

**Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, February 22, 2011 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

Withdrawal of motions

Speaker: The Chair wishes to inform the House of a change to be made to the Order Paper. Motion for the Production of Papers No. 57, standing in the name of the Member for Kluane, will be removed from the Order Paper as it is outdated.

We will now proceed with the Order Paper.
Tributes.

TRIBUTES

In recognition of Freedom to Read Week

Hon. Mr. Lang: As minister responsible for Yukon Public Libraries, it gives me great pleasure to rise today to recognize Freedom to Read Week. The freedom to read is fundamental to many other freedoms we enjoy, those of thought and speech in particular. As Canadians we have the right to decide for ourselves what to read and this is guaranteed by our *Charter of Rights and Freedoms*, but this is not the case worldwide, nor has it been throughout history.

Books have been and continue to be censored for political, religious, social and many other reasons. The list of books that have been banned or restricted includes works by William Shakespeare, the Bible, the Harry Potter series and many other books that Yukoners are free to choose to read.

Mr. Speaker, this government supports Yukoners' freedom to read. We are proud of our public library networks that provide universal access to reading materials. We are also pleased to fund literacy programs and support for all Yukon writers.

During the week, the Whitehorse Public Library will be displaying books that have been banned in other parts of the world. This will bring an awareness to the initiative and allow you to find out more.

As we look forward to celebrating the fall of 2011 grand opening of the new Whitehorse Public Library, I am pleased that there will be even more space for collections and an even greater number of resources.

Mr. Speaker, I invite Yukon citizens to recognize Freedom to Read Week by taking this opportunity to learn more about this important right. I look forward to seeing you all at the library. Thank you, Mr. Speaker.

Mr. Inverarity: I rise today on behalf of the Official Opposition to pay tribute to Freedom to Read Week. This year we celebrate the 27th annual Freedom to Read Week in Canada, the week of February 20 to 26. This annual week is sponsored by the Book and Periodicals Council's Freedom of Expression Committee and highlights the cause of book censorship in Canada and around the world.

The BPC established the Freedom of Expression Committee in 1978 in response to the attempted censorship of books by Margaret Laurence, John Steinbeck and J.D. Salinger. Since 1984, the committee has organized Freedom to Read Week, a cross-country celebration of intellectual freedom promoting the right for all of us to read whatever we want.

It also brings attention to the number of challenges books published in Canada face yearly. Many books have been challenged in the past, including the Bible and works of Shakespeare. Some of the most controversial books in history have been banned for over 2000 years and they are now regarded as classics.

Freedom to read can never be taken for granted. Even in Canada, a free country by world standards, books and magazines are banned at the border and books are removed from the shelves of Canadian libraries, schools and bookstores every day. Many times it takes just one complaint for a book to be removed. When books are removed or journalists are silenced by the threat of legal action, we're reminded how important it is to fight for the free exchange of ideas between writers and readers, and our freedoms are guaranteed under the *Canadian Charter of Rights and Freedoms*.

Canadians often take our freedom to read for granted, but it is a right that regularly comes under fire. The freedom to choose what we read does not, however, include the freedom to choose for others. People have the right to question and challenge books and the right not to read those books. They do not have the right to make that decision for other people.

As readers and writers, we must always be vigilant to defend our freedom of expression. Many countries don't enjoy these freedoms. Canada is the envy of many countries because of our freedom and tolerance for the ideas of others. Thank you.

Mr. Cardiff: Mr. Speaker, I rise on behalf of the New Democrat caucus to pay tribute to Freedom to Read Week, which is recognized from February 20 to 26 this year.

We tend to be complacent about our basic freedoms, feeling secure in the *Canadian Charter of Rights and Freedoms* which states that: "Everyone has the following fundamental freedoms: ... of thought, belief, opinion and expression..."

In fact, there has been an increase in challenges to reading material in libraries and schools in the past few years. Many of these withdrawals and outright censorship of reading material is a response to only one or a few complaints.

Limiting our freedoms does not protect society. It restricts creativity and smothers open debate, which is basic to democracy. Freedom of expression must be defended and allowed freely, or it is easily eroded. We need to allow books, magazines and newspapers the freedom to express opinions and write stories without fear of reprisals, whether we agree with the point of view or not. Libraries need to provide a wide variety of reading materials that address controversial topics facing our complex world. They also need to be able to present writing as it was written in the time it was written without fear of restriction of political correctness. The freedom to choose what we read does not include the freedom to choose for others. It is

a Canadian individual's right to use the freedom to read in a responsible way. The detention, seizure, destruction or banning of books and periodicals should be opposed by all those who value our *Charter* and our minds. Thank you.

Speaker: Are there any further tributes?
Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Fentie: I would ask the House to join me in making welcome our Senator, Mr. Dan Lang.

Applause

Speaker: Are there any returns or documents for tabling?

Any reports of committees?

Any petitions?

Any bills to be introduced?

Any notices of motion?

