



# **Yukon Legislative Assembly**

## **Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing**

33<sup>rd</sup> Yukon Legislative Assembly

### **PROGRESS REPORT**

October 8, 2014

On May 6, 2013, the Yukon Legislative Assembly adopted Motion #433, thereby establishing the Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing. The Committee's mandate, or purpose, is set out in the motion, and specifies that the Committee is to report its recommendations to the Legislative Assembly regarding a policy approach to hydraulic fracturing in Yukon that is in the public interest, including its findings and recommendations.

The all-party Committee's mandate is broad and includes a number of inter-connected responsibilities. The Committee decided to fulfill its mandate in a three phase approach. Firstly, the Committee endeavored to gain a science-based understanding of the technical, environmental, economic, and regulatory aspects of hydraulic fracturing, as well as Yukon's current legislation and regulations relevant to the oil and gas industry. Secondly, the Committee undertook to facilitate an informed public dialogue for the purpose of sharing information on the potential risks and potential benefits of hydraulic fracturing. Finally, the third stage of the Committee's work was gathering input from the Yukon public, First Nations, stakeholders, and stakeholder groups. Having completed these three phases of its study, the Committee is reviewing the material that has been received. Once the Committee has completed its deliberations, it will then be in a position to report its findings and recommendations to the Legislative Assembly.

#### **1. Gaining an understanding of hydraulic fracturing**

The Committee spent over 70 hours in meetings, learning about the process of hydraulic fracturing and the context of the legislative and regulatory regime for oil and gas in Yukon. During these meetings, the Committee heard briefings from a number of individuals and groups, including:

- Department of Environment,
- Department of Justice,
- Department of Energy, Mines and Resources,
- Yukon Environmental and Socio-economic Assessment Board,
- Yukon Water Board,
- Yukon Chamber of Commerce Energy Committee,

- Yukoners Concerned About Oil and Gas Exploration and Development,
- Yukon Conservation Society, and,
- Dr. Brendan Hanley, Chief Medical Officer of Health, Yukon.

In January, the Committee traveled to Alberta to tour an active hydraulic fracturing site and to learn about the process from industry representatives, regulators and community organizations. While in Red Deer and Calgary, the Committee met with representatives from the following organizations:

- Alberta Energy Regulator,
- Sundre Petroleum Operators Group,
- Alberta Surface Rights Group,
- Shlumberger,
- ConocoPhillips,
- Alberta Health Services,
- Alberta Environment and Sustainable Resource Development,
- Canadian Association of Petroleum Producers, and
- Cochrane Area Under Siege Coalition (CAUS-C).

All of the presentation materials from both the Whitehorse and Alberta briefings are available at [http://www.legassembly.gov.yk.ca/rbhf\\_briefings.html](http://www.legassembly.gov.yk.ca/rbhf_briefings.html)

## **2. Facilitating an informed public dialogue**

The Committee held public proceedings in the Legislative Assembly Chamber with the intention of sharing information on the potential risks and benefits of hydraulic fracturing with the public. Interested Yukoners were invited to observe the proceedings from the public gallery, and the audio was broadcast live over the radio and online for anyone who was not able to attend in person.

The first public proceedings were held January 31 and February 1, 2014. Over the course of two days, the Committee heard eight presentations from groups and individuals who were invited to share their knowledge and perspectives:

- Gilles Wendling, Hydrogeologist,
- BC Oil and Gas Commission,
- The Pembina Institute,
- Industry representatives from EFLO Energy, Inc., Northern Cross (Yukon) Limited and the Canadian Association of Petroleum Producers,
- Bernhard Mayer, Professor, Geoscience,
- Rick Chalaturnyk, Professor, Geotechnical Engineering,
- Fort Nelson First Nation, and,
- National Energy Board.

The Committee held additional public proceedings on May 27 and 28, 2014. The following experts provided testimony:

- Mark Jaccard, Professor, Resource and Environmental Management,
- Lalita Bharadwaj, Toxicologist,
- Dr. Brendan Hanley, Chief Medical Officer of Health, Yukon,
- Dr. Eilish Cleary, Chief Medical Officer of Health, New Brunswick
- Dr. Charl J. Badenhorst, Regional Medical Health Officer, Northeast Health Service District of British Columbia,
- Donald Reid, Associate Conservation Zoologist, Wildlife Conservation Society Canada, and,
- John Hogg, Vice President, MGM Energy Corp.

