

Yukon Legislative Assembly

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HANSARD

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Whitehorse, Yukon

Speaker: The Honourable Yvonne Clarke

YUKON LEGISLATIVE ASSEMBLY
2026 Fall Sitting

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Deputy Speaker and Chair of Committee of the Whole: Patti McLeod
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Hon. Laura Lang	Whitehorse West	Minister of Justice; Minister responsible for the French Language Services Directorate; Women and Gender Equity Directorate; Workers' Safety and Compensation Board
Hon. Ted Laking	Porter Creek Centre	Minister of Energy, Mines and Resources; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation

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Thursday, October 22, 2026 — 1:00 p.m.

Speaker: I will now call the House to order.

We will proceed this time with prayers.

Prayers

Withdrawal of motions

Speaker: Before we proceed to the Daily Routine, the Chair wishes to inform the House of a change made to the Order Paper. Motion No. 186, standing in the name of the Leader of the Third Party, has been removed from the Order Paper, as it is similar to Motion No. 181, which was carried, as amended, yesterday.

DAILY ROUTINE

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

Introduction of Visitors

Speaker: Under Introduction of Visitors, I would like to welcome two individuals: former Commissioner of Yukon Angelique Bernard and Annette King, Child and Youth Advocate.

Are there any other visitors to be introduced?

Visitors introduced

TRIBUTES

In remembrance of Sandra Journeaux-Henderson

Hon. Laura Lang: I rise today to pay tribute to Madame, who played a key and determined role in establishing French language education in the Yukon. "Madame", as most of us know her, arrived in the territory in 1981 with her husband, Richard Henderson, and daughters, Hayley and Jennifer. Their arrival came with a vision and a commitment to ensure young people could learn, grow, and thrive in French. My family knows this to be true and impactful, as she taught the Yukon's first early French immersion program at Whitehorse Elementary School starting in 1981 with two kindergarten classes and 33 students. My sister-in-law Danielle Lang was part of this original group, a group that began with eight graduating students that is now represented by more and more French immersion graduates. The same program had included 13 Langs, either as graduates or currently as students, a testimony about the generational success that Madame influenced. I do wonder if she ever imagined that her determination would equally inspire deep family roots to the French language.

In 1982, recognizing a growing demand for French first language education, Madame reached out to nearly every francophone family in the phone book in Whitehorse. She identified 60 families interested in French first language education, helping demonstrate the need for a French first language program in our territory. Building on that support, Madame helped organize a committee of dedicated parents who worked with the Association franco-yukonnaise to advance French first language education. This led to government approval in 1984 and the launch of Yukon's first French language program. This is remarkable: Two key programs fundamentally rooted in our education system and a community context shaping how we describe the very culture of our territory.

In all, Madame's teaching career spanned more than 50 years, including more than 25 years in the Yukon, where she taught every grade from kindergarten to grade 12 while also serving as a part-time French instructor at Yukon College. Long after her retirement in 2007, she continued to offer advice and share her knowledge.

This is where I developed my relationship with Madame, through her dedicated countless hours to school and education committees, including serving as a long-time council member and chair of F.H. Collins Secondary School Council and the Association of Yukon School Councils, Boards and Committees. I had the privilege of sitting on many school council or French education-related committees with Madame, and I can confirm we certainly did not always agree, at all. When that happened, I knew a phone call would occur that night, and if I didn't answer, Madame's persistence would ensure I would answer eventually. Fun fact: If I chose not to answer, when we finally would see each other, Madame would say, "Madame Lang, you did not call me back. Why have you not called me back?" There was no getting away if Madame wanted to speak. It was through some of my earlier learnings and debates with Madame that I learned she was indeed a dear mentor to many in the territory, including me.

Her steadfast efforts were recognized nationally. In 1989, she was appointed to the Order of Canada for her leadership in advancing French language education and broadening learning opportunities for children in the Yukon. This is remarkable when you think of it: a population of now 48,000 to have such rich French education programs all because of the dedication of a few individuals — Madame, of course, as the leader of this.

Madame was a force, a beautiful, frustrating, enduring, caring force who was driven to do well by children and the French language. She stood fiercely for what she believed in and did not easily take no for an answer. Her persistence and dedication helped shape French language education in the Yukon and created opportunities that continue to benefit hundreds of students and families today. She lived her beliefs in her retirement not only as a tutor but also by using her incredible baking and cooking skills to nurture the children who filled her home daily with beautiful muffins, scones, and at times, crepes.

It is notable that, as we pay tribute to our fierce Madame and the legacy she has created, this October marks 41 years since the Yukon Legislative Assembly adopted the name École Émilie Tremblay for Yukon's French first language school. As we remember Madame following her passing on August 8, 2025, I know that it is not just her lasting contributions to the French language — I know that for many of us, it is her unwavering commitment to children and persistent devotion to learners like me that we will carry forward.

Madame, you have certainly left our territory with an enduring legacy. You will sit on many a shoulder whispering the very, very tough questions, reminding us of one of the paramount whys for our territory: How does our decision serve the children?

Kate White: Today, I stand on behalf of the Yukon NDP Official Opposition to recognize the life and legacy of Sandra Journeaux-Henderson, and I thank my colleague for her words. There is no way that we could pack in the stories from 85 years

of absolute living — the ones we heard at the celebration of life and the ones we've heard since Madame's passing. I want to note that I wish I could share those stories, but I know that they live on.

I'm going to talk about my knowing of Madame Henderson and how that worked. Madame Henderson was the spark of French language education in the Yukon and the driving force behind establishing a Yukon branch of Canadian Parents for French in the very early 1980s — I hadn't realized that it just after she moved here.

My dad was the first in my family to meet Madame Henderson. My folks had a belief that their kids should learn both of Canada's official languages, and they added their energy to Madame Henderson's rallying cry in those early days of organizing. In 1981, the French immersion program was born at Whitehorse Elementary School, and she was its first teacher.

I started kindergarten in French immersion a year later. I officially met Madame Henderson when I walked into her grade 1 classroom. I still remember how it felt — the rows of books on the shelves and the enthusiasm with which she greeted us — and I know that my class couldn't have been the only one that she called her "bout de chou" with so much affection. I still remember the hardcover copies of *Contes Jaune* and the magic I found between those covers and the absolute joy of outings to the cross-country ski trails in the dark. We learned dances and songs and the magic of tire d'érable, and she didn't just introduce us to language; she introduced us to a rich culture many of us hadn't known before. It was through her guidance and building on what we started to learn in kindergarten that French really came alive — learning to read and write, learning to speak, but more than anything, learning to think in French.

It's wild to look back now to know that as she was helping establish a French immersion program, she was also working with francophone parents to create the Yukon's first francophone school. In those early years — and to be honest, all of her years — she must have spent hundreds if not thousands of hours establishing both French language education in the Yukon and championing Yukon education. Her belief that francophones could and should be able to thrive in the North saw her gather and work with community to make that dream a reality. This led to the establishment of École Émilie Tremblay, which last year celebrated its 40th anniversary — CSSC Mercier, Programme Confluence, a budding community school in Dawson City, École Nomade for distance education, and La Garderie du Petit Cheval Blanc for early childhood education. Having French first language education has supported the growth and vibrancy of Yukon's ever-growing francophone community.

I wish I had gotten to know her as others did, in all the stories that I heard. She was generous and funny, dedicated and complicated. She loved her family deeply. She cared about her community, and she always showed up for her friends.

Elle était persuadée que chaque enfant, peu importe la langue qu'il parle à la maison, devrait avoir la possibilité d'apprendre le français. Et ce point de vue a permis l'existence d'un territoire francophile tel que nous le connaissons aujourd'hui.

Je lui ai rendu visite au crépuscule de sa vie, je l'ai remerciée pour ce cadeau qu'elle m'a offert. Cette capacité à tisser des liens avec les autres dans une langue qui n'est pas ma langue maternelle.

Je suis une parmi des milliers de Yukonnais et Yukonnaises, qui, au cours des quarante-cinq dernières années, ont bénéficié de la croyance de madame Henderson que le français est une langue qui doit être enseignée dans le Nord.

Jusqu'à la fin, elle n'a cessé de penser qu'une éducation yukonnaise doit avant tout travailler pour ses élèves et ses étudiants.

In remembrance of attack at National War Memorial and on Parliament Hill

Hon. Ted Laking: I rise today to mark the anniversary of the terrorist attack on Parliament Hill and to honour the memory of those who lost their lives.

Twelve years ago this month, a terrorist attack struck the heart of Canadian democracy. On October 20, 2014, Warrant Officer Patrice Vincent was killed in Saint-Jean-sur-Richelieu, Québec while serving his country. Just two days later, on October 22, Corporal Nathan Cirillo was killed while standing guard at the National War Memorial in Ottawa. These attacks shook Canadians from coast to coast to coast. They were attacks not only on individuals wearing the uniform of service but on the values, institutions, and freedoms that define Canada.

On October 22, 2014, my wife and I were living and working in Ottawa's parliamentary precinct. I remember the lockdown, which required us to shelter in place at our workplaces and would not allow us to access our homes for many hours afterwards. This created uncertainty and fear as people struggled to understand what was happening around us. We witnessed the professionalism of security personnel, law enforcement officers, and public servants who responded under extraordinarily difficult circumstances. It is a day that remains vivid in my memory. Today, standing here as an elected member of this Assembly, that experience carries a particular significance.

We remember Corporal Cirillo and Warrant Officer Vincent as dedicated members of the Canadian Armed Forces who served their country with pride. We remember them as family members, friends, and colleagues whose lives were cut tragically short. Our thoughts remain with their families who have carried that loss for the past 12 years. We remember the parliamentary staff, security personnel, and first responders who were affected by the events that day. In the face of uncertainty and danger, many demonstrated remarkable courage and selflessness. Their actions reflected the very best of public service.

The attack was intended to instill fear and disrupt our democratic institutions, but Parliament returned to work, and our democracy has endured. Canadians came together in support of one another and in defence of the values that unite us all.

As we reflect on this anniversary, we are reminded of the importance of vigilance, resilience, and respect for the institutions that serve Canadians. We honour Corporal Cirillo and Warrant Officer Vincent through remembrance but also through our continued commitment to the democratic institutions they served to protect. May we never forget their service, sacrifice, and the values for which they stood.

Lest we forget.

Lane Tredger: I rise on behalf of the Yukon NDP to remember the terrorist attack on Parliament Hill 12 years ago today. We honour the many people who risked their lives that

day to keep others safe and most especially those who sacrificed their lives in the line of duty. To their friends and family who are still feeling their loss 12 years later, we offer our deep condolences and our gratitude for their sacrifices.

We thank everyone who risked their lives that day for the safety of others. To the many people who are still feeling the effects of the traumatic events of that day, from the people who worked on the Hill to the people who responded to the attack and its consequences, we see you, and we offer our support.

We live in a time of extreme division where some people feel empowered to speak and to act without regard for the humanity of others. Political violence is the very real conclusion of hate that begins with contempt and cruelty for people with whom you disagree.

It is our responsibility as leaders to make it clear that violence is never acceptable. It is our responsibility as leaders to take great care with our words and actions so that they do not incite or encourage hate or intolerance. We must build connection, respect, and compassion between all of the people we represent even when we disagree, especially when we disagree, and we do this by leading by example.

Today and every day, we join together with our colleagues on all sides of this House to stand against political hate and violence so that events like those on Parliament Hill 12 years ago never happen again.

Speaker: There are no members' statements today.

TABLING RETURNS AND DOCUMENTS

Carmen Gustafson: I have for tabling the following documents: an article from *Coal Age* titled "Coal-fired Power That Could Alleviate Yukon Energy Shortage," published on August 20, 2026. I also have a CBC article titled "Company works to sell Yukon on coal-fired electricity amid push to phase it out," published on August 28, 2026. I have a screenshot from CBC's *Yukon Morning* with Elyn Jones where an interview aired August 27, 2026 with the president of Strategic Metals regarding their vision for a coal-fired power plant. I have a news article on Strategic Metals Limited's website published on August 20, 2026 titled "Strategic Metals Ltd Advances Its Division Mountain Project With a Scoping Study and a Preliminary Economic Assessment." I have a screenshot of Strategic Metals' Facebook page from today. I have for tabling from YESAB the application for a land use permit submitted by Strategic Metals Ltd, signed August 10, 2026; a screenshot from YESAB's website dated today, October 22, 2026; a PowerPoint from Yukon Energy Solutions dated August 2026 titled "A Made in Yukon Energy Solution"; and the Division Mountain preliminary economic assessment technical report dated August 1, 2026.

Speaker: Are there any committee reports to be presented?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

Is there a statement by a minister?

This then brings us to Question Period.

ORAL QUESTION PERIOD

Question — Disability-related services and legislation

Kate White: The federal government recently released a report entitled *Understanding quality of life among persons with disabilities in Canada: Material and social well-being*. According to this study, the main barriers that people with disabilities in Canada face are "…core housing need, experiencing food insecurity, being housebound and experiencing loneliness".