NOTICES OF MOTION

Mr. Mitchell: I give notice of the following motion:

THAT this House urges the Government of Yukon to meet community housing needs more quickly and effectively by:

(1) encouraging the Premier and mayor to lead together to increase housing options for Whitehorse citizens;

(2) collaborating and partnering with all levels of government, the private sector (landlords, developers, builders) the non-profit sector and community support agencies to ensure transparency, cooperation and accountability;

(3) supporting the creation and government funding of a permanent community-based position to: (1) help people navigate rental housing options; (2) help match resources with needs; and (3) address systemic barriers;

(4) developing measurable targets for relevant sections of *A Home for Everyone*, a report produced by the Yukon Anti-Poverty Coalition;

(5) conducting an annual report card on the status of housing adequacy in Whitehorse;

(6) ensuring that decisions on housing development, zoning and bylaws reflect the values and principles contained in the 2010 City of Whitehorse OCP; for example, ensure that residential urban neighbourhoods have a variety of types of residential development;

(7) embracing and supporting creative housing options initiated by the NGO and private sectors;

(8) creating partnerships for specific transitional and housing with long-term support projects that may include a combination of players, including the private sector, governments and NGOs;

(9) implementing a public education campaign regarding: 1) the Housing First model, 2) community ownership of solutions, and 3) NIMBYism;

(10) providing evidence to alleviate community concerns regarding the impact of social and other housing projects on property values, crime rates, quality of neighbourhoods;

(11) ensuring that the right to housing is enshrined in the *Yukon Human Rights Act*;

(12) ensuring the focus of planning and zoning hearings is on relevant issues related to the building in question, not the people who may choose to live there, and;

(13) presenting the economic benefits of housing projects to local businesses and downtown residents.

Mr. Fairclough: I give notice of the following motion for the production of papers:

THAT this House do issue an order for the return of the total cost of legal fees to Yukon taxpayers in relation to the dispute with the Commission scolaire francophone du Yukon.

Mr. Inverarity: I rise to give notice of the following motion for the production of papers:

THAT this House do issue an order for the return of the total cost of all legal fees to Yukon taxpayers in relation to all court action and litigation this Yukon Party government has found itself in with its partners in Education and with First Nation governments.

Ms. Hanson: I give notice of the following motion:

THAT this House urges the chair of the Select Committee on Whistle-blower Protection to call a meeting of the committee immediately to finalize its report and table its finding and recommendations respecting the central issues that should be addressed in whistle-blower protection legislation in the Legislative Assembly before the House rises on March 28, 2011.

Speaker: Are there any further motions?

Hearing none, is there a statement by a minister?

Hearing none, that brings us to Question Period.

QUESTION PERIOD

Question re: Housing task force report

Mr. Mitchell: Yesterday I tabled a report on behalf of the Yukon Anti-Poverty Coalition's housing task force. The report is called *A Home for Everyone: A Housing Action Plan for Whitehorse*. This is not the first time the plight of the homeless has been brought to this Assembly. This is not the first time that community organizations have brought forward excellent ideas and proposals for finding everyone a home. This is also not the first time that this government has turned a blind eye to public input. The minister will no doubt tell us about the litany of housing projects that his patchwork planning process has produced. What he needs to understand is that the quilt isn't finished yet.

When is the minister going to get around to addressing the needs of the most marginalized Yukoners?

Hon. Mr. Kenyon: Mr. Speaker, certainly one thing that I do agree on with the Leader of the Official Opposition is that the report does appear to be well thought out and contains some very good information. The Yukon Housing Corporation is certainly digesting that information and working with it.

I think what we have to recognize is that there is a housing continuum, and this was brought out in the document. It addresses a wide variety of housing needs and a wide variety of circumstances. The Yukon Housing Corporation has identified

the areas of greatest need and has addressed that in terms of seniors and single parents. I understand now from the corporation that seniors and single parents still remain the largest need, but that's not to say that there aren't other groups. The corporation will be looking at those different aspects of the report.

Mr. Mitchell: Mr. Speaker, it's encouraging to hear the Housing minister refer to a report that's not 10 years old, because he is usually about 10 years behind in his reading.

Perhaps the minister can take a lesson from the Premier. He should drive by the homeless shelter and check for empty beds. The Premier calls that a "business plan." We also know that the minister is often better at attacking than leading. So, Mr. Speaker, this government has ignored the needs of the least fortunate and attacked all who have disagreed in the past. It is the homeless who have paid the price for this government's indifference and the cost continues to rise.

Why wasn't addressing this need a priority in this year's budget?

Speaker's statement

Speaker: Before the honourable minister answers the question, the Leader of the Official Opposition — the terminology that you're using in your questions is going to lead to discord. I just want the honourable member to know that sharp words will lead to sharp words. So just keep that in consideration for your supplementary questions.

Minister, you have the floor.

Hon. Mr. Kenyon: For the member opposite, this government and the Yukon Housing Corporation have been working on all of these problems and have, in the last five years, in fact, invested over \$200 million into the housing continuum and various projects. Compare that to the short-lived Liberal government which had not a single penny in a capital budget toward housing and built not a single housing unit. Is this the great leadership that the Liberal leader is suggesting? Mr. Speaker, when it's 1:12 p.m. in the afternoon on this side of the House, it's 2001 on the other.

Perhaps the Liberal leader can get with the program and start addressing problems more realistically.

Speaker's statement

Speaker: I'll actually exercise the same caution to the honourable minister. As I mentioned earlier, sharp words are going to lead to sharp words and that was exactly the gist of my earlier caution. So honourable members, just keep that in mind. Next question, please.