During the presentations, visitors in the public gallery had the opportunity to submit written questions and, after a few questions from members of the Committee, written questions from the gallery were randomly selected for the presenters to answer.

Transcripts of the proceedings, as well as audio and video recordings of each presentation and question session, are available at

[http://www.legassembly.gov.yk.ca/rbhf\\_presentation\\_materials.html](http://www.legassembly.gov.yk.ca/rbhf_presentation_materials.html)

### **3. Gathering input from the Yukon public, First Nations, and stakeholders**

In order to hear the opinions of Yukoners, the Committee decided to hold public hearings in Faro, Carmacks, Dawson City, Ross River, Haines Junction, Mayo, jointly in Carcross and Tagish, Pelly Crossing, Teslin, Whitehorse, Old Crow, and Watson Lake. Old Crow and Watson Lake were identified as locations for public hearings in Motion #433 and the additional communities were selected based on 290 requests submitted by Yukoners.

The following public hearings were held:

- Watson Lake, Monday, June 23, 2014  
Public attendance: 27  
Witnesses: 7
- Teslin, Tuesday, June 24, 2014  
Public attendance: 23  
Witnesses: 8
- Old Crow, Wednesday, June 25, 2014  
Public attendance: 19  
Witnesses: 12
- Dawson City, Thursday, June 26, 2014  
Public attendance: 55  
Witnesses: 30
- Faro, Monday July 7, 2014  
Public attendance: 17  
Witnesses: 10

- Ross River, Monday July 7, 2014  
Public attendance: 23  
Witnesses: 11
- Carmacks, Tuesday July 8, 2014  
Public attendance: 22  
Witnesses: 5
- Pelly Crossing, Tuesday July 8, 2014  
Public attendance: 57  
Witnesses: 16
- Mayo, Wednesday July 9, 2014  
Public attendance: 11  
Witnesses: 6
- Haines Junction, September 23, 2014  
Public attendance: 55  
Witnesses: 20
- Carcross and Tagish, September 24, 2014  
Public attendance: 148  
Witnesses: 57
- Whitehorse, September 25, 2014  
Public attendance: 185  
Witnesses: 35
- Whitehorse, September 27, 2014  
Public attendance: 86  
Witnesses: 36

Transcriptions and audio recordings of the public hearing testimony are available online at [http://www.legassembly.gov.yk.ca/rbhf\\_ph\\_transcripts.html](http://www.legassembly.gov.yk.ca/rbhf_ph_transcripts.html).

The Committee also accepted written submissions from the public until September 30, 2014. The Committee received 434 written submissions from over 350 individuals and organizations through the Committee's webpage, by email and by letter mail. Electronic submissions are published on the Committee's webpage at [http://www.legassembly.gov.yk.ca/rbhf\\_submissions\\_report.html](http://www.legassembly.gov.yk.ca/rbhf_submissions_report.html)

#### **4. Reporting to the Legislative Assembly**

The Committee is currently in the process of reviewing the written submissions and oral testimony it has received and considering the technical, environmental, economic, and regulatory aspects of hydraulic fracturing. Once the Committee has completed its deliberations, it will prepare a written report which will be tabled in the Legislative Assembly. The report will include the Committee's "findings, if any, regarding the potential risks and benefits of hydraulic fracturing and whether allowing use of this technique is in the public interest; and [the Committee's] recommendations, if any, regarding any steps that should be taken to responsibly regulate hydraulic fracturing should its use in Yukon be allowed" (Motion #433).

Motion #662, adopted by the Legislative Assembly May 1, 2014, extended the Committee's reporting deadline (which initially was no later than the 2014 Spring Sitting of the Legislative Assembly). The Committee is required to report during the 2014 Fall Sitting of the Legislative Assembly.

More information on the Committee, including the full motion establishing the Committee, is available at <http://www.legassembly.gov.yk.ca/rbhf.html>

For further information:

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