What is this government doing to increase the quality of life for people with disabilities in the Yukon?

Hon. Brad Cathers: We do provide a number of services through a number of areas, including disability services in the Department of Health and Social Services, where we have taken some steps to improve services to date and look forward to reviewing the supports that we have in place. There's support as well through other entities, including Yukon Housing Corporation, and if the member has suggestions, we will give them due consideration.

Kate White: I'd suggest that the minister read the federal government's recently released report. This year alone, the Yukon NDP has worked with more than a dozen Yukoners affected by complex health and long-term disabilities. The lack of disability legislation creates barriers in housing, medical travel, and health care. For those who don't know, the Yukon is one of a handful of Canadian jurisdictions that doesn't have stand-alone disability legislation. The risk of not having this legislation is that a government is not required to proactively identify, remove, and prevent barriers for people with disabilities.

When will government begin its promised consultation with Yukoners with disabilities and the disability community?

Hon. Brad Cathers: I believe we already provided that information to the member opposite, that we intend to begin that work next year around considering matters including whether there is a need for disability legislation. But I would again note that the member often in this House conflates legislation with services, and we are working right now in continuing to provide a number of services and determine where additional enhancements may be needed.

We currently provide a broad range of disability-related services through Disability Services to support independence and dignity and participation of Yukoners with disabilities in society as well as to support children, adults, families, and caregivers. As of August 2026, the Disability Services program supports 496 active clients, including 356 children and youth and 139 adults. They provide individualized funding and supports to families caring for a child, youth, or adult with a disability. Supports currently available include respite funding, family counselling, sibling care funding, homemaking services, inclusion workers for recreational and community activities, inclusion support for summer camps, access to Learning Disabilities Association of Yukon camps, individualized supervisory care, in-home childcare, therapeutic and clinical services, assistive technology and sensory aids, specialized adaptive clothing, and therapeutic riding through certified

providers and, subject to clinical recommendations, may include therapeutic supports. But I believe I've run out of time to continue that list.

Kate White: I can't wait until this government begins those conversations with the disability community, because then he'll understand that listing services that are available doesn't actually make them available.

When provinces and territories don't have robust disability protections, real harm is caused to people with disabilities and their families. Without disability legislation, people are more likely to experience discrimination. It is more difficult to access government services, health care, public buildings, transportation, employment services, and protections to their well-being.

Yukon's disability community has been clear that they want disability legislation. Maybe the government can begin its consultation with that as the starting point. Will this government explain why they remain unwilling to commit to supporting Yukoners with disabilities by introducing a stand-alone disability act?

Hon. Brad Cathers: Again, the member repeatedly conflates and confuses legislation with services. We have committed to consider whether legislation is necessary.

But as I noted, we are providing a range of services now. We've enhanced services in some areas, including through Autism Yukon this year. We've also responded to a colleague of the member who identified a specific issue on behalf of a constituent who also wrote to me directly. We were pleased to be able to assist that person with ensuring that there was an adjustment to the existing policy to help not only herself but others in a similar situation.

We will consider what policy changes are necessary. We will continue to look at where service enhancements are appropriate and possible. We will consider whether legislation is necessary.

But again, the member repeatedly conflates and confuses legislation with services. I would contend that what is most appropriate is what services, what supports, and, where necessary, financial assistance exists for Yukoners who have disabilities and their families.

Question — Lead in drinking water in Yukon Housing Corporation units

Lane Tredger: Last week, I asked about lead-contaminated drinking water in some Yukon Housing units. I thank the minister for sending a follow-up letter, and I have another question. His letter said that in 2025, Yukon Housing "… identified 22 units that had initial results showing slightly elevated levels of lead above Health Canada guidelines." It goes on to say that "follow-up testing found that 6 of 22 units … tested slightly higher than acceptable levels…"

I'm hoping the minister can explain the difference in those two sets of test results and what he meant by "acceptable levels". It's not clear if the results from the initial and follow-up tests were different or if they just used a different standard to decide how much lead was safe.

Did Yukon Housing use the most recent Health Canada guidelines to define "acceptable levels" of lead in drinking water during their follow-up testing in 2025?

Hon. Scott Kent: I appreciate the member opposite raising this topic again today.

As mentioned, I did follow up with the member with a letter as soon as possible after the question was raised just given the importance of the question that she asked and my desire to get accurate information to her.

It's my understanding that we do use the most recent Government of Canada guidelines when it comes to this testing. If that's not accurate, I will follow up with the member opposite.

As mentioned, 192 units in communities were tested in 2025. Initial sampling identified that 22 of those units tested slightly above Health Canada acceptable lead levels. Follow-up testing was conducted in the 22 units to confirm and determine possible causes of the initial findings. That follow-up testing found that five of 22 tenanted units tested slightly higher than acceptable levels. The sixth unit that the member opposite referenced was unoccupied at the time. If there is additional information or clarity that the member is seeking, I will get back to them with that information.

Lane Tredger: I do appreciate the minister saying he'll get back to me.

I know it's a very detailed question, but it's important, because the Yukon Government hasn't always gotten this right. When Health Canada updated their guidelines for lead in drinking water in 2019, the Yukon Government continued to use the old standards for testing drinking water in schools, leading to Yukon children drinking water that contained unsafe levels of lead.

The Health Canada guidelines are also clear that flushing the taps is not an adequate response and should not be done before testing. In the section of the guidelines called "Monitoring in residential dwellings", it says — quote: "Samples should be collected without prior flushing …" But the letter from the minister refers to flushing protocols being used to make sure the water is safe. Can the minister confirm if both initial and follow-up testing protocols follow the Health Canada guidelines and were done without flushing the taps?

Hon. Scott Kent: The information that I have with me here today is that Yukon Housing is working with other departments and local maintenance contractors to ensure that water is flushed prior to use when water systems have been inactive for long periods of time. There will also be additional targeted water testing in Whitehorse planned for this winter of 2026 and spring 2027, with older units being prioritized for testing.

With respect to the additional protocols that the member identified, I will have to get back to them with that information after I check in with the Yukon Housing Corporation. But I appreciate them bringing this to the floor of the House here today.

Lane Tredger: I look forward to that information. I appreciate the follow-up. I do want to ask more about the next stage of testing, because as the minister mentioned, only 192 units were tested in 2025, specifically outside of Whitehorse. Then in the letter it said that the testing for Whitehorse is planned for winter 2026 and spring 2027. But that means that the majority of Yukon Housing units will not be tested until a

year or more after unsafe water was found in some of the buildings. People will have been drinking water for an additional year or more before the government can tell them whether it's safe or not.

The impacts of high lead levels range from increased blood pressure for adults to brain development problems for children that can have lifelong impacts. It is this government's responsibility to make sure that all of their tenants have safe drinking water, and right now, they can't guarantee that.

Why is Yukon Housing waiting more than a year to test the drinking water in the rest of their units, and how long until they can guarantee all their tenants that their drinking water is safe?

Hon. Scott Kent: Just to reiterate, 192 units in Yukon communities were tested in 2025, and that initial sampling identified 22 of those units testing slightly above Health Canada acceptable lead levels. Follow-up testing was conducted in the 22 units to confirm and determine possible causes of the initial findings. Then the follow-up testing found that five of 22 tenanted units tested slightly higher than acceptable levels, and water stagnation was identified as the primary contributing factor.

Filters were installed in the affected units, as the member opposite mentioned, and as I mentioned earlier, targeted water testing in Whitehorse is planned for winter 2026 and spring 2027, with older units being prioritized for testing. If there is the opportunity to advance that testing and conduct it earlier, I'll ask the Yukon Housing Corporation if that opportunity exists so that we can ensure that tenants in Yukon Housing units have the acceptable drinking water that every Yukoner deserves.

Question — Audiology services wait times

Kate White: I have some follow-up questions for the minister about services for Yukoners with disability. In March 2025, people with medium-priority hearing needs were waiting more than 18 months for an audiology assessment, and those with low-priority needs were waiting for more than two years.

Hearing loss that goes unaddressed affects people's work, their safety, and their connection to family and community. This isn't just an inconvenience — people with hearing loss lose their ability to participate in conversations and connect with the people around them. They can become isolated, and in older people, this can even increase their risk of dementia.

What are the current wait times for Yukoners needing audiology appointments and supports?

Hon. Brad Cathers: In the area of audiology, I recognize that there are wait times for those services. The member also should know from her time in this Assembly that this is not a new problem. This is an area that government has struggled with in the past to provide even consistent audiology services.

This is something that we will be looking at as part of our overall reviews of what we're doing within the health system, particularly through the lens of reducing wait times. We do recognize that's a problem right now. That does leave some people also using locally available services through a private clinic that provides certain services for audiology as well. But again, we recognize that this is an area where there are challenges, and we are looking to see what solutions might be to that issue, which has been ongoing for many years.

Kate White: This is not a new problem, so one might suggest that the support and service for Yukoners with disabilities is lacking. A government-contracted audiologist visits the territory once a month. If a child's hearing aid isn't properly fitted, it means waiting weeks between appointments to get it adjusted. Hearing aids, especially for children, need to be adjusted frequently or they are ineffective or even painful. It's typical for children to need many adjustments, especially as they grow and their ears change.

If a child has to wait a month for each adjustment, that could mean that they're isolated and unable to develop language. A month is a very long time to wait for a child whose hearing is changing rapidly. I'm aware that children are being prioritized, so they aren't waiting as long as adults, but the situation for children is also far more urgent.

Can the minister explain why children needing to access audiology services have to wait for a month at a time to get hearing aid adjustments?

Hon. Brad Cathers: I did explain that in my earlier response. As members are well aware, this is an area where the government has struggled for years to maintain consistent audiology services. We recognize the impact that this has on people. It leaves people, in some cases, making use of a local private clinic for certain services available there. This is an area that will require further work. We again sympathize with everyone who is impacted by delays in accessing services.

We have been, since taking office, focused on dealing with many issues across a health system that was in crisis under the Liberal government with full support of their NDP partners before, including, as the member knows very well, the chronic underfunding of Yukon Hospital Corporation that resulted in the situation that earlier this year we were at 146-percent bed capacity. The previous government as well as the NDP failed to take seriously the needs to move forward the Whitehorse General Hospital expansion project. We've been pleased to see, with the addition of 12 new doctors who have moved to the territory, a significant reduction in the orphan patient wait-list of some 60 percent.

We are seeing progress in a number of areas, but there are other areas of the health system, including audiology, where more work is required, and we need to determine what we can do to help reduce wait times in those areas. We do very much appreciate the need for —

Speaker: Order.

Kate White: This problem sounds like it's an ongoing lack of support and services for Yukoners with disabilities. As of spring 2026, those on the wait-list for hearing services had to wait at least 18 months just to get a hearing assessment appointment. With hundreds of people on a wait-list for audiology assessments, it has been suggested that those who can afford it should go to a private clinic.

But private clinics aren't an option for everyone. Seniors on a fixed income, people without private insurance coverage, and those with high-priority needs shouldn't have to hope that they can find money to pay a private clinic. How will the minister increase audiology access for Yukoners in the short

term — right now — so that children who need help with hearing aids can go, seniors can get assessments, and people can get the support that they need?

Hon. Brad Cathers: I would point out to the member that she again dismisses the progress that we've made in a number of areas, including connecting more Yukoners with a family doctor or nurse practitioner. I hear the member off-mic, but again, we have made significant progress in a number of areas. We've improved the health system. We've increased the resources substantially for Whitehorse General Hospital as well as moving forward with the Whitehorse General Hospital expansion project, which stalled and was neglected under the Liberals and the NDP.

There are other areas of the system where more action is required, including in the area of audiology. But this is a problem that has been an issue for quite some time in audiology, as the government has struggled with recruiting and retaining audiologists. There is more work in this area. We acknowledge that, but we've also made substantial progress in other areas of the health system, improving services.

I would remind the member that this issue is not a new one, including through all of the time that she was effectively in a coalition with the Liberal government, Yukoners were dealing with long wait times for audiology.

Question — Climate change action plan

Justin Ziegler: The Yukon is warming twice as fast as the rest of the planet. Yukoners see this climate crisis every summer with increasing wildfires and floods that threaten our communities and ecosystems.

This Yukon Party government scrapped *Our Clean Future*, the Yukon's climate change plan that was in place when they took office, and they eliminated the *Clean Energy Act*, which had legally binding climate action targets. The Minister of Environment promised he would create a new plan to replace these targets. Last December, Yukoners heard the minister tell this House he did not have a timeline for the new plan and that he would get back to us. In April, he said a timeline would come within the next few months. It is now October and Yukoners still have no update.

When will the Yukon Party government release their new climate change plan?

Hon. Currie Dixon: Of course, we're committed to developing a new climate change action plan that recognizes the changing realities that Yukon faces and the energy situation that we all face as well as a number of steps that we can take across the Yukon Government and lead on behalf of Yukoners to achieve practical solutions to the climate change issues that we all face. As the member has noted, the Minister of Environment has communicated publicly that we would be seeking public feedback on the development of a new climate change action plan, and I'm sure that the Minister of Environment will provide an update in due course.

