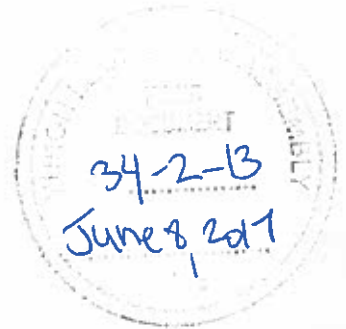




Office of the Minister
Box 2703, Whitehorse, Yukon Y1A 2C6



June 7, 2017

Geraldine Van Bibber
MLA Porter Creek North
Yukon Legislative Assembly
Box 2703
Whitehorse, YT Y1A 2C6

Dear Ms. Van Bibber:

Re: Environmental Impacts of Lodgepole Lane Property

Thank you for your letter dated April 13, 2017 and for your questions in the Legislative Assembly on June 7, 2017 regarding issues raised by a Porter Creek North constituent with respect to his neighbour's property on Lodgepole Lane.

Compliance and Inspections Officers with the Department of Environment have responded to the complaint of alleged environmental damage that was reported by the constituent on City of Whitehorse land. Officers met with his neighbour at his property on May 17, 2017.

During that meeting, the neighbour stated his intention to clean up his property and the adjacent City land. Officers noted that several vehicles that had previously been parked on City land have been removed. The Department of Environment has offered technical assistance.

In relation to the black sludge or oil the constituent observed in the area, section 135 of the *Environment Act* states:

- If a spill occurs, the person who owns or has possession, charge, or control of the spilled substance at the time of the spill shall, when they have knowledge of the spill,
- (a) take all reasonable measures
 - i) to confine, repair, and remedy the effects of the spill; and
 - ii) to remove the substance spilled in such a manner as to reduce or mitigate any danger to human life, health, and the natural environment; and
 - (b) restore or rehabilitate the natural environment to a condition reasonably equivalent to the condition that existed immediately before the spill occurred.

Ms. Geraldine Van Bibber

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It is not yet clear whether that sludge or oil is a spilled substance or, if it is, who the person is who owned or had possession, charge or control of it when it was spilled. The Department of Environment is working to gather further information in that regard. Based on the information we have, there is no evidence to suggest site activities are negatively impacting groundwater or surface water in Porter Creek. Should circumstances change, we will take appropriate action as necessary and as authorized under the Act.

Department of Environment staff will continue to monitor the site and the neighbour's activities to clean up his property and adjacent City land. Staff will also continue to communicate with the City of Whitehorse as clean up progresses to determine what further actions can occur under the relevant laws.

Thank you for sharing your concerns with me.

Sincerely,

A handwritten signature in black ink, appearing to be 'Pauline Frost', written in a cursive style.

Pauline Frost
Minister of Environment