that the government has already said that they are doing.

We know that the real purpose of the private members on the Liberal back bench is to recycle old speeches and pat themselves on the back again for things that they say they're doing, but there are some serious problems with this, as noted by my colleague, the Member for Copperbelt South.

There are serious questions around the impact on the food service industry and the fact that the government, in its own communications in first proposing this type of a ban, couldn't even get their own story straight about whether this was going to be affecting just single-use plastics or all single-use bags. Repeatedly, the Liberal members, throughout their speeches — referring to examples that cover single-use plastic bags and then conflating and confusing that with a ban on single-use bags without actually having done the hard work of government to reach out to those who may be affected by this and to consider the effect.

Again, the questions related to their ban on all single-use bags include: Did you consult? Who did you consult? What was the question that you actually presented to them at that time?

If people thought they were being asked for input — whether for formal consultations or one-on-one conversations with members of the Liberal caucus — and if those people thought that what was being contemplated was a ban on single-use plastics, that might be a very different response than if they knew that it was affecting all bags, not just single-use plastic bags.

The definition of “single-use plastic bags” is not clearly defined. Does it, for example, include garbage bags? Is that the government's intent? If that is the intent, what are people supposed to use? If it isn't the intent, why have they not been clear in defining what they are calling a “single-use bag” and what they are not considering a “single-use bag”? Does it include when members go to the deli at a supermarket or across the road from the Legislative Assembly and purchase sliced meat? Typically, for sanitation purposes, that is then put in a plastic bag by the person who is selling that. Perhaps paper is an option for those services. For some of them, there is in fact a question of the government in their half-baked motion and their half-baked throne speech about this. They do not seem to have considered what the potential health risks are of implementing a ban of this type. Did they talk to environmental health? Did they consult with the chief medical officer of health?

I see that the Minister of Health and Social Services is laughing at the concept. Clearly she doesn't respect the chief medical officer of health or think it's relevant to actually ask for their input on the public health impacts of this type of policy. If the minister were to read her briefing notes — if the other members like the Premier kibitzing off-mic would read their briefing notes or perhaps even a news article or two — they would realize that the spread of things including influenza and E. coli is in large part due to improper sanitation.

Public health officials will tell you that handwashing is one of the single most effective measures that can be used. The relevance to that, as the members don't seem to understand, is that if a bag containing something such as meat or another food product is reused and is not properly cleaned between reuses, it can be a source of spreading E. coli, salmonella, influenza, and so on.

These types of minor details, like the public health impacts of their policy, seem to be glossed over by the Liberals in their desperation to try to brand themselves as being super green and the champions of that as they try to wrap themselves in the banner of that, I should say.

The fact that the ministers didn't even know — and couldn't get their stories straight at the start of this process — whether they were banning plastic bags or banning all bags — is just one example of how confused the government has been on this — the fact that members, in their own statements, keep talking about single-use plastics and then broadening it to assume that a ban on all bags must be a good thing.

The impacts, as I noted, in this include public health impacts. There are also impacts on retailers who have contacted our office and are asking what they are supposed to do when they are selling food — whether it's a fast-food retailer or another food outlet. They have serious questions that the government is just ignoring.

The question that I mentioned about whether garbage bags are considered single-use bags or not is one that they haven't clearly defined.

If bags are banned, there is the question of how this will actually be implemented and enforced, and it raises questions about what the O&M implications of this are. Is the Liberal

government again going to go on a hiring spree and hire more employees to enforce their ban on single-use bags?

We have seen them, in their first two years of government alone, by their own admission, growing the public service by some 10.4 percent. In this type of area, it seems that the vision that the Liberal government has demonstrated is either growing government through an ill-considered approach or making the types of ill-considered, hackish cuts that we saw recently to the Queen's Printer Agency and to Central Stores where, without actually talking to the people who understand the core business of those entities, they made a decision from on high without consulting with people.

The Minister of Community Services will recall what he heard from a number of my constituents last week at a public meeting — which I do give him credit for attending, to talk to them about changes the government had decided they're making around the Deep Creek dump. As he knows, a number of my constituents there were upset about the fact that government had done no public consultation before announcing these changes and telling them, "Well, you're just going to have to live with it and like it."

Again, we see the same thing — as my colleague, the Member for Copperbelt South, pointed out — as with the Central Stores decision. Government made the decision from on high, they announced it, they surprised employees mere minutes before the press release was sent, and then, after the fact, they realized they had fumbled the ball and started doing consultation with affected private sector suppliers about what they thought was working with Central Stores and what should be changed.

It's a case of rushing to the decision first, and then they're trying to play catch-up and mop-up after the fact, or officials are left trying to mop up from the effects of the mess that the Liberal Cabinet has left for them.