Justin Ziegler: In its platform, the Yukon Party promised a climate plan that, quote: "… focused on realistic actions, rather than unachievable targets." Let's be clear about what that means. A plan with no targets is a plan that can never fail because nothing is ever measured. The climate does not respond to good intentions. It responds to measurable changes in emissions. The government says the old targets were not going to be met. Instead of setting different ones, it seems this government plans to set none at all.

If the Yukon Party's new climate change plan has no targets, what does the minister expect it to achieve, and how will Yukoners know if it worked?

Hon. Currie Dixon: What we intend to achieve is real action, and that's the difference between us and the previous government.

Under the Liberals, they set unrealistic, unachievable targets, and then they ramped those ones up as a result of the confidence and supply agreement with the NDP. There was no science, no backing, no actual tangible plan to make those targets actually come into effect. They just simply signed them off for a political stunt. They had no intention and no plan to actually achieve the targets that they had set out in legislation that we got rid of earlier this year.

What we were focused on is actually taking action to address climate change. That's what you're going to see from a climate change action plan. That's what you're going to see from this Minister of Environment when he presents that to Yukoners and, of course, we'll be in a position to communicate with Yukoners very soon about how we're going to set that policy.

Justin Ziegler: The world is on track for close to three degrees of warming by the end of this century. The children sitting in Yukon classrooms today will be here then. They will live with every decision this government makes about our climate and every decision it refuses to make.

I hope to become a parent soon, and when I think about the Yukon my child will inherit, I cannot accept we are being practical as an answer. Practical is not a plan; it is not a target; it is not a commitment.

We are in a climate crisis — we cannot deny it — we cannot look away and we cannot pretend we did not know. The only practical thing to do is to respond urgently. One day, future generations will ask: What was done when there was still time? At the end of this government's mandate, will the Yukon's emissions be lower than they are now?

Hon. Currie Dixon: I'm glad that the NDP has finally admitted that their policies are completely impractical and that their policies will result in no measurable change in the territory. In fact, over the five years that they sat in office with the previous government, they took very little action, and they debated and went back and forth about which version of unrealistic targets they should achieve depending on which party was in the driver's seat at any given time.

We've been clear with Yukoners. We want to see real action when it comes to climate change. We're not going to get bogged down in the debates of the years past around which unrealistic target is appropriate. Instead, we're going to focus on real action. We're committed to developing a climate change action plan that will focus on addressing climate risks that Yukon communities face, focusing efforts on community resilience that will help us better prepare for climate emergencies and protect critical infrastructure while also creating good-paying jobs and growing Yukon's economy.

That's the difference between us and the NDP. They have impractical solutions. Ours are, as the member has admitted, entirely practical.

Question — Eagle Gold mine heap leach failure

Adam Gerle: After months of negotiations regarding the future of the Eagle Gold mine, the court-appointed receiver has announced an agreement for its sale to Boroo Pte. Ltd. Yukoners want to understand what this means for the public funds committed to the receivership and the territory's financial exposure.

Can the minister responsible for the sales process explain what this agreement means for Yukon taxpayers and the government's bottom line?

Hon. Jen Gehmair: While the sale agreement remains subject to court approval and several other closing conditions, this agreement represents the best available outcome for taxpayers. The agreement establishes a path for the government to recover public funds it has advanced to support the receivership, which significantly reduces the government's financial exposure going forward.

In addition to the $140-million price to be paid on key milestones, the agreement also requires the purchaser to furnish the $104 million in security. Upon closing, the agreement transfers responsibility for ongoing operations, care and maintenance, remediation, and future closing obligations to the purchaser.

Without a sale, Yukon taxpayers would have continued to face an estimated $72 million each year in care and maintenance costs until the site was closed, and those closure costs are estimated to be an additional $200 million, and this would all be on taxpayers to pay for. This agreement reduces Yukon Government's overall liability, protects taxpayers from long-term financial risk, and supports a path forward toward responsible private sector ownership of the site.

Adam Gerle: This agreement appears to be in the best interest of taxpayers.

However, the minister mentions that there are additional steps in the process. Can the minister detail those steps?

Hon. Jen Gehmair: The sale agreement remains subject to several closing conditions, including court approval. Additional details about the agreement will be made public through the court process in the coming weeks.

Boroo has engaged and continues to engage directly with First Nation of Na-Cho Nyäk Dun on key agreements, and we respect the importance of this bilateral relationship. I want to be clear: This agreement does not change the regulatory requirements. Just like any mine in the territory, regulatory approvals and consultation are required before the mine can restart operations.

This agreement represents an important milestone and delivers the best outcome for taxpayers, Yukoners, and the territory's economy. The agreement also sends a strong signal about Yukon as a place to invest. It reflects investors' confidence in the Yukon as a stable and attractive jurisdiction, the quality of our mining resources, and the long-term economic potential. A return to active mining operations will generate benefits across the economy, supporting businesses that provide transportation, logistics, accommodation, food services, equipment, and other essential services.

Adam Gerle: The minister mentions this agreement supports the territory's long-term economic potential. However, many Yukon businesses, contractors, and communities have been impacted since the failure at the mine.

Can the minister advise this House what the agreement means for them?

Hon. Jen Gehmair: We recognize the challenges that Yukon businesses and workers have faced over the past two years.

While the treatment of creditors remains before the courts, this agreement provides a path forward for the site and renewed economic activity in the Yukon. Boroo has indicated its intent to work with Yukon businesses and contractors and invest over $800 million in restart operations, with approximately $1.5 billion in investments over the lifetime of the mine. A successful restart will support well-paying jobs, create contracting opportunities for Yukon businesses, and generate lasting economic benefits for communities across the territory. While I cannot speak on behalf of Boroo regarding specific hiring decisions, this agreement creates an opportunity for significant private sector investment and employment in Yukon. It also demonstrates confidence in Yukon's mining sector, the quality of our mineral deposit, and the territory's long-term economic potential.

It's also positive news from an environmental perspective. As part of its proposed restart plans, Boroo is planning to remediate the work at the Dublin Gulch site. This is a plan that addresses the concerns around the environmental piece and looks toward moving the site forward in a responsible way. We've had two years to review the incident that happened and implement new measures going forward.

Question — Health care for seniors

Kate White: Nearly a year ago, I raised the issue that Yukon lacks a coordinated dementia strategy. Earlier this year, Seniors Action Yukon met directly with the Minister of Health and Social Services. They shared that the Yukon is one of the only jurisdictions in the country without a geriatrician — a doctor who specializes in caring for older adults. They explained the serious gap in care this causes for an aging population. This specialist would be able to spot dementia earlier, manage aspects of aging-related decline, and help far more seniors stay safely in their own homes.

What actions is the minister taking to address the concerns raised about Yukon's lack of a geriatrician and a coordinated dementia strategy?

Hon. Brad Cathers: The member is only partially correct; I will give her that much. The fact that the Yukon does not have a dedicated gerontologist does not mean that other doctors don't have that training or provide those services. In fact, that is an issue that has been raised in the past by physicians, as they're concerned with some characterizations made about that which suggested that other physicians did not provide those services and felt that some of the people advocating for a specific position dedicated to that did not fully

understand what was already available and were creating inaccurate perceptions of the system.

The question of whether to have a dedicated gerontologist position is something that has come up as a suggestion from some. It is an issue that has been considered by the Access to Specialty Care Committee, which is a joint committee involving the Department of Health and Social Services as well as physicians. At this point in time, they have not recommended the creation of that.

At this point in time, there are other priorities that have been identified that we are acting on, and those include the general internal medicine program that we're in the process of developing, led by the Yukon Hospital Corporation, that has been identified as a high priority by Yukon physicians. We will consider all requests, but again, we do work with the Access to Specialty Care Committee to set what priorities should be.

Kate White: Maybe the minister and I can agree that Yukon has an aging population and that Yukoners are living longer, which is good news. We know that the hospital is averaging 121-percent capacity, and as of February, nearly 11 percent of inpatient beds were occupied by patients waiting for long-term care, home care, or supported living.

The minister might want to talk about an expansion of the hospital, but Yukon seniors are looking for solutions now. The minister could reduce pressure on the hospital by funding a dedicated geriatric position so that seniors can be assessed and supported before a health issue becomes a hospital admission.

I know the minister doesn't like it, but will he commit to funding a dedicated geriatric position to help reduce pressure on the hospital and support Yukon's aging population?

Hon. Brad Cathers: I would remind the member that she's already been cautioned recently by five Yukon physicians for not understanding some of the things she's brought forward in this Legislative Assembly. In the case of whether there should be a dedicated geriatric physician — again, as I mentioned, that has been referred to the Access to Specialty Care Committee. It has not been recommended as a priority yet. The member is failing to recognize that there are other Yukon doctors who also have that training and can provide services there.

I would remind the member that during their four and a half years in office supporting the previous government as effectively part of a coalition, they had the opportunity to tell the government that the Whitehorse General Hospital expansion project was a priority, but they did not. Instead, they prioritized receiving over a million dollars in extraordinary caucus funding from the Liberal government in exchange for their support.

Kate White: Madam Speaker, in listening to the responses from the minister today, I cannot wait to have conversations with my senior friends in the territory.

Seniors built this territory and they continue to contribute to its well-being, and they deserve better than to be treated as an afterthought by this government and this minister. Seniors Action Yukon has asked both in writing and in person for a designated point of contact within government — like an advocate — to help them navigate government services. Every province in Canada has an advocate — the Yukon does not.

Will the minister commit to establishing a dedicated seniors advocate with the Department of Health and Social Services with the geriatric and navigation supports Yukon seniors have been asking for?

Hon. Brad Cathers: Again, I've answered this question, and I remind the member that it's important when we determine what actions are necessary and what are the highest priority that we actually work with health professionals in setting those priorities. That is what is happening right now. We are taking action, including expanding home care. We are investing in the highest priority areas identified by the Yukon Hospital Corporation to improve supports for seniors and all Yukoners.

But I would remind the member that the entire system right now is struggling as a result of the NDP's decision not to make the Whitehorse General Hospital expansion a priority under the Liberals. That's how the hospital hit a high of 146-percent bed capacity in June this year before we opened the eight additional beds that we funded last fall within the first two weeks of taking office. We are acting on the most urgent priorities. We will consider where additional measures are necessary.

But again, we see here the Leader of the NDP not respecting the physicians and health professionals who are part of determining what programs are most appropriate and most effective and not recognizing the fact that there are a number of Yukon doctors right now who have training that allows them to be very effective in caring for Yukon seniors. We respect the work they do — it's unfortunate the member does not.

Question — Battery energy storage project

Lane Tredger: In 2021, Yukoners were very excited to hear that the government and Yukon Energy Corporation were going to build a grid-scale battery storage project in Whitehorse. The battery would help meet winter energy needs and cut greenhouse gases by contributing power to the grid during periods of peak demand.

It has been four and a half years since construction began, and countless deadlines have come and gone. In April, we heard that Yukon Energy was confident that the project would be completed this summer, but then in August they announced it would not be operational this winter at all. Yukoners deserve to know what is going on.

Will the minister tell Yukoners what happened to delay this project yet again?

Hon. Ted Laking: The batteries were exposed to cold during winter 2025–26. After the on-site generator failed, work has progressed this summer. Power is now available at the site, and the battery manufacturer is conducting inspections and testing. But for planning purposes, because of these delays and the issues last winter, Yukon Energy is not relying on the battery facility to provide dependable electricity supply this coming winter, and I'll continue to monitor it.

Lane Tredger: What I'm curious about is that was news that was heard last spring. What happened between April and August of this summer that was new information that meant Yukon Energy went from saying that the batteries would be ready this winter to saying they're no longer going to be ready this winter?

Ultimately, the government's failure to manage and complete this project is costing ratepayers money. It's threatening our ability to meet peak winter demand for electricity. It's increasing our carbon footprint, and it's undermining the social licence and appetite for future battery projects. Every year the battery is not online sees more capital cost overruns on the projects and means more diesel fuel burned. The delays are compounding the twin crises of climate change and affordability for Yukoners.

Will the minister provide a new timeline for when this battery project will finally come online?

Hon. Ted Laking: I and the member opposite agree that this project has been plagued with issues, and we're not pleased with the delays or the potential cost overruns associated with it. As a result, as I said in the spring, I've directed a third-party review of this.

Lane Tredger: On September 1, the Utilities Consumers' Group issued a letter to the Yukon Utilities Board asking them to immediately investigate the status, cost escalation, operational readiness, and ratepayer impact of the battery project. Given the constant delays associated with this project, these are reasonable requests.

Yukoners have also been asking about options for legal action or compensation for ratepayers so that the cost of these delays doesn't fall back on them. We have previously heard that Yukon Energy was considering options to recoup some of the cost overruns from the contractor or manufacturers responsible for the project.

Will the minister update Yukoners on whether the manufacturer or the contractor will be responsible for any of the costs of the mistakes and delays of this project?