Mr. Mitchell: What we've again heard is a litany of housing projects that the government has announced in the past, but we haven't heard an answer to the question we're asking today. What about the people who have nothing — no home to go to? The government continues to ignore this growing need in spite of all the urging from NGOs, the public and the Official Opposition. If the government won't listen to us, then listen to the public and the community organizations that are calling for government action on homelessness. The government has to be a part of the solution, but it continues to

avoid that responsibility, so we sit and wait until the next election — nothing happens, no homes, and so the next government inherits the mess that was left. Why has this government failed to address this need — the need to address homelessness in Yukon — for nine years?

Hon. Mr. Kenyon: Again, I have to point out to the member opposite that, yes, this government has had to deal with the mess that was left. 2001-02 — the shortest lived majority government in the history of the Commonwealth of Nations — not a single penny in the capital plans for housing and not a single unit built.

That's what we inherited and that's what we're working with, with a 40-percent increase in social housing and continuing to look at that housing continuum across the board.

Question re: Francophone school board litigation

Mr. Fairclough: The Minister of Education told us yesterday that this government will need Yukoners to pay three-quarters of a million dollars for its dispute with the Commission scolaire francophone du Yukon this year. The minister stated that "...it was not our decision to enter into this type of litigious situation; however, we have a responsibility to defend ourselves when we feel we have provided the support for francophone students that we have."

Yukoners want to know that this government is doing everything it can to resolve this dispute in the most cost-effective way possible. Spending taxpayer dollars on legal cases is unacceptable unless all other options have been looked into. Will the minister confirm that this government is spending three-quarters of a million dollars on legal fees for this legal battle?

Hon. Mr. Rouble: The government believes that the level of support it has provided and continues to provide is consistent with and indeed surpasses our legal obligations.

French first language students enjoy an excellent level of education in a well-equipped school that currently operates at 60 percent of the recommended capacity. The students also enjoy strong levels of funding and student/teacher ratios that are among the lowest in Canada.

The government also believes that the level of management and control exerted by the rights holders in Yukon through the Commission scolaire francophone du Yukon meets or exceeds legal requirements.

Mr. Speaker, we will continue to work with the Commission scolaire francophone du Yukon to provide excellent French education to rights holders' children. We will continue to work with the Commission scolaire francophone du Yukon on issues such as Académie Parhélie, an experiential education program, and we will continue to look after the interest of all Yukon students, whether they be of First Nation ancestry, of Catholic religion or students with special needs. We have a commitment to provide an equity of education and an excellence of education to all Yukon students.

Mr. Fairclough: I asked the minister to confirm whether they spent \$750,000 on legal fees on this matter, Mr. Speaker. He didn't answer the question. Regarding the case, the Education minister told us that this government, and I quote: "engaged in good-faith efforts to try to resolve the matter and

to try to avoid trial and the costs related to it, but the parties were unable to reach mutual, acceptable agreements.”

It’s interesting, Mr. Speaker, since in a recent court case appearance, the government’s lawyer accused the judge of bias and asked him to remove himself. This must be this Yukon Party’s idea of diplomacy. What a way to try to resolve a conflict and save Yukoners the burden of paying even more fees on a prolonged court case.

Did the minister think accusing the judge of bias was going to save taxpayers money and to help win this case?

Hon. Mr. Rouble: Mr. Speaker, we operated in good faith with the Commission scolaire francophone du Yukon. There were negotiations before we were served as the member identified. There were good-faith efforts after we were served. There was a mediated process at the beginning of the court case. We certainly went into this looking for a resolution.

Now, it did come as quite a surprise, though, to members opposite yesterday to hear some of the terms that were laid out in the statement of claim. The Commission scolaire francophone du Yukon is looking for the transfer of the l’École Émilie Tremblay school and parcel of land on which it is situated. They’re looking for the authority to build a new secondary school on the EET land which could accommodate up to 200 students. They were looking for a budget to do that that would be in the range of \$15 million to \$45 million.

As I’ve said before, the Government of Yukon and the Department of Education continue to provide excellence in French first language education. We do that in partnership with the Commission scolaire francophone du Yukon. We work with them to ensure an excellence in education, as we do for all Yukon students. We have a certain responsibility to all Yukoners to ensure they have the opportunities they need to succeed and that we have equity in education throughout the territory.

Mr. Fairclough: Then why avoid the question, Mr. Speaker? The Education minister likes to talk about what a great relationship this government has with other stakeholders in Yukon’s education. Seriously, how does the minister define a great relationship? Does he go for coffee with members of the francophone school board when court recesses for the day?

This government is being sued by what this minister calls its “partners in education.” This should give Yukoners an idea of how well this government works with its partners. Will the minister tell us the total amount that has been spent fighting Yukoners in court on this issue and how much more he expects taxpayers will have to pay?

Hon. Mr. Rouble: No, I can’t tell the member opposite how much it’s going to cost. The court case is not concluded. The process is not concluded.

We have a responsibility to stand up for the work that is going on throughout the Department of Education, but what is interesting is that the Liberal Party, again, is not taking a position on this. They wouldn’t tell Yukoners yesterday whether they would have defended themselves in this or not, or whether they would have followed through with all of the positions put forward by the Commission scolaire francophone du Yukon. One has to ask themselves the question: how irresponsible is it to take a position on an issue like this when you haven’t even

read the statement of claim? We’re asking that question, Yukoners are asking that question and the Liberal Party needs to provide an answer to that question.