We see the government rushing on this issue with blinders on, unwilling to consider the impacts to the private sector, failing to have done their due diligence in that area, and laughing about the potential public health impacts. As I spoke about them, we heard laughter from the Liberal caucus and ministers off-mic about the question of whether the chief medical officer of health or environmental health would have concerns related to the implementation of this policy. While noting that our caucus does not disagree with trying to reduce the use of single-use plastic bags, there are some cases where there's an argument for exemptions from that policy for public health reasons. There is clearly a need — I would argue — that garbage bags — although they are single-use plastic bags and also single-use bags — continue to be an appropriate vessel to dump your household waste in. We see again the government, in their announcement, follows the mantra of re-announce, re-announce, re-announce and recycling their announcements, recycling their speeches — some of which, probably instead of recycling and re-using, they should just put those speeches in the compost pile.

But, Mr. Speaker, another question that may seem minor to the members opposite is for people who are out walking their dog. What are they expected to do under this government's

vision of a single-use bag ban if their dog leaves a pile that requires cleanup? What is the minister expecting them to do? What are the Liberal members, who are proudly patting themselves on the back for this announcement, expecting that somebody is supposed to do? Are they just supposed to then leave it on the trails in Copperbelt North or in Porter Creek? If not, what option does the government expect them to use to clean up after their pet?

So again, this is another motion that is a stellar example of why Wednesdays in the Legislative Assembly are sometimes referred to as "wasted Wednesday". This motion, like the one before it — and the Liberal one we dealt with last week and debated — are all re-announcements of things that the government has said they are doing.

In fact, I remind the Member for Porter Creek Centre that, two weeks ago, when I spoke of the pointlessness in the motion we were then debating — brought forward by the Liberal members — the motion we're debating here today was one of the ones following it. Again, I stand by my words at the time that all the motions called for debate that day by the Liberal members were really a waste of the House's time in that the government had already said what they were going to do. It was simply an exercise in wasting the House's time.

Again, there are much more important matters to be discussed here in the Assembly that notably are absent from what the Liberal members are putting on the Order Paper. For example, we heard earlier this week the Minister of Health and Social Services refusing to tell this House how much the government's changes at the Whitehorse Emergency Shelter would cost. We have seen the government fail to disclose earlier in the year what those costs were.

Some Hon. Member: (Inaudible)

Point of order

Speaker: Order, please. The Government House Leader, on a point of order.

Hon. Ms. McPhee: Thank you very much, Mr. Speaker. I certainly understand that, in the past, you've had rulings that give quite a bit of leeway in conversations and submissions on debate with respect to the motion. But I suggest to you that the Member for Lake Laberge has strayed too far from that today.

Speaker: The Member for Lake Laberge, on the point of order.

Mr. Cathers: I think the minister was not really listening to what I was saying, and I was also about to draw the points I was making more specifically back to the motion at hand. In my opinion, it is a case of the minister misunderstanding it and not, in fact, a point of order.

Speaker's ruling

Speaker: I will listen closely to the Member for Lake Laberge going forward — as far as your ability to link your previous comments back to the banning of single-use bags.

The Member for Lake Laberge.

Mr. Cathers: Thank you, Mr. Speaker, and I would just note that, again, with any plan — whether it is banning single-

use plastic bags, the changes to the *Corrections Act, 2009* that we recently debated, or the government's rushed decision on taking over the Whitehorse Emergency Shelter without even getting Management Board approval — the details matter and the numbers matter.

Does the government have a plan related to the motion proposed by the member opposite here today? Have they thought through the questions that I or other colleagues have raised? Have they consulted with people who would be affected by this decision? Did they think of these things before including a statement in the throne speech that they would — and I quote: "... be implementing a ban on single use bags." That was a decision that the government made as a statement in the throne speech and reiterated in the motion brought forward by the Liberal back-bencher here today. We have heard other Liberal members patting their backs on how proud they are to talk about this important motion, but they don't appear to be interested in doing the work to hear from Yukoners who will be affected by it, consider whether there are public health issues that require exemptions, or consider the importance of appropriately defining what a single-use bag is so it's clear whether bags for garbage or recycling are considered a single-use bag or not considered a single-use bag.

Mr. Speaker, I know that we have seen that the government is primarily interested in photo ops and re-announcements, but another point I would like to thank my colleague, the Member for Watson Lake, for noting is that the proposal that they brought forward here and have said, in fact, that they are going to do, whether people like it or not, has an effect on municipal bylaws. Are they going to force municipalities to implement bans? The initiatives referenced by one of the Liberal members about municipalities taking steps with their own bylaws to deal with single-use plastic bags — it's interesting to ask the question: Did they consult with those municipalities about the impacts of doing it? Are they expecting municipalities to be responsible for enforcement? Or is the government going to do it, and if so, how many staff are they planning to hire to deal with this?

So again, the details do matter. Consulting before you implement something that, in the Liberal caucus room, sounds like a great idea, actually matters. Working with officials who understand the potential public health impacts of a decision around single-use bags, consulting with the chief medical officer of health, consulting with companies in the food service sector and others who would be affected by this actually does matter.

This motion here today is part of the government's "ready, fire, aim" approach to governing, where we have seen rushed ideas without the details thought through, and they decided it sounded very green and probably very virtuous, so they should just announce this without actually understanding its impact, or having a realistic plan to implement it, or consulting the people who would be affected by it.