Hon. Ted Laking: The Yukon Energy Corporation is considering its options in this regard. But as indicated earlier, we agree that this needs to be looked at further, and that's why we've directed a third-party review to look at what went wrong here.

Speaker: The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

Hon. Scott Kent: I move that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

Bill No. 205, *Third Appropriation Act 2025-26 — continued*

Yukon Development Corporation — *continued*

Chair: The matter before the Committee is continuing general debate on Vote 22, Yukon Development Corporation, in Bill No. 205, entitled *Third Appropriation Act 2025-26*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

Speaker: Committee of the Whole will recess for 15 minutes.

Recess

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

The matter before the Committee is continuing general debate on Bill No. 22, Yukon Development Corporation, in Bill No. 205, entitled *Third Appropriation Act 2025-26*.

Hon. Ted Laking: I'm pleased to be here to talk about this again today. There were a number of questions that were outstanding that I have committed to get back to members opposite on, and so I will start off my remarks today following up on those.

The 2025-26 main estimates provided $12.733 million for the Arctic energy fund. That funding supported independent power producers through payments based on project milestones and actual eligible expenditures, including the Sādę Watson Lake solar initiative.

During preparation for the 2025-26 *Supplementary Estimates No. 1*, Yukon Development Corporation assessed that $3.4 million should move from 2025-26 to 2026-27 based on projections provided by the project proponents. Based on that assessment, the Arctic energy fund appropriation was reduced from $12.733 million to $9.33 million. That was a reasonable adjustment based on the information available at the time. The timing is important. Preparation for a spring supplementary budget occurs during the preceding fall and winter. The $3.4-million adjustment therefore reflected the BESS project cash-flow information available while that budget was being assembled and finalized.

The project advanced faster than forecast and anticipated. Eligible Sādę claims for 2025-26 were about $948,141 higher than the revised appropriation. The claim for these costs was received too late to be reflected in the spring supplementary budget. The claim identified that the proponent incurred costs eligible under the agreement with the Yukon in the 2025-26 fiscal year. A further $433 related to the Battery Energy Storage System project, which I will discuss shortly, brought the total 2025-26 capital vote shortfall to $948,575. YDC recorded the shortfall in the relevant fiscal year, 2025-26, as per the public sector accounting standards.

The Yukon Development Corporation worked with the Department of Finance, and in June 2026, Management Board authorized up to $948,575 in additional 2025-26 capital expenditures from the consolidated revenue fund under section 20 of the *Financial Administration Act*. Subsection 20(4) of the act requires that amounts be submitted to the Legislative Assembly in an appropriation bill at its next Sitting. These supplementary estimates and the *Third*

Appropriation Act 2025-26 complete that process. They provide the legislative authority for expenditures already incurred and properly recorded in 2025-26, and they preserve the Legislature's role in reviewing and approving that authority.

Good oversight also means improving the process when project information and projections change. Yukon Development Corporation is strengthening regular contact with proponents and improving the exchange of information on costs incurred, anticipated claims, and submission timing. The focus is practical: more frequent cash-flow updates, earlier notice of material changes, and clearer escalation when forecast claims may affect an appropriation. These steps will provide earlier visibility and improve alignment among project delivery, federal recoveries, and legislative authority. Claims continue to be reviewed by YDC and Government of Yukon, and with respect to the federal program, only eligible project costs are reimbursed. The additional appropriation is matched by an equivalent federal recovery.

I now turn to the Whitehorse Battery Energy Storage System, or BESS. The project, as we discussed in this House, has experienced cumulative delays that came up during the previous debate when we were last talking about this bill, and this results from several factors. Early challenges included an extended procurement and contracting process, pandemic-related supply chain constraints, equipment manufacturing delays, and additional time required to complete engineering and design work to meet applicable codes and modern operating requirements. Yukon Energy continues to oversee and manage contractor performance as it relates to project schedule and associated milestones.

I do wish to clarify the record on matters directly connected to the appropriation: how the project is funded, what work has been paid for, and what protections remain while the contractor completes the delayed work.

The current overall BESS project budget is approximately $35 million. The ICIP contribution is capped at $16.5 million, representing 75 percent of $22 million in eligible project costs. The balance of the overall project budget is Yukon Energy's responsibility and is ultimately reflected through its regulated financing and rates. The ICIP expenditures supported earlier phases of work that have been completed. The federal program reimburses eligible expenditures for completed work. It does not pay for work that has not occurred. ICIP also provides for a 10-percent holdback of $1.65 million that remains in place until project completion. The contractor work currently experiencing delays falls outside of the federal funding envelope. Yukon Energy continues to hold back a significant amount of this remaining budget pending completion and verification of outstanding work. They will be best placed to speak to the most recent status of the project when they appear as witnesses later this Sitting.

The $1,000 ICIP adjustment in the supplementary estimates is a rounding correction of $433, which was incurred in 2025-26. It does not represent a change in the project cost. Appropriations are rounded to the thousand for 2025-26. That was $947,000. The actual claim was $947,443. To ensure transparency and compliance, this supplementary budget request is to ensure the claim is rounded to the highest thousand instead of the nearest thousand.

Additionally, while it is not connected to the supplementary estimate, I did earlier this Sitting commit to the Member for Riverdale South to come back with information at my earliest convenience, and that happens to be today. While it's not connected to the supplementary estimate, I did want to live up to that commitment to the member. This is with respect to the status of Yukon Energy's air emissions permit. Under Yukon Energy's air emissions permit, they are required to implement the commitments outlined in the approved environmental monitoring plan. We're talking about the Whitehorse Rapids generating station. This includes installing noise mitigation measures at the Whitehorse Rapids generating station by the end of 2026.

Yukon Energy is moving forward with this noise mitigation work at the Whitehorse diesel facility, including replacing the exhaust silencers on four older diesel generators. The installation is now expected to be completed by July 31, 2027. This reflects longer than anticipated manufacturing timelines and the need to complete the work during the summer when the generators are less likely to be required to maintain reliable electricity services.

Yukon Energy has informed the Department of Environment about these timelines. The department has requested that Yukon Energy submit a revised environmental monitoring plan this month that includes interim noise mitigation measures for the winter. Yukon Energy is exploring options and preparing the response. Yukon Energy remains committed to completing this work, reducing noise impacts on nearby residents, and maintaining reliable electricity service throughout the winter.

Across both the Sādę and BESS projects, the priority is the same: Invest in a reliable electricity system, protect affordability for Yukoners, and maintain clear accountability of public funds. Our government will continue to monitor the projects closely, strengthen financial forecasting, pay only eligible costs, and report adjustments transparently.

Lane Tredger: Thank you to the minister for that information. I found it really interesting — lots of great stuff there.

I want to follow up on one other question that I asked in debate that the member opposite said he would get back to me on. I was asking about the difference in the financial structures between YEC and departments of YG such that, to my understanding, if departments are allocated money for a project but that project doesn't actually happen in that year, they can't just sit with that money; whereas it sounds like for the battery project, Yukon Energy has been given money for that battery project and since it has been delayed, it's still sitting with Yukon Energy.

Can he talk about how that works?

Hon. Ted Laking: I think the member opposite's right. I did not articulate this very clearly last time. I would just clarify that the only money that's gone to Yukon Energy at this point is for works that have been completed and are eligible.

Lane Tredger: I don't think I quite understand the situation, then, because my understanding is that in this budget there was money that flowed to Yukon Energy in order to fund the battery project. Those steps of the battery project have not

yet been completed, but that money hasn't come back. The amounts allocated haven't decreased in this budget. I believe last time the minister said that money is still with Yukon Energy waiting for the project to be completed, at which point, it is to be paid out to the contractor.

I just wanted to know about the financial structure, how that works — that Yukon Energy can take money and then hold it for a future year. Is that something to do with their structure as a corporation? I'm trying to understand that financial process a bit better.

Hon. Ted Laking: The overall BESS project budget is approximately $35 million. The ICIP contribution, which is federal, is capped at $16.5 million, representing 75 percent of $22 million in eligible project costs. The balance of the overall project is Yukon Energy's responsibility and is ultimately reflected through its regulated financing and rates.

Lane Tredger: If I understand correctly, then the components of the project that were funded by ICIP have been completed and the money from ICIP has gone through the Yukon Government to Yukon Energy and been paid out and the remaining pieces that need to be paid out are funded from Yukon Energy's own finances; is that a correct understanding of the situation?

Hon. Ted Laking: That's correct.

Lane Tredger: That's very helpful. Where we left off last time is I was asking about the potential for Yukon Energy to recoup some of the costs, particularly due to errors that allowed the batteries to be exposed to cold weather and freezing. If they are successful in recouping any of those costs from the contractor, is that something that we would see reflected in this budget or other budgets of the government, or would that simply be an internal process within Yukon Energy?

Hon. Ted Laking: What we're talking about today is the 2025-26 estimates, and that question would be related to future estimates.

Lane Tredger: My understanding is that some of the errors actually occurred within the 2025-26 budget.

I assume they're not reflected here — the minister has already pointed that out — but could we expect future changes to the 2025-26 budget if costs were recouped?

Hon. Ted Laking: I can confirm that there will not be any of those questions that are reflected in these supplementary estimates from 2025-26.

Lane Tredger: Asking about the response to incidents that happened during this program year, the 2025 to 2026 program year — that was when the batteries were exposed to the cold weather and damage occurred — can you provide us any update on the work to recover costs of those errors that happened within the program year we're currently discussing?

Hon. Ted Laking: Yukon Energy Corporation still has a major holdback associated with this, and as indicated in my opening remarks, they'll be best placed when they appear as witnesses later this Sitting to explain what they're doing with that holdback and the various thresholds required before they would be comfortable moving past that.

Lane Tredger: I'll save the rest of my questions for when we discuss the program year that is upcoming.

Thank you to the officials, to the minister, to all the folks at the YDC, Yukon Energy Corporation, and the departments here that are involved in preparing this budget and this briefing. I appreciate it, and I look forward to more discussion.

Chair: Is there any further general debate on Vote 22, Yukon Development Corporation?

Seeing none, we will proceed to line-by-line.

Unanimous consent to deem all lines in Vote 22, Yukon Development Corporation, cleared or carried

Lane Tredger: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 22, Yukon Development Corporation, cleared or carried, as required.

Chair: The Member for Whitehorse Centre has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 22, Yukon Development Corporation, cleared or carried, as required.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Total Operation and Maintenance Expenditures in the amount of $948,000 agreed to

Total Capital Expenditures in the amount of $1,000 agreed to

Total Expenditures in the amount of 949,000 agreed to

Yukon Development Corporation agreed to

Unanimous consent re deeming all clauses, schedules, the preamble, and the title of Bill No. 205 read and agreed to

Lane Tredger: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all clauses, schedules, the preamble, and the title of Bill No. 205, entitled *Third Appropriation Act 2025-26,* read and agreed to.

Chair: The Member for Whitehorse Centre has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all clauses, schedules, the preamble, and the title of Bill No. 205, entitled *Third Appropriation Act 2025-26*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 1 and 2 agreed to

Schedules A and B agreed to

Preamble agreed to

Title agreed to

Hon. Currie Dixon: Madam Chair, I move that you report Bill No. 205, entitled *Third Appropriation Act 2025-26*, without amendment.

Chair: It has been moved by the Hon. Premier that the Chair report Bill No. 205, entitled *Third Appropriation Act 2025-26*, without amendment.

Motion agreed to

Committee of the Whole Motion No. 1, Consideration of operations and policies of the Department of Energy, Mines and Resources

Hon. Scott Kent: Madam Chair, I move:

THAT Committee of the Whole consider the operations and policies of the Department of Energy, Mines and Resources immediately following the adoption of this motion until such a time as the normal hour of adjournment is reached or there are no further questions for the Minister of Energy, Mines and Resources, who may have departmental officials seated with him.

Chair: It has been moved by the Government House Leader:

THAT Committee of the Whole consider the operations and policies of the Department of Energy, Mines and Resources immediately following the adoption of this motion until such a time as the normal hour of adjournment is reached or there are no further questions for the Minister of Energy, Mines and Resources, who may have departmental officials seated with him.

Is there any debate?

Are you prepared for the question? Are you agreed?

Committee of the Whole Motion No. 1 agreed to

Chair: Would members like to take a brief recess?

All Hon. Members: Agreed.

Chair: Committee of the Whole recess for 15 minutes.

Recess

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

Consideration of operations and policies of the Department of Energy, Mines and Resources

Deputy Chair: The matter before the Committee is now consideration of the operations and policies of the Department of Energy, Mines and Resources.

Hon. Ted Laking: I don't have prepared remarks. I just want to point out there before we get going that this is the first time that this Assembly is trying something like this where we're going into just a general debate with the department outside of the regular sort of line-by-line process. That was a commitment that our government made — is that we would still allow for oversight and the ability of the Opposition to ask questions of departments even while switching to this fall capital process. I will say I'm excited to be the first test case at this, but I'm looking forward to the discussion today and will be very brief. I will turn it over to the member opposite to begin asking questions.