Question re: Housing task force report

Mr. Cardiff: It’s unfortunate that it is necessary to ask questions again today on the desperate housing situation in Yukon. The minister responsible for the Yukon Housing Corporation yesterday dwelt on one segment of housing needs, and they’ve done pretty well at providing housing for seniors. We congratulate them for that, but we now have a well-documented plan in the Anti-Poverty Coalition’s report. It’s called *A Home for Everyone*, and it’s a report on a broad range of housing needs. It is based on 13 different existing documents and research on housing that has been available since 2005, and it is based on consultations with dozens and dozens of people.

Why does the minister continue to ignore all these reports and pretend that all the needs have been met when they obviously haven’t?

Hon. Mr. Kenyon: I appreciate the member’s comment that he approves of what we’ve done for seniors. I should point to him again, when you look at the waiting list, the number of seniors and the number of single-parent families still dominate all other groups by a huge amount. They are still, statistically, groups that are as much in need. As people move into the facilities in Riverdale — the single-parent facility over there, into the many seniors facilities that we have built in a number of different communities — they tend to move out of their old accommodation. That gives us a chance to renovate them and to work on those facilities and to reassign them. It is a part of a continuum, and the Housing Corporation, I think, has done a marvelous job in terms of trying to address that continuum. We do have a long way to go. The member is right; there are other groups that are in need. I think it has been the approach of the Housing Corporation, and certainly the approach of this government, to deal with the groups most in need, and continue to look at that whole continuum. I think they’ve done a good job of it, and I think the Leader of the Liberal Party has made a good point that when we have to deal with the mess that was left — the mess was left by both parties on the other side of the House.

Mr. Cardiff: The other groups the minister is referring to, a lot of them are homeless. Housing has to be approached equitably. The Northern City Supportive Housing Coalition explored the needs of those people who needed support to get on their feet and become productive once again. Their project is based on a Housing First approach, which recognizes that you can’t look for a job or look after yourself or your family without a place to live. Their business plan has been tossed back and forth between the Housing Corporation and Health and Social Services for several weeks now and the deadline is fast approaching. We trust that the Health and Social Services department is busy working on the plan with the coalition and coming at it from their professed social-inclusion philosophy.

Will the Minister of Health and Social Services and his department work cooperatively on the business plan of the Northern City Supportive Housing Coalition to ensure its success in meeting a demonstrated need?

Hon. Mr. Kenyon: The business plan he referred to has been presented to Health and Social Services. It has never been presented to the Yukon Housing Corporation. Once that business plan is vetted and approved by the Department of Health and Social Services, it then has to come back to the Yukon Housing Corporation Board of Directors for adjudication, for a decision, for ranking and scoring. Once it goes through all of that, it would then have to come back to the board of directors for approval.

The deadline is not even close — the member opposite is obviously not aware of that — but it isn't even close. Again, I think we've seen a plank in the NDP platform — write a cheque — don't go through and make sure that we spent the money wisely, just write a cheque for it.

Mr. Cardiff: It's clear from other reports that it will take collaboration of all departments involved to tackle the crisis in housing. We have families who need housing at any cost; there are families who can't pay the high rents; there are renters who live in deplorable housing; there are people on social assistance who pay rent instead of eating. That is a wide range of needs, none of which this government is solving. Perhaps we need to look at why they are not.

The Minister of Health and Social Services revealed his true philosophy on social inclusion a few weeks ago when he said, quote: "Being able to look after yourself first is the number one priority of every individual. The more you look after yourself, the less we have to look after you." Is this the approach of this government, to blame the victims of a poor housing policy and let them look after themselves?

Hon. Mr. Kenyon: It's the policy of this government to try to work with available resources to provide adequate housing for all Yukoners.

In that sense, again, I think the report was well done, well thought out and well presented. We do have to point out again that the problems aren't going to go away overnight. This government, in the last five years, has put over \$200 million into the housing portfolio — into providing housing. But it was under an NDP government that the transfer agreement was signed with the federal government, transferring responsibility for social housing back to the provincial and territorial governments. Over their formula, that amount is rapidly going down and will soon become exponential and go down to zero. It is a huge mistake, I think, to have signed that document.

But, again, I have to go back and refer to the Member for Copperbelt — we're dealing with the mess that was left under two longer-standing NDP governments — not a single dollar was put into the capital budget for housing and not a single unit was built. We do what we can right now and, yes, we are trying to deal with the mess that was left for us.

Question re: Health care delivery wait times

Mr. Cathers: The Auditor General's report, *Yukon Health Services and Programs — 2011, Department of Health and Social Services*, reviewed two specific programs and made recommendations regarding improving planning and performance measurement. The Auditor General also noted that the department had already made improvements. Unfortunately, the Liberals and the NDP have chosen to attack the department

and its staff, rather than recognizing the good work they are doing and making constructive suggestions.

Measuring success in health care delivery is important, and there is no more important measurement than patients receiving quality care when they need it.

Last month the Fraser Institute reported that the average wait time in Canada for a CT scan is 4.2 weeks. Will the minister please tell me how long Yukoners typically have to wait for a CT scan?