As my colleague, the Member for Copperbelt South, noted, we in the Official Opposition do strongly question the plan to ban paper bags and believe that it is a better alternative to

plastic bags. But the fact that the government didn't even think to consult on this with people who are affected is concerning.

I would point out to the government too — I do again have to criticize their *engageyukon.ca* approach, which has been called by some "government by SurveyMonkey", as well as the tendency to treat the surveys as if they're a referendum, where someone can vote multiple times, and they then go with the majority opinion — all of that is a problematic approach to governing. In a case like this, it's very important to actually directly reach out to the affected stakeholders, make sure they understand what is being proposed, and don't simply gloss over it in a news cycle and not understand that a proposal that could have a significant effect on their business is being talked about.

But we have again seen the government's back-of-the-napkin planning approach in this case, and we see another afternoon where the government has brought forward motions that are effectively just re-announcements and attempts at self-congratulations.

With that, I will wrap up my comments, but I would encourage the government to rise above this type of visionless approach to governing, to actually be a little more thoughtful in realizing who could be affected by the great ideas that they cook up over beer after work with the Liberal caucus members, and to actually go through a thoughtful, considered approach. I would point out, in comparison, that it is somewhat similar to the government's approach to taking over the former Centre of Hope — where, without actually going to Management Board first and seeking the advice of competent professionals to scrutinize their plans, they announced the plan and then created a massive problem by their half-baked approach.

Ms. White: Mr. Speaker, I disagree.

I just wholeheartedly — I am just going to disagree right now.

On October 31, 2018, we had a similar debate in this House — Motion No. 294 — and all members in this House — including the Member for Lake Laberge — voted in favour, and it was about working toward eliminating single-use products.

I said it then, and I will say it again: None of this is going to be easy. But what I do want to highlight right now, in my very short amount of time, is that it shows great courage and great leadership to say that, when you were consulting on a fee for a bag, that you have changed your mind because you heard what people were saying and you understand the importance of moving toward banning them. So, let me just say that shows great leadership — especially when you can be called names by other politicians and that they can say whatever they are going to say. But I just want to say right now that it shows great leadership to make that change of course and I do appreciate it.

So, we had a great conversation a year ago and we are having a conversation now. My hope is that, by next year, this will be a thing. I thank the members for bringing it forward one more time.

Speaker: Is there any further debate on Motion No. 4?

If the member now speaks, he will close debate.

Does any other member wish to be heard on Motion No. 4?

Mr. Adel: Thank you very much today for the opportunity to speak on what I think is a very important issue facing our environment and the things that we do and how we adjust — as a territory, as a country, as a province, as a world — to the new reality of what plastics are doing to our environment — be they single-use, be they containers for food — however we want to place that.

I appreciate the comments from across the way, although I don't necessarily agree with some of the points that have been brought forward. The Member for Lake Laberge is talking about continually bringing the same thing up and recycling ideas. This was an idea that came from my constituents. This was an idea and a motion that I think is very important to get on the floor so that we can have those questions.

If this was such a thing that has been on the papers and been there for so long, where are these questions? We haven't had anything in writing. Where are they in Question Period? The members from across the way had a chance to ask. Some of them even find it humorous, which is great. But the longer we play at politics, back-and-forth, and the semantics, the environment suffers.

We need to move forward on this to make it important to people — my constituents, businesses that have contacted me — it's important to them that we take the single-use bags out of the equation. Let's do something innovative; let's do something creative; let's make our world a little bit of a better place.

The Member for Lake Laberge is talking about us bringing forward motions that we have already made a decision on, or continuing on, and re-announcements — how about Motion No. 215 in the 33rd Legislative Assembly? "THAT this House urges the Government of Yukon to continue to work..." — "continue" is the operative word here. We're just redoing, rehashing — it seems to be the theme. We don't want to do that; we want to move forward.

As my constituents and the businesses have reached out and we move this forward, then we can work on the innovative ideas. We can have a real debate on this on the floor. With that, Mr. Speaker, I would like to encourage my colleagues from both sides to work toward this in a reasonable manner.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Disagree.

Mr. Kent: Disagree.

Ms. Van Bibber: Disagree.

Mr. Cathers: Disagree.

Ms. McLeod: Disagree.

Mr. Istchenko: Disagree.

Ms. Hanson: Agree.

Clerk: Mr. Speaker, the results are 11 yea, six nay.

Speaker: The yeas have it. I declare the motion carried.
Motion No. 4 agreed to

Hon. Ms. McPhee: 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 5:24 p.m.

The following sessional paper was tabled October 30, 2019:

34-3-15

Yukon Public Accounts 2018-19 (Silver)

The following legislative return was tabled October 30, 2019:

34-3-3

Response to Motion for the Production of Papers No. 3 re Central Stores and Queen's Printer Agency restructuring cost savings (Mostyn)

Written notice was given of the following motion October 30, 2019:

Motion No. 85

Re: implementation of *Peel Watershed Regional Land Use Plan* (Hassard)