Carmen Gustafson: I do want to start by expressing my appreciation to the officials for the briefing — again, probably one of the first briefings in this new process and an opportunity to ask some questions there. I'm sure the Official Opposition will have some feedback on this process and how we can improve it for next time. Thanks to the minister for taking some questions as the first one up. I appreciate that bravery. Or maybe a bad drawing of the straws occurred; I'm not sure.

My first bunch of questions will be about the sale of Eagle mine. We got the notice of that this morning and we had a briefing. Again, I wanted to thank the officials in that briefing. We had officials from: Economy, Tourism and Culture; Energy, Mines and Resources; as well as from the receiver for Victoria Gold, PricewaterhouseCoopers. It was helpful, informative, and very calm briefing things out.

Some of the questions that I'll ask we did get answers to in the briefing, but I think this matter is of great importance to Yukoners, to Yukon First Nations, and to the mining industry as well. I think it's important that we take some time to go through this agreement, what it means, and what some of the timelines are.

Starting with timelines: What are the timelines in this agreement, and when might Yukoners expect to see Eagle mine up and running again?

Hon. Ted Laking: I just want to also put my agreement on the record. Part of the reason that we wanted EMR to be here today to answer questions is because we agree with the member opposite that this is a topic of great importance and interest to all Yukoners and likely Canadians as well. We felt it was important to allow the members opposite to ask further questions. Even though it may have been asked and answered in the technical briefing earlier today, there's no need to have to justify that here. We're totally fine to do that. We think that it's important to get these things on record.

As for the timelines that the member opposite requested, the next steps are reporting to the court in early December. Documents will be filed to the court by the receiver in the coming weeks. There will be a court date we expect in early December, and then the deadline for closing would be the end of December.

It's too early to say at this point in time when the mine would — or if it would — be back in production, because there's still a whole regulatory process that would be required. But at this point in time, the key milestones that we're looking at are when the documents will be filed in the court, when the court date is, and when the deal would eventually close at the end of December.

Carmen Gustafson: Could the minister let me know what the sale price is for the Eagle mine?

Some Hon. Member: (Inaudible)

Hon. Ted Laking: Sorry, there were just a couple of voices that I could hear off-mic. I think that the question I heard was the answer to the sale price. If that was the question, $140 million. If that wasn't, please re-ask the question and I'll respond to the appropriate question.

Carmen Gustafson: That indeed was the question. And when will that $140-million sale price be paid?

Hon. Ted Laking: The payment of the $140 million is done over four instalments. They have various milestones associated with them. The first is a $20-million deposit, which would be paid following court approval of the sale. The second is $20 million paid upon closing, which is expected to occur prior to December 31 of this year. The third is $50 million paid upon obtaining the permits necessary to restart operations. The fourth and final would be $50 million paid upon achieving commercial production.

Carmen Gustafson: I will have some more questions about those payments, but I'll get to those later.

Will the purchaser be responsible for security?

Hon. Ted Laking: Yes.

Carmen Gustafson: Could the minister give us some more information about the companies that are involved in the sale? The news releases include Victoria Gold, Boroo, and Gatsuurt Mining Inc. I'm hoping that the minister can give us some more details about those three corporations.

Hon. Ted Laking: Boroo is a company that has a history of acquiring and reopening mines and safely operating them. Gatsuurt Mining Inc. is a wholly owned subsidiary of Boroo and is the acquisition vehicle through which Boroo proposes to acquire the mine site.

Carmen Gustafson: Could the minister clarify where those companies are registered — if it's in Canada, if it's in the Yukon?

Hon. Ted Laking: Gatsuurt is registered in Ontario, and Boroo, I believe, is registered in Singapore.

Carmen Gustafson: Could the minister let us know if either Boroo or Gatsuurt has any assets in Canada?

Hon. Ted Laking: Boroo would be in a better place to speak about their assets than I am.

Carmen Gustafson: The minister talked about the mining experience of Boroo. I'm sure that was part of the deal and the attractiveness of this company.

What is their experience in mining in terms of which countries and which metals they are mining?

Hon. Ted Laking: My apologies. Could the member obviously please repeat the question?

Carmen Gustafson: Where and what metals does Boroo mine?

Hon. Ted Laking: If you go to Boroo's website, they do have an explanation of all their other mine sites. They have sites located in Peru and Mongolia, and they're primarily focused on gold.

Carmen Gustafson: I appreciate that answer.

Do they have any experience in mining in Canada?

Hon. Ted Laking: Not that I'm aware of.

Carmen Gustafson: Part of the sale price is based on some milestones, some stages that we'll have to go through. Would the payment associated with those milestones be dependent on Yukon Government doing things?

Hon. Ted Laking: In the payment schedule that I referenced earlier, there are the four different payments. There's the $20 million following the court approval of sale, the $20 million following the closing, which is expected to occur prior to December 31. The third, which is $50 million, is paid upon obtaining permits necessary to restart operations.

That would be where the Government of Yukon would have a role, obviously in regulating and issuing and reviewing permits.

Carmen Gustafson: Does that third milestone have a time frame or a deadline associated with it?

Hon. Ted Laking: It is four years.

Carmen Gustafson: Who is the purchase price paid to, and how are the proceeds of the sale then used or allocated?

Hon. Ted Laking: The payment actually goes to the receiver, which is PricewaterhouseCoopers, and then after that, they would then go to the court, and then the court would approve how the funds would be disbursed.

Carmen Gustafson: Thank you, Chair, and I appreciate the minister's clarification on that. I think some Yukoners are probably interested to understand how the sale proceeds work and that they are not coming directly to Yukon Government.

Could the minister tell us how much has currently been accessed under the borrowing for Eagle Gold? How much is currently owed to Yukon Government, including the interest on that borrowing?

Hon. Ted Laking: The Yukon Government has advanced $185 million to the receiver to date.

Carmen Gustafson: Something that wasn't necessarily clear — earlier, I asked about Victoria Gold. Part of this sale process sees Victoria Gold continue as a corporation and have a role in this new sort of corporate structure.

I wonder if the minister can explain Victoria Gold as a corporation and their continued involvement in this process.

Hon. Ted Laking: Right now, the way that it is working is that the receiver is in control of Victoria Gold. If the deal were to be approved and closed, then Gatsuurt will own what's left of Victoria Gold, and these details will be further explained in the court documents that will be filed in the coming weeks.

Carmen Gustafson: If Victoria Gold is continuing as a corporation — there were some financial liabilities associated with Victoria Gold from prior to the incident that happened in 2024.

Those financial liabilities, which of them remain outstanding?

Hon. Ted Laking: This would be decided through the court process that will proceed here in the coming weeks.

Carmen Gustafson: There is actually available in the court materials from the receivership a list of creditors. Just for information, this is dated the August 26, 2024. That's a couple months after the incident. The amounts that were owed at that time for secured creditors were $175 million USD. The total for unsecured creditors is over $82 million. The list of unsecured creditors is quite long. The font is quite small. It includes

companies like Air North. It goes on and on. Yukon Energy is included in there for almost a million dollars. These were creditors to Victoria Gold before the incident happened.

Is the minister able to say what happens with these liabilities following the close of the deal?

Hon. Ted Laking: As a condition of its loan to the receiver, the Government of Yukon holds the first priority position in the repayment from the proceeds of the sale, and any repayment to any of the other creditors, some of those listed by the member opposite but also throughout that entire list, would then be determined by the court.

Carmen Gustafson: I'm going to do some quick math before the next question, so hopefully, the minister will take some time to answer the next one so I can do that math.

Are there any laid-off workers of Victoria Gold that are still owed money, and will that be paid from the proceeds of the sale?

Hon. Ted Laking: With respect to the workforce at Boroo, that would be a question best put to them. What we are aware of is that they have indicated that they intend to keep the current workforce.

As for outstanding liabilities, I don't have that for the member opposite. But if we do get our hands on that, I would be happy to share that with the member.

Carmen Gustafson: Where I'm going with this is that the sale price, the total sale price after all of the milestones are reached, is $140 million. I understand — I'll just give a little spoiler. I understand that the security in the amount of $104 million is to be paid. That takes us to — oh, my gosh, math on my feet. That's $244 million. The Yukon Government is owed $185 million, and then the secured creditors, as of 2024, were owed $175 million.

The $82 million that's left to unsecured creditors at the end of the day, many of whom are Yukon businesses — is there an expectation that the sale proceeds are adequate to compensate those unsecured creditors?

Hon. Ted Laking: Just to clarify for the member opposite, the $185 million that's been advanced for the loan, the security went toward that. The Government of Yukon only advanced an additional $80 million. But it would be correct to say that the total outstanding to creditors does exceed the sale price, and so that's why this will be sorted out through the courts.

Carmen Gustafson: Thank you for that clarification. That is helpful. The final $50-million payment rests on — the milestone there is commercial production.

Is there a definition of "commercial production", and is that tied to a certain amount that's produced or a certain value that's produced by a potential future mine?

Hon. Ted Laking: There will be greater detail around this once the court documents are filed. But what I can tell the member opposite today is commercial production is the point at which the mine has moved beyond startup and testing activities and is operating at a level where it is consistently processing minerals.

Carmen Gustafson: I wonder if the minister is able to tell us how many years it took for other Yukon mines to reach that state: Minto, Victoria Gold, and Wolverine.

How many years from development of the mine to commercial production for other previous mines?

Hon. Ted Laking: That would vary depending upon the project. I don't have specifics for any specific mine that the member opposite may be interested in. But if the member opposite is interested, through a letter or specific question, I could commit to writing back to them about how long it took a specific mine to get to commercial production. But that would be a very specific question. It would vary depending on the project and many other conditions.

Carmen Gustafson: I regret that I didn't look this up before I came in, but on that, I wonder if the minister could respond with whether the Wolverine mine ever reached commercial production before it shut down. I think it's really important — what "commercial production" means and how that's defined. We'll be looking for that in the court documents.

The question is really when YG might be paid back the money that was forwarded in the borrowing process.

Hon. Ted Laking: To confirm for the member opposite, Wolverine did hit commercial production. As to when all of the various milestones will be achieved, I know on the first two phases, I did give a bit of a temporal scope on those, because we have some upcoming deadlines obviously with the closing of the sale and approval of the courts. For the others, it is too early for me to say at this point. Really, we're looking to the court process as sort of the next steps in determining what timelines would look like.

Carmen Gustafson: Could the minister explain what happens if Yukon Government is unable to issue the permits within the timeline that's set out in the deal? The minister said that would be four years, possibly an extension.

But what happens if Yukon Government doesn't reach that milestone?

Hon. Ted Laking: If restart permits are not issued within the agreement's time frame, Boroo is entitled to an exit payment of up to $55 million provided it can demonstrate it used reasonable commercial efforts to obtain the permits.

Carmen Gustafson: I wonder if the minister could explain why there would be that $55-million exit payment if Yukon Government fails to issue the permits within the timeline.

Hon. Ted Laking: This would have been part of the negotiation process between the receiver and the proposed buyer through the court-approved sales process.

Carmen Gustafson: Just to clarify that $55-million exit payment, should the conditions for that payment be triggered, will Yukon taxpayers be paying that $55-million payment?

Hon. Ted Laking: No, that would be funded through the receivership.

Carmen Gustafson: That is a very helpful clarification. There are some permits and licences that are part of this deal.

Could the minister detail the permits and licences that are being transferred or continued under the deal and whose name they're in right now?

Hon. Ted Laking: There's a water-use licence and a quartz mining licence, and they are under Victoria Gold Corporation's name.

Carmen Gustafson: Could the minister tell us what work on-site those permits allow? Just generally explain the quartz mining licence, what that is for, and the water-use licence, what that is for, and then also how long those permits are valid for.

Hon. Ted Laking: Both licences — the water licence and the QML— are valid until 2040, and I will return to the member opposite with further details on what is allowed in each of those licences.

Carmen Gustafson: Could the minister let us know if there are any new permits that are anticipated in the short term to address short-term needs for the site?

Hon. Ted Laking: No new permits are required in the short term.

Carmen Gustafson: I think the answer about the quartz mining licence and the water-use licence probably answers the question about, in the long term, what permits and approvals are needed. Those go until 2040, but looking further into the future, what other permits and approvals are needed?

Hon. Ted Laking: To answer the earlier question about the QML and the water-use licence, the QML allows for the development and production of a mine, and the water-use licence allows for the use of water and discharge of waste. Both permits allow for care and maintenance activities and closure of the mine site. At this point in time, there wouldn't necessarily be new permits. The only changes that we could foresee right now are that they would require an amendment to the water-use licence and an amendment to the quartz mining licence.

Carmen Gustafson: I understand that there was quite a detailed plan that was provided by the company in terms of what their restart would look like and some remediation work, which I'll get to in a different part.

When were the quartz mining licence and the water-use licence issued?

Hon. Ted Laking: I'll return to the member opposite with the specific dates for when those were issued.