Hon. Mr. Hart: I'd like to thank the member opposite for his question with regard to wait times. The CT scan process in the Yukon is a very short period of time. Of course, it depends upon whether the person is from the rural areas or local, here in Whitehorse. We do have a very short waiting time for that process to take place, and the Whitehorse General Hospital is very accommodating in providing that service.

Mr. Cathers: The Liberals and the NDP have taken parts of the Auditor General's report referring to programs out of context and criticized the department and its staff. One member even went so far as to say "there is no rationale for what they do". That's not what the Auditor General said. Her report stated that the department had already made improvements and last week she said "they need to take it one step further". What everyone should keep in mind is that we're talking about how to make a good system better.

Yukon patients receive a quality of care that is second to none in Canada. Last month the Fraser Institute reported that the average wait time in Canada for an MRI is 9.8 weeks. I know of one recent case where a Yukon patient had to wait only 14 days for an MRI.

Will the minister please tell me how long Yukoners can expect to wait to get an MRI, compared to the national average of 9.8 weeks?

Hon. Mr. Hart: With regard to obtaining an MRI, that takes place outside of the Yukon and, depending upon the severity of the client's condition, that time will be expedited quickly if it's an emergency situation. Obviously if it's not, then it will fall into the process. It will range anywhere from a period of nine weeks to three months.

Mr. Cathers: In discussing our health care system, it's very important to understand what the facts are. The Yukon's health system has its challenges, and I know the minister agrees that improvements can and should be made in how things are done. But overall, our family physicians, specialists, nurses, technicians, therapists and many other health professionals deliver a quality of care that compares well to any jurisdiction in Canada.

Patient access to quality care in a timely manner is one of the most important measurements of success in health care. Last month the Fraser Institute reported that the average wait time in Canada for an ultrasound is 4.5 weeks. Will the minister please tell me how long Yukoners can expect to wait at an ultrasound?

Hon. Mr. Hart: Again, depending upon the severity of the situation, it can be as short as hours and as long as days for a person trying to obtain an ultrasound.

Question re: Mayo B project

Mr. McRobb: It was interesting yesterday to watch the Premier identify where in the budget we might find the line item for Mayo B funding. He referred to page 18-2 in the budget, but that page only shows \$1 is allocated for the entire coming fiscal year. The Premier's December 1, 2009 letter — which I'll file now — more than a year ago explained the government's liability. The Premier committed to make annual payments to the Yukon Development Corporation for the principal and the interest on the \$52.5 million. In year 1, the cost of interest at the rate of five percent amounts to about \$2.6 million and the principal portion is about \$1.7 million, for a total of \$4.3 million. So, where in the budget is it?

Hon. Mr. Fentie: Mr. Speaker, I'm not sure how the Liberals view our public utility. We've heard much from them in regard to said utility, but the Yukon Party government views it as an independent corporation, and, of course as I said yesterday, the transaction between the shareholder and its Crown corporation is pretty standard practice. We have supported the Development Corporation on this matter, as we have supported the Energy Corporation in other investments. That's all evident in public accounts and through other documentation, and so will this be, Mr. Speaker, in accordance with how we have supported the Crown corporation, ensuring that it maintains its independence from government.

Mr. McRobb: Mr. Speaker, the Yukon Development Corporation is not a utility. Now, what was it that prevented the government from entering a line item into the budget that means something to Yukoners? We know the terms of the government's portion of this debt are to repay the \$52.5-million loan in 30 years at five percent interest. That approximate annual cost is \$4.3 million, so that's what should be booked for the coming fiscal year.

But this government's budget for the next fiscal year shows only \$1 booked for this debt. Why did the Premier choose to book only \$1 instead of the \$4.3 million? Or is this what he meant when he said the buck stops at his desk?

Hon. Mr. Fentie: Yes, the buck does stop at the Premier's desk, whoever the Premier may be at any given time, Mr. Speaker. That is what comes with taking on the responsibility and the obligations of governing and leading. I'm sure the Member for Kluane understands this. The Development Corporation is being supported by the government. It will do its financial assessments and audits and provide its books as we do. In the case that there are any shortfalls for the Development Corporation, of course the government is going to support it. But it's also a company that is earning revenues and may very well be capable of paying its own way in any given fiscal year.

So of course the prudent course of action will be to wait for all that accounting to be done before we make determinations. That's why the \$1 booking is in the budget; it's another demonstration that, during the course of a fiscal year, there may be some variances coming forward that government will be dealing with. We're very pleased to be able to support our Crown corporation and our public utility in the manner that we have to the tune of millions and millions of dollars.

Mr. McRobb: Mr. Speaker, the cost of this government's liability with respect to Mayo B financing was known last spring — last spring, long before the budget was printed — so why was this significant expense left out of the budget? Instead of being open and accountable to the Yukon public on how this government is spending their money, the Premier decided to show only \$1 instead of the real figure of some \$4.3 million.

How is this prudent fiscal management? How can we believe this fantasy budget when it's already out million of dollars with this one line item alone? Will the Premier now tell this House the real budget number for Mayo B, or is he content on just passing the buck?