But since the member opposite referenced it, as part of their due diligence, Boroo did start early work on the restart plan and engaged with the Department of Energy, Mines and Resources, in which we provided feedback. Once that is ready to go, then it would have to be a step of engaging with Na-Cho Nyäk Dun to receive their feedback and consult them on the restart plan as well.

Carmen Gustafson: I think we could probably assume that the quartz mining licence and the water-use licence were issued prior to June 24, 2024, when the conditions at the site changed radically, to put it kindly. The minister noted that the permits allow for care, maintenance, and closure activities.

Would there need to be a significant amendment to the quartz mining licence and water-use licence to allow the mine to restart?

Hon. Ted Laking: The QML was first issued in 2016. The water-use licence was in 2015. As I stated in my earlier remarks, yes, we do anticipate that amendments will be required for the QML and the water-use licence.

Carmen Gustafson: Is the minister aware of when the decision document for the YESAB assessment for the Eagle mine was issued?

Hon. Ted Laking: It was in April of 2013.

Carmen Gustafson: I note that it is quite a few years ago that the decision document was issued.

Does the four-year permitting time frame anticipate a new assessment under the *Yukon Environmental and Socio-economic Assessment Act*?

Hon. Ted Laking: So far, what is in the scope of the restart would be within the scope of the decision document.

Carmen Gustafson: It sounds to me that an assumption is that no new assessment is required and that decision document from 2013 could be relied on in regulatory processes that are required for restart of the mine. Can the minister confirm that?

Hon. Ted Laking: The assumption is correct, but what I think is an additional piece of important context is that after the failure, there was an independent review board that was launched that came forward with a number of recommendations to improve the way that mining is regulated and permitted in the territory. We are working on implementing all of those, and any new operations at Eagle Gold will be required to meet the recommendations from the independent review board and any other policy and practice updates that have been implemented in the Yukon since the initial licensing of the mine.

Carmen Gustafson: One of the reasons that I'm asking about the YESAB process and the decision document is that the decision document is quite old and that there are regulators outside of Yukon Government who may be decision bodies or issuing permits, the Water Board being one of them.

There was a decision on a water-use dispute on the Mount Nansen project with the Water Board. This was dated sometime this year. I can share that date later, but I do want to read from that.

It's decision MS25107 relating to water-use dispute QZ23-015. The Water Board said in that decision that "Section 86(b) of YESAA places certain restrictions on the Board, however, if the Board decides to issue a licence. The Board may only issue a licence and include conditions in it that are consistent with a Decision Document. Further, section 14.8.7 of Chapter 14 of the [*Little Salmon-Carmacks First Nation Final Agreement*] prohibits the board from setting conditions that are contrary to the terms and conditions included in a Decision Document."

"The Board also agrees that the temporal scope in the evaluation report and Decision Document is not fixed; neither

is it open-ended, however. The Board notes that both the evaluation report and Decision Document refer to a care and maintenance project that is 'approximately' five years in duration. The Board's view is that a one-year renewal of MNRLP's licence fits within a time window of 'approximately five years', and thus, is not contrary to the Decision Document." And they agreed the renewal is in the public interest.

I point this out because Yukon Government isn't the only body that is engaged in the requirements under YESAA, and so I'm just a bit concerned that the four-year time frame doesn't allow for a new assessment and opportunity for a new decision document that might include activities that were not previously assessed or a change in the scope.

Should an assessment be required, particularly for that water licence, what would that do to the time frame for the permitting milestone in particular?

Hon. Ted Laking: I haven't reviewed that decision document that the member opposite refers to recently, but what I will say is that the restart plan that Boroo has developed contemplates the independent review board's recommendations. Obviously, they would not be approved to go forward unless they met the requirements that were stipulated in the independent review board's work.

The restart plan, as we're aware of it — assessment is not currently required for it.

Carmen Gustafson: I wasn't referring to the review board recommendations right now, but thank you for assuring me that those will be incorporated as well.

What remediation obligations has the company agreed to be responsible for?

Hon. Ted Laking: Boroo would agree to take over care and maintenance as of January 1 and the remediation of Dublin Gulch.

Carmen Gustafson: The remediation of Dublin Gulch — are those activities covered by existing permitting and the 2013 decision document?

Hon. Ted Laking: Yes.

Carmen Gustafson: On the remediation obligations, there was an indemnity that was issued by way of order-in-council, so by regulation, yesterday that named Victoria Gold and Gatsuurt Mining. I wonder if the minister can take an opportunity to explain what that indemnity does and what it doesn't do.

Hon. Ted Laking: In connection with the sales agreement, Boroo will take responsibility for on-site liabilities associated with the previous mining operations and the failure event, while the Government of Yukon will retain off-site liabilities associated with the failure event provided that Boroo is undertaking all necessary activities on-site to eliminate or reduce failure contamination and prevent migration.

Carmen Gustafson: Could the minister clarify the difference between on-site and off-site liabilities?

Hon. Ted Laking: When we talk about the on-site and off-site, essentially, off-site is anything that migrates beyond the mine's control into the environment. I should just note for the member opposite that more details at a technical level will be included in those court documents that we've referenced will be filed in the coming weeks. So, there will be even more information included in that and how that will be determined.

Carmen Gustafson: I just have a copy of the OIC here, and it doesn't specify on-site, off-site liabilities. It does talk about a response carried out in accordance with a response procedure approved by the Government of Yukon.

Is there a response procedure that's been developed, and will that be part of the materials that are filed with the court?

Hon. Ted Laking: Yes, all those details will be set out in the court documents.

Carmen Gustafson: I actually just want to read the text of the indemnity, because it says: "The Government of Yukon is authorized to give an indemnity to Gatsuurt Mining Inc. and Victoria Gold Corp. in respect of reasonable costs incurred by either corporation in responding, to a spill of a contaminant into the natural environment at, on, under or off the Eagle Gold Mine if: (a) the spill arises from or is attributable to contamination caused by or related to the failure of the mine's heap leach facility on June 24, 2024; and (b) the response is carried out in accordance with a response procedure approved by the Government of Yukon."

I read that because the wording of the indemnity uses "at, on, under or off the Eagle Gold Mine…" That sounds like both on- and off-site spills or contamination related to the June 24 failure event are captured by the indemnity. This is what the law says. I'm just wondering where this distinction between the on- and off-site contamination arises.

Hon. Ted Laking: As indicated earlier, in connection with the sales agreement, Boroo will take responsibility for on-site liabilities associated with previous mining operations and the failure event, whereas the Government of Yukon will retain off-site liabilities associated with the failure event provided that Boroo is undertaking all necessary activities on-site to eliminate or reduce failure contamination and prevent migration. The OIC was to give us the authority to action that part of the sales agreement. As indicated, there will be further technical details going into much more depth on this in the court documents that will be filed in the coming weeks.

Carmen Gustafson: Thank you, Chair, and I suspect I'll get a similar answer from the minister about what is in place to ensure that Yukoners are not ultimately held responsible for the contamination of the existing site.

What safeguards are in place to ensure that?

Hon. Ted Laking: As indicated earlier, the exact details of this will all be spelled out in the court documents that will be filed in the coming weeks.

Carmen Gustafson: Just some questions about the security.

How much is the security that will be paid by the purchaser — I'm assuming on close?

Hon. Ted Laking: That will be $104 million.

Carmen Gustafson: Has there been a recent assessment of the amount of security that's needed, and is the $104 million that was formerly assessed adequate to secure the site today?

Hon. Ted Laking: Updated security will be determined through the permitting process and once permits are issued and in accordance with the applicable legislation and any lessons that we've learned through this process.

Carmen Gustafson: I wonder if the minister could explain for people listening what security is held for and what kind of scenarios security can be accessed under.

Hon. Ted Laking: Security can be used in a number of circumstances, including a failure event or an emergency.

Carmen Gustafson: Are there any conditions on using security for something like a failure event or an emergency? Or is that provided for in the legislation?

Clerk: Yes, there is a list in legislation.

Carmen Gustafson: My understanding was that security was held for remediation obligations and that in order to access it for something like an emergency, you'd require a direction.

Has it been determined what the form of the security will be — whether it's cash, whether it's a bond, or what form that security will be?

Hon. Ted Laking: The form of the security will be spelled out in the court documents.

Carmen Gustafson: In addition to the sale price, there's a bunch of other numbers floating around: an $800-million investment and $600 million in follow-on commitments that were made by the company.

Can the minister explain what sort of guarantee we have that $800 million and $600 million, totalling $1.4 billion, will be spent by the company?

Hon. Ted Laking: The $800-million reference — that's essentially to get the project restarted and into production. The other numbers are projections by the company, and the company would be best placed to speak to those.

Carmen Gustafson: I think it's important when we talk about those numbers. I think a lot of Yukoners will see those numbers and see some promise and some economic opportunity in those numbers. So, I just want to be clear that there's no enforceable commitments related to those investment numbers.

Hon. Ted Laking: As I indicated, the restart plan we expect would cost about $800 million to get the mine to a safe and orderly restart of operation.

Carmen Gustafson: Of that amount, there is also the remediation of Dublin Gulch. How much will the remediation work cost?

Hon. Ted Laking: This will be detailed in the court reports.

Carmen Gustafson: I think it's answered through putting a bunch of questions and answers together, but that remediation work at Dublin Gulch — is that expected to begin essentially on close and occur during the four-year period where permitting is being figured out?

Hon. Ted Laking: Yes.

Carmen Gustafson: I would assume that as part of the due diligence by the company, there was a recent economic feasibility assessment done. Can the minister confirm when the last preliminary economic feasibility assessment was done?

Hon. Ted Laking: The company would have done economic feasibility throughout the course of the exclusivity period while negotiations were ongoing. That would be proprietary information for the company, though.

Carmen Gustafson: On the proprietary information piece, is Gatsuurt Mining a publicly traded company?

Hon. Ted Laking: No.

Carmen Gustafson: Victoria Gold, as it will proceed, will it continue to be a publicly traded company?

Hon. Ted Laking: Victoria Gold was delisted, and as part of this, the assets of Victoria Gold will be owned by Boroo, which is not publicly traded.

Carmen Gustafson: I'm glad I asked about that; I hadn't picked up that distinction before. The reason why I think that's important is because publicly listed or publicly traded companies have requirements to file reports so that people who are buying stocks can ensure that the claims made by companies are true. Victoria Gold, as part of that process, did file a technical report, the last one, 2023, that has their mineral reserve estimate, and publicly traded companies do make those preliminary economic assessments public.

Just to confirm that with the Eagle Gold mine going forward, we won't see those economic assessments necessarily. Those won't be made public because they're proprietary information.

Hon. Ted Laking: Correct.

Carmen Gustafson: I think that is a really significant distinction from the visibility of the workings of other mines in the Yukon.

Another mine in the Yukon that was not a publicly traded company was Wolverine mine, was Yukon Zinc, and one of the problems that happened there was that it wasn't clear early on that the company was in financial distress, and so the conditions at the site deteriorated. This is in a report that was published by PwC, and the learning from that report was certainly applied to future mines.

But the economic health and the economic viability of mines is a really important part of ensuring that the permitting is done well and that the security is held and that when things do start to go sideways, that companies have the resources to be able to step in and address it before it lands on taxpayers.

I do thank the minister for clarifying that it sounds like we may not have the same visibility into the economic feasibility of a restart of Eagle mine. I see that we're getting close to 4:00.

As part of this agreement, the claims, leases, and grants that previously comprised the Eagle Gold mine, do those now

continue with Victoria Gold and now are property of the company that just bought Victoria Gold?

Hon. Ted Laking: Yes, on the condition that the court approves the sale and the sale closes.

Carmen Gustafson: I understand that through this whole process, some of the assets of Victoria Gold were sold to use toward the remediation.

Have any of the previous claim blocks that comprised the area that the incident occurred been sold or given up as part of either the remediation process or as part of this deal? Do they own all the claims, leases, and grants that comprise the Eagle Gold mine as we knew it prior to the incident?

Hon. Ted Laking: No claims were sold. Only non-core assets were sold. So, the short answer is yes.

Carmen Gustafson: There was some discussion earlier about consultation with the First Nation of Na-Cho Nyäk Dun.

Have they consented to the sale agreement?

Hon. Ted Laking: As part of the court-approved sales process, the prospective buyer needs to demonstrate to the court that they have an agreement with Na-Cho Nyäk Dun. We're not in a position to speak for either Boroo or Na-Cho Nyäk Dun, but we are encouraged by the fact that we have indications that both are in talks. If the member opposite would like more information, I encourage them to reach out to either the company or to the First Nation.

Deputy Chair: Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

The matter before the Committee is continued consideration of the operations and policies of the Department of Energy, Mines and Resources.

Hon. Ted Laking: My colleague opposite reminded me that in my haste and excitement to get into the discussion today, I did neglect to introduce the officials who are here in person supporting me today. I'm supported by Jeff O'Farrell and Holly Dalrymple— I will note it is her first time sitting here in the Legislature and supporting a member of the government. I think that's an exciting moment. Oh, so excited! Very, very exciting and on many people's bucket lists. I will turn it over to my colleague.

Carmen Gustafson: Thank you, Chair, and thank you for the introduction.

I appreciate that. I think this is very exciting and probably a better time to be here talking on this topic than 2024 was.

For the purposes of the record, I said that I would provide the date of the reasons for decision in the water licensing application that I talked about. That decision was from June 12, 2026. It's not relevant at all to the questions I'm about to ask, but just to clear that up.

Going back to the $800 million, $1.5 billion that's going to be spent, there are care and maintenance costs for the site right now. I wonder if the minister could tell us what the value or the current annual amount of care and maintenance at this site is.

Hon. Ted Laking: It's approximately $72 million per year.

Carmen Gustafson: Of that $1.5-billion investment that's being talked about, how much of that will be for care and maintenance activities going forward?

Hon. Ted Laking: The $800 million is what's required for getting the site to the restart. That also assumes that Boroo is taking over care and maintenance starting January 1. That would be included in that. The specific details of those expenditures and what the restart plan would start to look like will be coming out in the court documents in coming weeks.

Carmen Gustafson: I suspect that the minister has a pretty good idea of what the current care and maintenance costs are at that site, because Yukon Government is lending the money for the payment of those care and maintenance costs.

What are the current annual care and maintenance costs at the Eagle mine?

Hon. Ted Laking: That would be the approximately $72 million per year that I referenced earlier.

Carmen Gustafson: It does sound like, over a number of years, that a good part of that amount that's needed or that has been suggested or is being invested will be going toward care and maintenance. I appreciate that there's a restart plan and those activities will change as the restart plan is developed and things are implemented and the site changes and remediation is done. But just to say that it is an expensive site to maintain and to keep operating.

Just going back to the questions about the First Nation of Na-Cho Nyäk Dun, I just want to clarify that I heard it right: Is an agreement with the First Nation of Na-Cho Nyäk Dun a condition of closing of the sale?

Hon. Ted Laking: A terms sheet is a condition for the closing.

Carmen Gustafson: Could the minister confirm what a terms sheet is?

Hon. Ted Laking: It would be an agreement to terms between the two parties. If there are further details to share, I will return to the member opposite.

Carmen Gustafson: To clarify, there's not currently an agreement between the parties, but some level of detail on an agreement is required as a condition of closing the sale. There's a duty of consultation that is an obligation of the Crown — of the government — to discharge that a company can't discharge. Is the minister satisfied that the Crown's duty to consult on this has been met?

Hon. Ted Laking: This would be a relationship between the company and the First Nation and would not be a spot for the Government of Yukon to insert itself. That said, when it comes to the restart plan, the Government of Yukon intends to consult with Na-Cho Nyäk Dun First Nation on what the restart

plan looks like, and also, consultation obligations and objectives would also be discharged through the permitting and licensing process in which we would still consult with and engage with the First Nation through that process.

Carmen Gustafson: Just to clarify, no consultation obligation was triggered by the sale process.

Hon. Ted Laking: To clarify for the member opposite, what we're talking about is an agreement and a relationship between a company and the First Nation. If the member opposite would like more details on that potential agreement, that relationship, or those discussions, then the First Nation or the company would be better placed to speak to that.

Carmen Gustafson: I think we're talking about two different things. There would be an agreement and a relationship between the purchaser, the proponent, and there's also a Crown obligation — Crown duty to consult that the Crown must discharge. They could use things that have happened in the process, but in terms of the sale process that's going ahead, it sounds like the minister is suggesting there is not this contemplation of something by Yukon Government. So, the sales process, their participation in the sales process doesn't trigger a Crown duty to consult. Is that correct?

Hon. Ted Laking: As I indicated, the closing requires a term sheet between the company and the First Nation, which would be a relationship between the two of them to develop that term sheet. Additionally, the receiver has worked closely with the First Nation throughout the receivership and the sale process, and their ongoing engagement has been an essential part of reaching this point.

Carmen Gustafson: I think that the minister very wisely doesn't want to go on record saying either that there's no duty to consult or that it has been discharged. That's probably a wise decision of the minister.

I want to go back. I asked some questions about financial feasibility of the project and the differentiation between a privately held company and a publicly traded one.

Is it possible that Energy, Mines and Resources could include a term requiring disclosure of a preliminary economic assessment or other financial statements during the process of QML amendments, and could that be a term of a future amended quartz mining licence so that the government has better visibility of the economic viability of the project and how that changes over time as the deposit is depleted?

Hon. Ted Laking: The following is a requirement in the quartz mining licence as is: "On or before August 31 of each year of the term of this License, the Licensee must submit a financial forecast for the current calendar year, and a financial forecast for the next calendar year."

Carmen Gustafson: What's actually included in a financial forecast for the next year or for the previous year?

Hon. Ted Laking: I would have to return to the member opposite with some details on that.

Carmen Gustafson: The restart plan that's being proposed — is the minister aware if that is consistent with the First Nation of Na-Cho Nyäk Dun mining policy?

Hon. Ted Laking: To answer the previous question about the financial reports: "The financial reports must be sufficiently detailed to provide an understanding of, and a forecast for, the following: (a) revenue generated from the Undertaking; (b) mineral sales or transfers; (c) capital expenditures; (d) costs associated with development, operation, and maintenance of the Undertaking; (e) depreciation expectations; and (f) expected inventory of minerals at the end of the calendar year."

As I indicated, as one of the next steps, the Yukon Government will begin consultation with First Nation of Na-Cho Nyäk Dun on the restart plan.

Carmen Gustafson: Thank you for those answers. Again, on the economic feasibility and that restart plan, is there an idea of what the price of gold would need to be to support the economic feasibility of the restart plan and the plans to spend in the neighbourhood of $1.5 billion on this project?

Hon. Ted Laking: The feasibility study of the company would be proprietary information.

Carmen Gustafson: That is a really basic question about economic feasibility that has a real consequence on whether a project is viable, and that is usually something that is published in things like publicly available reports. I think for Victoria Gold in 2023, their assumptions were based on a price of gold at $1,500 an ounce. I know it's much higher right now, but I think it will be important to know the basis for making an economic assessment about the viability of the mine.

Getting near the end. I just had one more question on this.

My colleagues may have some other questions on the Victoria Gold sale, but I wonder if the minister can say if he thinks this is a good deal for Yukoners, Yukon businesses, and Yukon First Nations?

Hon. Ted Laking: Yes.

Carmen Gustafson: I'm sort of allowing some of an opportunity for the minister to provide any comments on this that he hasn't had an opportunity to already share, if there were any.

Hon. Ted Laking: I think that we've had a pretty fulsome discussion this afternoon about it. I'm sure it's probably not the last one that the member opposite and I will have on this topic. I've enjoyed the discussion.

What I would suggest and offer to the member opposite and her colleagues is that once the court documents are filed, the Opposition would benefit from another technical briefing to support them in their endeavours as legislators. I wanted to put that offer out there as well and look forward to any future questions.

Carmen Gustafson: I do hope that we have an opportunity to bring this back to the Legislature once we get that information. I'm just trying to see if any of my colleagues have any questions they want to ask at this time. Thank you for your answers on that. I know it's a complicated subject matter and one that's really important to a lot of Yukoners. I appreciate the answers.

Kate White: I'm happy to weigh in and also appreciate the offer of the technical briefing once those other documents are tabled in the court.

I'll note that one of the reasons that I think this back-and-forth is so important in the Assembly is that I've had folks reach out from rural Yukon and Whitehorse alike to say that they're listening, and I think that once those documents are tabled, being able to have a conversation more about the things that we've been told will be in those documents will actually be really helpful for getting folks to understand where Yukon is and what the next steps are.

Post-spill, there was water monitoring set up both on-site and then farther down the creek.

Can the minister let me know, for example, monitoring outside of the mine site — is that the responsibility of Yukon Government, and if so, which branch of government and what will continue post-sale?

Hon. Ted Laking: It will just take officials a bit of time to get a more fulsome answer for the member opposite on the water monitoring program, and I want to ensure that I can be as accurate as possible for the member opposite.

Kate White: I was just going to patiently wait for more information. I appreciate that the minister said something. In previous cases, if it has been a really long time for a response, the radio goes on. I can't imagine the minister would be taking that much time. But if it's possible, if the information is being sought now, then I'm happy to wait for the answer.

Hon. Ted Laking: If the member opposite has some other questions, I invite them to continue asking so that we can continue the discussion. I just want to ensure that, knowing that time is limited, we can get as many questions out there as possible. I want the member opposite to know officials are working on getting that answer. I also don't mind sitting here in some awkward silence as well, but I just wanted to ensure that the debate could continue if that is what the member opposite preferred.

Kate White: I'm happy to stack question upon question upon question; it just becomes more challenging.

Around the monitoring, for example, with water, I note that there were some really disastrous things in 2024. I'm interested to know if work is being done alongside or in collaboration with the First Nation of Na-Cho Nyäk Dun as far as monitoring outside of the site. When we talk about Haggart Creek and the adjoining watershed, I'm interested to know what that looks like and how that is happening. I can keep going, but I could also wait.

Hon. Ted Laking: To answer the previous question, there is a robust environmental monitoring program that's done as part of the water and the quartz licences. Boroo will assume responsibility for the implementation of this program, and that includes both surface and groundwater monitoring. When it comes to the monitoring data, it is shared with Na-Cho Nyäk Dun, and the monitoring does occur in Haggart Creek all the way to the south McQuesten. Thank you, Member for Takhini.

Kate White: I appreciate that response from the minister. The monitoring that happens in Haggart Creek and then down the McQuesten will be the responsibility of the mine? I'm just looking for more understanding.

Hon. Ted Laking: The short answer is yes, but EMR, through compliance and monitoring inspections, will ensure compliance. Just to further contextualize my previous answer, EMR along with NND does have a joint monitoring and site inspection program.

Kate White: I appreciate that response from the minister. Some of my questions, I'm sure, will overlap with my colleague, who asked a great deal of excellent questions. Some, I will just muscle through on my own. One of the concerns through the process post the slide in 2024 was the realization that the mine plan that had been put forward was not actually the mine that was on-site. I'm trying to get an idea of how that's reconciled when we talk about existing permits going forward, understanding that the receiver has been responsible since it went into receivership and understanding that the company, through the purchase, is taking over the existing permits for water and other. But going back further in time, knowing that what was on-site was not the mine design, not the plan that had gone through the approval process and had gone through all of those checks and balances.

I'm just trying to get an idea of what post-sale looks like. Is it based on the mine plan that had initially been proposed and put forward and approved back in the day by Victoria Gold that turned out wasn't happening at site? Is it the mechanism of what's been done since the receiver took over the site? I'm just trying to get an idea of what this next transition period looks like.

Hon. Ted Laking: With respect to the receiver, I am happy to say that all the directed remediation activities on-site have been completed.

The questions that I think the member opposite is talking about, sort of the next steps and what it looks like in the future — those will be questions that are answered as part of the restart plan. The restart plan will include and incorporate all of the responses and recommendations to the independent review board's work, and it will also be consulted on with Na-Cho Nyäk Dun. But those answers will be determined through the restart plan and ensure that we are moving forward with the recommendations of the IRB.

Kate White: I'm concerned that I wasn't clear in my question, which is not a surprise, because I'm trying to put a bunch of years of different briefings together.

I'm trying to understand. Once the slide happened and there was investigation and people were on-site, my understanding is that what was on-site was actually not part of the approved mine plan, whether we talk about the angle of the heap leach, whether we talk about, in some cases, not having a water treatment plant that was up and ready to go and other things. That had been the approved mine plan; what was on-site was different than that.

I'm trying to get an understanding as the sale happens — under what conditions? Was it based on the plan that had been approved? As the new company moves forward, is it with the approved plan that wasn't really on-site? Is it with what the receiver has established since they took over the site? Or is it

something else? I'm just trying to get an idea of what it looks like.

Hon. Ted Laking: What we're talking about is the restart plan. The restart plan is what will determine how and if this could reopen safely. The restart plan will incorporate the recommendations of the independent review board, and so that is what it will look like. That will be determined through the restart plan process, and that's what the plan for the new mine will be.

Kate White: I appreciate that. When we look at the timeline that we've been given — so today, in the briefing that was given both to Opposition and then to media — there were the different measures to hit to get to the sale cost of the mine, which I believe is $140 million. Where in that process is the new restart plan? Because the final $50-million payment, as my understanding is, once the mine hit production, and as my colleague has been asking questions, that has looked different for different mines. So, I'm trying to get an understanding of where in those payments of that $140 million is the restart plan.

Hon. Ted Laking: The final restart plan would be required before the third payment. One additional piece of context for the member opposite is that one thing that the Department of Energy, Mines and Resources now has the ability to do, thanks to funding in the main estimates, is that we will now be also engaging external experts to help us on both the planning but also the compliance and the monitoring as needed.