Hon. Mr. Fentie: The only fantasy here is the Liberal plan for the Yukon and its future, whether it be energy, economy, environment, health care, social programs, infrastructure, education and the list goes on. The only fantasy is what the Liberal plan is.

Secondly, prudent fiscal management is not spending money that you don't have to spend. That's essentially one of the principal elements that we have implemented in financial management that has helped this territory build a sizable savings account it has built.

Furthermore, the Yukon Party government has a very clear distinction of relationship with its public utility and Crown corporation. We are the shareholder, and the shareholder in this case is following normal transactions that any shareholder would with its Crown corporation. We will continue to do that.

As far as liabilities, the Liberals know full well that all liabilities are duly presented in public accounts after they are audited. We have every confidence in the estimates we've put before the House, that the fiscal plan and situation for Yukon — not only today, but long into the future — is a very healthy one, thanks to prudent fiscal management by the Yukon Party government and thanks to the lack of any plan demonstrated to the Yukon public. I think the public will clearly understand who they'd rather have managing their finances.

Question re: Fiscal management

Mr. Mitchell: Shortly after the Premier tabled his new budget, the editor of our local daily commented that it suffered from a crisis of credibility. The Premier's projections of a surplus were unbelievable to this writer and they are unbelievable to many Yukoners as well. One way the government has achieved this surplus is by cutting projects from the budget. For example, the new F.H. Collins school has been pushed back a year. Last week it was confirmed that taxpayers are on the hook for \$52.5 million plus interest to help cover the costs of the Mayo B project.

That money has to be paid back. Yet, the Premier has, as my colleague points out, put only \$1 in the budget. The real number per year is more than \$4 million. It's easy to balance the books when you leave stuff out. Why should Yukoners have confidence in the Premier's election fantasy budget when such large amounts are left out?

Hon. Mr. Fentie: The amounts that the Liberal Leader is talking about are a Liberal fantasy. The member knows full well what the estimates show for this territory. It's not only

being talked about in the Yukon — the healthy fiscal position of Yukon. It's being talked about across this nation — the first jurisdiction to follow the course of action that Canada is embarking upon in terms of fiscal management overall into the future, the first jurisdiction to table a balanced budget in surplus and we are building back up the savings account that we used in time of need. Yukoners are clearly looking at what's happening here. They are listening to the Liberals who are constantly making these wild accusations that anybody, any government, would table numbers in a budget that aren't factual and based on all available information, data and indeed public accounts that are duly audited.

I'll let Yukoners judge what they think on who to believe, but over the last nine years they certainly believed in the Yukon Party government, and they got what they wanted. They got sound fiscal management; they got a savings account and when you look at the record, Mr. Speaker, I think it speaks for itself. They actually have an economy and money to spend — it's in their pockets.

Mr. Mitchell: Well, it's a nice speech, but in five tries, this Premier is not answering the questions. Yukoners no longer trust this government, and who can blame them after the Premier's attempts to privatize our energy future? His former colleague still sits on this side of the House as proof that this government can't be trusted. The budget that the Premier has presented is balanced on paper. Dig a little deeper and a different picture becomes clear. The Premier wrote to the Yukon Development Corporation and said, quote: "Government will provide an annual contribution to YDC for the principal and interest payments related to a portion of the borrowing up to \$52.5 million." That debt has to be repaid, Mr. Speaker, and the government is on the hook for a lot of it. Why does this Premier continue to table surplus budgets that inevitably turn into deficits before year-end?

Hon. Mr. Fentie: Speaking of "digging", I think, as the leader of the Liberals continues to dig, there is that distinct odor of mendacity. I can tell you — I couldn't help myself.

Unparliamentary language

Speaker: The honourable member knows exactly where I'm going on that one.

Withdrawal of remark

Hon. Mr. Fentie: I'll withdraw —

Speaker: Thank you. The Premier still has the floor.

Hon. Mr. Fentie: We are very confident in the budgets that we have brought forward. I think the proof is out there; evidence is all around us. We have the lowest unemployment rate in the country. We have one of the best health care systems that Canadians would have access to — right here in Yukon for Yukoners. We have a very focused investment on protecting and conserving our environment.

Let's look at recent retail sales. We lead the country. Year over year, our growth in retail sales is 12 percent — the highest in the country. That's because there is cash flow here. You know why there is cash flow? In part, it's because of good, sound fiscal management by the Yukon Party government that

can invest the money we have available, out there into Yukoners' hands and pockets.

Mr. Mitchell: I think the Premier was just looking for that button so he could blow something up again.

This is the same Premier who invested —

Speaker's statement

Speaker: I'm going to exercise the same caution I did with the honourable member earlier. Just don't personalize the debate. The Leader of the Official Opposition has the floor.

Mr. Mitchell: This is the same Premier who invested \$36 million in asset-backed commercial paper and said he would get it all back in a few months. Three and a half years later, we still don't have our money. It's about trust. The Premier's colleagues who are running in the upcoming elections will have to explain why they backed the Premier on that issue, because they are all in it together and the Premier will no doubt reassure us they are.

This year's budget should contain \$4.38 million to cover borrowing costs for Mayo B. What number did the Premier put in? \$1 — it's a pretty stretchy dollar. How can the Premier claim that putting \$1 in his budget as a place holder for a multi-million dollar liability is prudent financial management?