Kate White: In that statement there about being able to hire external contractors, which I don't disagree with, to be able to help with the planning, is that Yukon Government being able to go through the plan as proposed by the company, or is that a different planning aspect that I may be missing?

Hon. Ted Laking: Maybe I could ask the member opposite to rephrase the question. I didn't fully follow exactly what they were going after there.

Kate White: Fair enough. I'm asking about the start-up plan — I haven't taken my notes all this time — after the third payment, it's the start-up plan. The minister said that there's money in this year's budget to be able to help hire external contractors to assist with the planning process. That is what I thought I heard, and so I'm trying to understand if the start-up plan belongs to the company, which would be my assumption, then what planning process is the minister talking about? Is it reviewing the proposed plan? I'm just trying to understand what Yukon Government external contractors will be doing at the third step before the start-up plan, which is my assumption from the company.

Hon. Ted Laking: The department will now engage with external experts, not necessarily even just specific to just this project but all projects. But with this project, we would engage external experts to assist with the review of the plan.

Kate White: So, the review of the plan. With those external experts helping with the review of the plan that's put forward by the company — I'm assuming I was looking for a head nod. I just did see that. The external experts will help with the review that's put forward by the company to make sure that it meets what is required.

Can we get an idea of the timeline in that process as an example? We have the four years plus the one extra year, which would be if the mine didn't get to production, I believe, with the $55-million pay. I'm just trying to get a sense of time. We have lots of marks to hit, including the final payment, which has to happen long before, for example, folks who did work on the site could possibly be repaid.

What is the timeline for the review of the mine start-up plan?

Hon. Ted Laking: As I indicated in an earlier exchange with the Member for Riverdale North, Boroo has already started some early work with us and due diligence on a restart plan. We've already engaged external experts in helping review that, and our goal is to be able to move expeditiously on that. I don't have a timeline for when those reviews would be completed, but work has already started on reviewing some aspects of it.

Then, of course, the other key component of the timeline that we talked about already is that we also want to consult with Na-Cho Nyäk Dun on the restart plan as well to ensure that there is general comfort with this.

Kate White: I appreciate the time today. Like I said before, I think it will be important to have a public conversation — and by public, I mean in the Assembly — so people can send in their questions or they can hear as we navigate our way through it. I also hope that as the company and Yukon Government go through the sale process or the receiver goes through the sale process and hits those milestones, that it is communicated to the public, knowing that we all have a lot riding on the success of this. To be frank, this needs to work for all of us, and so I think the more that people understand, the more that we understand in this Assembly, that will be helpful.

I thank my colleague for giving me the opportunity, and hopefully, we'll be here in the future.

Carmen Gustafson: Just moving on to Wolverine mine, which is, I believe, under Assessment and Abandoned Mines. I did look it up while I had a little break here. It looks like it took about six years to get to commercial production. "Commercial production" is sort of a term in the royalties regime, but Minto mine never paid any royalties, which is why I thought that they didn't actually reach commercial production, but they did. They shut down shortly after.

On Wolverine mine, there was a leak at the Wolverine mine tailings facility that was reported. I think it was a few years ago. What is the status of that leak today?

Hon. Ted Laking: As the member opposite pointed out, in November 2024, a leak in the tailing storage facility was suspected after changes in downstream water quality were detected. The suspected leak is thought to be attributed to wildlife that entered the facility.

Since the time the leak was identified, Yukon Government has been seasonally treating water to lower the levels to enable necessary repairs. Minor repairs were completed on accessible portions of the facility, and water that does not meet effluent quality standards is pumped back into the tailing storage facility for continued management.

Carmen Gustafson: It sounds like some work has been done to repair that or to address that leak but that the actual tailings facility leak has not been completely remediated or completely stopped.

Hon. Ted Laking: This year, we are completing year 2 of a water treatment campaign at the tailings storage facility to lower the water levels, which will allow us to repair the suspected tear in the liner.

Carmen Gustafson: In order to do the water treatment, a water treatment plant is required. YG, I believe, built a water treatment plant at that site.

What is the status of that water treatment plant?

Hon. Ted Laking: It is working as expected.

Carmen Gustafson: There was a September 29, 2026 CBC article reporting that water management at the site has changed, and maybe this is what the minister has already referred to, but could he describe what changes were made and what effect this has had?

Hon. Ted Laking: Without having reviewed the article, I'm not aware of the specific change that the member opposite is referring to, but as I indicated, we are currently on year 2 of a water treatment program meant to lower the water levels so that then we can inspect the liner and hopefully fix the suspected tear.

Carmen Gustafson: What other monitoring is happening at the site, including habitat monitoring?

Hon. Ted Laking: Downstream environment conditions are routinely monitored to assess water quality, which does remain in compliance with the former water licence.

Carmen Gustafson: The last publicly available groundwater monitoring update was published May 2026. It reported multiple metals and inorganic parameters exceeding guidelines set by the Canadian Council of Ministers of the Environment.

I note that may be different from the parameters of the licence, but the question I have is when the next update will be available publicly.

Hon. Ted Laking: Impacted water reports to under-drains beneath the tailing storage facility and is actively managed. Monitoring shows no downstream impacts. Water released from site complies with the former water licence, and sampling results are posted on Waterline.

Carmen Gustafson: The minister said earlier that the suspected reason for the leak was wildlife related. Have any measures been taken on the site to prevent wildlife from making a mess of things?

Hon. Ted Laking: The department has been working closely with Ross River Dena Council's Development Corporation to look at installing a fence.

Carmen Gustafson: Just on that site, there were a number of buildings, equipment, and things like that. Could the minister tell us what buildings are left on-site and if there's any equipment or other things that have been left on-site from the mine?

Hon. Ted Laking: I'll return to the member opposite with those answers.

Carmen Gustafson: I think those are my questions on Wolverine.

One of the things that this government has had as quite a priority and something that they have announced is about making permitting faster, particularly addressing the "placer mining bubble", as it's called.

I wonder if the minister can explain what it is that has been done that has made permitting faster.

Hon. Ted Laking: A combination of departmental restructuring, improving workflows, and updated IT tools for managers and employees to track projects and workloads led to the reduced timelines. The quality of the department's reviews or consultation was not reduced.

Carmen Gustafson: Could the minister expand on the IT tools that are involved, what the cost of those has been, and the ongoing cost of any subscriptions or anything like that?

Hon. Ted Laking: It's an application called PermitFlow that allows managers and employees and in fact the public — we did announce this — to track these projects as they go through the assessment and through the various requirements that a project has to go through, and it was not done at a significant cost, mostly internal.

Carmen Gustafson: I will say that I have used PermitFlow, and I appreciate it is very easy to use. You have excellent IT people working on it. It is vastly easier to find things than Waterline. So, thank you. I think not only in terms of improving efficiency of permitting, I think it helps with the transparency as well.

What types of permits are included in that? Are there other permits, licences, or other authorizations that EMR issues that are yet to sort of go through this efficiency improvement process?

Hon. Ted Laking: Currently, only mining permits, but I think that the goal would be to eventually expand that further. I think it has been a proven concept, and we'd like to expand it. We've heard good feedback from First Nations, from industry. I have been frustrated about this in the past as well. So, I thank the member opposite for the compliments to the team that put this together, because I think that sometimes people who are involved in putting that together don't always get the recognition they deserve. But I think that this has been a huge advantage and improvement for transparency Yukon-wide, and I'm definitely happy that they're getting a bit of a shout-out. I mean, traditionally, saying that we have a search engine on a website is not the sexiest thing to announce as a government, but it is certainly a very useful tool for many people on the territory.

Carmen Gustafson: Sounds like a potential nomination for a premier's award is maybe in order.

One of the parts of the permitting process that sometimes can take time is the consultation process. Has this government changed its approach to consultation with First Nations?

Hon. Ted Laking: No.

Carmen Gustafson: Are the timelines for consultations happening faster now?

Hon. Ted Laking: We consult as appropriate, and as First Nations request extensions or the need for flexibility, we work with them to accommodate that.

Carmen Gustafson: Has part of the sort of faster issuing of permits had anything to do with the consultation process?

Hon. Ted Laking: I would just refer to the previous answer. We consult as appropriate, and then when requested for extensions, we work with First Nations to accommodate those requests to ensure flexibility. Many of the improvements in our timelines are associated with our internal workflows, utilizing IT, and restructuring our department.

Carmen Gustafson: Just continuing on this theme, I notice that this government uses the word "collaborative" a lot when talking about processes with respect to engagement with Yukon First Nations. I don't think it's just a matter of semantics that this word is being used. I wonder if the minister could explain the difference between a collaborative process and co-development, co-management, or co-regulate — what the difference is between that co- sort of process — co-develop, co-manage — and a collaborative process.

Hon. Ted Laking: The collaborative process that we've launched with the new minerals legislation process, the word "collaborative" is taken straight from the devolution transfer agreement.

Carmen Gustafson: The minister might be surprised that I carry a copy of the devolution transfer agreement with me almost everywhere.

Some Hon. Member: (Inaudible)

Carmen Gustafson: I haven't taken it paddling yet; that's why it's still in one piece.

Could the minister point to the section or sections in the DTA that use the word "collaborative"?

Hon. Ted Laking: I left my copy of the devolution transfer agreement at home, and so I'll return to the member opposite.

Carmen Gustafson: I will ask questions differently next time. As far as I could find, actually, the devolution transfer agreement doesn't use the word "collaborative". It does talk about "cooperative working arrangements", which is cooperative, collaborative — maybe that's where that came from. But the spirit and intent of First Nation final agreements have been interpreted for co-development, co-management. So, I am curious why this government has chosen to take a collaborative approach as opposed to that co-management approach.

Hon. Ted Laking: We've developed the approach on new minerals legislation in close consultation and discussions with First Nations, and they have endorsed the process, as have we, and we're happy to move forward with that.

Carmen Gustafson: I believe I've seen this word used elsewhere, and I don't have an example right now, so maybe I'll save that for Question Period.

I see we're running short on time. Changing topics completely: One of the points that was in the mandate letter for this department was improving access to land for Yukoners and reforming the land lottery. I understand that there was a land lottery for builders, but are there any other changes being made, and how is the land lottery being reformed?

Hon. Ted Laking: We are committed to reforming the land lottery system to ensure fairness to the public and that builders have access to lots. We committed to the Yukon Ombudsman that prior to commencing future single family lot lotteries in Whitehorse, we will be reviewing lottery procedures and updating measures to ensure fairness.

Carmen Gustafson: Will this require any statutory amendments, whether in any act or regulations?

Hon. Ted Laking: Too soon to say.

Carmen Gustafson: I've heard discussion of increasing availability of agriculture land. Could the minister explain what the strategy is to increase the availability of agriculture lands?

Hon. Ted Laking: It involves working closely with the Yukon Agricultural Association to understand needs and to develop a path forward. It also involves engagement with communities as well as consultation with First Nation governments. When we talk about agricultural land, one exciting opportunity was the leases on Gentian Lane earlier this year, but, of course, there are a multitude of other opportunities that we are pursuing. But partners need to be engaged, and First Nations need to be consulted.

Carmen Gustafson: One of the ongoing, long-standing issues with agriculture is conflict with elk. Does the minister have any update or any information about conflict with elk? I realize this might be shared with the Department of Environment.

Hon. Ted Laking: We recognize that elk can cause negative impacts on crop production and farm infrastructure, particularly in the Takhini Valley, and we work to support farmers and their operations. This includes access to funding to install fencing that prevents damage to crops and fields and compensation for elk-related damage to property through the sustainable Canadian agricultural partnership.

Carmen Gustafson: Is there any plan to develop additional agricultural land in the elk core range?

Hon. Ted Laking: I will have to go back to the department to analyze the elk core range and then return to member opposite.

Carmen Gustafson: Maybe I was too specific. In the elk range, elk habitat, places where the elk are right now — any plans to develop additional agricultural lands in the elk range?

Hon. Ted Laking: Nothing immediate, but that would have to go through consultation if that were to change.

Carmen Gustafson: I do appreciate the granularity at which we get to ask questions in this House. Is the department looking at ways, when new agricultural lands are made available, to ensure that those agricultural lands actually produce crops — whether that's animal feed or food for Yukoners?

Hon. Ted Laking: To answer the member opposite's question, you need a farm development plan on how farming happens prior to approval to enter into agreement for sale.

Hon. Scott Kent: Mr. Deputy Chair, seeing the time, I move that the Speaker do now resume the Chair.

Deputy Chair: It has been moved by the Government House Leader that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Tyler Porter: Madam Speaker, Committee of the Whole has considered Bill No. 205, entitled *Third Appropriation Act 2025-26*, and directed me to report the bill without amendment.

Also, pursuant to Committee of the Whole Motion No. 1, Committee of the Whole considered the operations and policies of the Department of Energy, Mines and Resources.

Speaker: You have heard the report from the Deputy Chair of Committee of the Whole.

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Scott Kent: Madam Speaker, I move that the House do now adjourn.

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

Motion agreed to

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

The House adjourned at 5:24 p.m.