Hon. Mr. Fentie: Because the Yukon Party government ensures that it protects the public interest and will only expend what it is required to.

Furthermore, the member continues to bring up his fixation on investments. Let me remind the member that the investments by this Yukon Party government have earned millions for Yukoners and in particular, in the exchange of short-term notes for long-term notes on this particular investment, we now have, in our hands, earned dollars from this investment — some \$1.9 million. What have the Liberals ever brought into this territory? It certainly isn't even close to that. When they were in office their retail sales factors were only \$379 million. Today under Yukon Party watch, the retail sales — the cash flow, the transference of funds in the Yukon — is at \$576 million, almost \$200 million more. That's what the Yukon Party government has brought into office with fiscal management.

Furthermore, we've taken this territory from a \$50-million fiscal capacity to over \$1 billion and, at the same time, we have the fiscal resources available to finance future government operations — a far cry from what the Liberals had. They had nothing.

Speaker: The time for Question Period has now elapsed.

Notice of government private members' business

Hon. Ms. Taylor: Pursuant to Standing Order 14.2(7), I would like to identify the items standing in the name of the government private member to be called on Wednesday, February 23, 2011. They are Motion No. 1303, standing in the name of the Member for Klondike, and Motion No. 1258, standing in the name of the Member for Klondike.

Speaker: We'll now proceed to Orders of the Day.

ORDERS OF THE DAY

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Mr. Nordick): Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 23, *Third Appropriation Act, 2010-11*. We will now proceed with general debate on Vote 52, Department of Energy, Mines and Resources. Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 23: *Third Appropriation Act, 2010-11* — continued

Chair: The matter before the Committee is Bill No. 23, *Third Appropriation Act, 2010-11*. We will now continue with general debate in Vote 53, Department of Energy, Mines and Resources.

Department of Energy, Mines and Resources

Hon. Mr. Rouble: Thank you, Mr. Chair. It's my honour and pleasure to rise today in Committee of the Whole to go through the *Supplementary Estimates No. 2, 2010-11* in the Department of Energy, Mines and Resources. This has been a very active year for the Department of Energy, Mines and Resources, and I would first like to pass along my thanks to the folks in the department for the tremendous amount of work they have done, for the hard work they have done, and for the smart work they have done.

We've seen an incredible increase in the number of opportunities here in the territory, and along with those opportunities comes additional work for the department, but I know it is certainly work that they are glad to see coming.

That's a pretty good theme — glad to see the work coming, because we can see it on the horizon. We have seen some significant increases in Yukon's economic position. We've heard about the growing population, from about 27,000 people in 2002 to about 35,000 people here in the territory today. We've seen an increase in gross domestic product; we've seen an increase in the number of people of employable skill, or employable people in the labour force in the territory. As we heard earlier today, we've seen an increase in the consumer confidence level with a significant increase in the rise of retail

sales. That's a good indicator to show that Yukoners have faith in the economy, believe we're on the pathway to prosperity and have confidence in where the territory is heading.

I was asked previously to provide a bit more information and statistical indicators and some of the benefits to the resource-extraction industry here in the territory, and I felt this would be a good opportunity this afternoon to highlight some of those issues and to put some figures on the record.

Yukon has permitted and brought three new mines into production since 2007. These include Minto, Bellekeno and Wolverine. The value of metal produced from these properties will be about \$600 million in 2011 and will account for about 40 percent of GDP.

The three mines represent an industry investment of over \$500 million. That's \$500 million that has come in largely from outside of the territory to invest in industry and operations here in the territory. These mines produce a variety of commodities including copper, gold, silver, lead and zinc. The Minto mine owned by Capstone Mining began commercial production in 2007 producing copper and gold. It is located on First Nation land and in 2009, provided \$5.9 million in royalties to the Selkirk First Nation.

Also, Mr. Chair, they've recently provided a community economic development expense cheque. That was an expense allowed under the royalty changes that the Government of Yukon passed. That was a contribution to the Selkirk First Nation for I believe \$1.6 million, which will be used to build an early childhood education centre there in the community. That's another great investment, and just part of the payback to the community for the work that's going on here. It also recently pre-paid \$17 million to Yukon Energy Corporation under a power purchase agreement which is seven years ahead of schedule.

Certainly, Mr. Chair, for the Energy Corporation to have \$17 million in cash on hand earlier than anticipated is good news.

We have three new projects presently in the permitting process. These include the Eagle Gold, Carmacks Copper and the Mactung project. They represent an additional investment of over \$500 million. Several large projects are also in the development pipeline. The Casino deposit is a massive copper/gold/molybdenum deposit northwest of Whitehorse. Mr. Chair, the development of this project is expected to cost more than \$2 billion and result in a 30-year mine life. Think about that for sustainable, ongoing development. Think about that for breaking the boom-bust cycle.

The pre-feasibility study for Casino predicts the life of the Yukon mining royalties of \$580 million, corporate income tax of \$1.3 billion and personal income tax of \$527 million. These are just some of the indicators of how the territory will benefit from this, not only through royalties paid, but also through the people working here in the community, through the income taxes that are paid and then through the spinoffs of purchasing other products — an investment in the infrastructure in the community.

On the exploration side of things, Yukon's mineral endowment continues to attract attention at unprecedented levels.

We are really facing another gold rush. Over 120 companies, including Canada's major producers, invested over \$150 million exploring in the Yukon in 2010. Exploration spending in 2011 could well exceed \$200 million. Of course, that's just an estimate. This exploration is focused on both precious and base metals. It's important to note that this isn't just chasing one metal — indeed, we see people exploring for gold, silver, copper, lead, zinc, molybdenum and other minerals. Indeed, we have pretty much the entire periodic table of opportunities.

Several factors taken together are driving the surge in Yukon's mining industries. These include exploration successes and new exploration techniques, a single environmental assessment and permitting process, strong access to capital and foreign direct investment commodity prices. We have certainly demonstrated that we can put in place a strong, protective regime that allows for mine development.

There are some other factors I'd like to share with members, just so they're getting the full idea of the scope of the work that's going on. I do want to make a correction: there was a contribution of \$1.4 million for the construction of an early childhood development centre in Pelly Crossing.

There was a recent exploration project, just to illustrate the impact they have on the community. This is just one particular project, but they purchased the services or purchased products from four hotels, a bottled water company, three grocery stores, a catering company, three laboratories, three aviation companies, one tire supplier, two auto parts supply companies, one vehicle leasing company, four fuel suppliers, five construction equipment suppliers, two heavy equipment companies, two communications companies, a surveying company, a road engineering company, three freight and trucking companies, a storage company and four other industrial supply companies. There are very strong spinoffs from the work going on in the exploration and mine development industry.

We're seeing a growth in our GDP. The Conference Board of Canada's latest territorial outlook estimated 2010 real GDP growth at 4.3 percent. That's a pretty strong indicator. That's a pretty strong indicator that we are on track for success.

Now, this is, of course, going to have challenges, but that's the role of government and the people in the Yukon — to turn those challenges into opportunities. We're seeing these increases in opportunity. We're seeing an increase in the demand for housing. Governments are responding by increasing the number of building lots. We're seeing an increase in programming and educational opportunities, whether it's through the Yukon Mine Training Association, whether it's through Yukon College, or whether it's through the private development for training on the job with many of our companies. But we're seeing Yukoners prepared for Yukon opportunities and, of course, that's our number one priority. If we have opportunities that cannot be met, we will need to increase our population to continue that growth at a sustainable rate, so that we can all benefit from the economic opportunities that are clearly coming our way.

This will result in an increase in population, which causes an increase in opportunities.

I should note too that there are some people who say, "Well, what about this increase in population? Is that not going to have a negative impact on our community?" And I would suggest we just take a look at the changes that have happened in the territory in the last few years — going from the exodus of population that we had at the beginning of 2000 to what we have today — and for people to take a look around and say if they are in a better community now with a population of 35,000 or 36,000 people than they were a few years ago when we had, as people will remember, that U-Haul economy? With an increased population goes increased options, whether it's for restaurants, stores, housing opportunities or even occupations.

As well, Mr. Chair, we all recognise the incredible territory that we live in, that has its tremendous natural benefits, whether it's the ski trails, the downhill trails or the wilderness at our doorstep. Seeing an increase of a few people in a community certainly will not have a significant change in that respect.

Getting back into the budget, it's my pleasure to introduce the 2010-11 supplementary budget for the Department of Energy, Mines and Resources. The budget reflects adjustments made to the 2010-11 budget as EM&R works to manage Yukon's natural resources and to ensure integrated resource and land use.

Some of the highlights of this budget include that the department's operation and maintenance expenditures have seen an overall decrease of \$3.6 million and there has been a decrease of \$11,000 in capital budget expenditures. The substantive portion of this O&M decrease is due to a funding adjustment for the Assessment and Abandoned Mines branch. Assessment and Abandoned Mines branch in conjunction with Canada and affected Yukon First Nations continues to take a lead on the development and implementation of cost-effective approaches that address historic liabilities at the Faro mine complex, Mount Nansen and Clinton Creek. There is a \$3.9-million O&M decrease in the supplementary budget to reflect the updated workplan for the Faro mine complex. Members will recall that this is a very large and very complicated process, one that in the total terms of the budget will probably exceed \$700 million. The remediation of the Faro mine complex is one of the largest private sector projects of its kind in Canada. As I stated, we expect the project over its very long lifetime will likely exceed \$700 million, and it's important to note that these costs are 100-percent recoverable from Canada.

This change reflects a change in the workplan. It certainly does not reflect a decrease in any of the proponents to complete the work. Canada is responsible for this and Yukon, for the most part, is a flow-through of the monies.

Another notable adjustment in this budget is a \$625,000 increase in mineral resource revenues, due to a significant increase in the volume of quartz claim fees collected by the department. It's a very exciting time in Yukon's mineral sector and this excitement has translated into tangible benefits to Yukoners.

Over 600 Yukoners are currently employed directly by hardrock mines throughout the territory; hundreds more are working in placer mining operations and mineral exploration

projects through the territory. \$230 million — this is a figure I didn't include earlier, Mr. Chair — \$230 million has been spent to develop Yukon Zinc's Wolverine mine.

In the last decade, there has been nearly a — is that a typo? — 2,000-percent increase.

You don't normally see a figure that says 2,000-percent increase. I'm glad I checked. We've seen a 2,000-percent increase in exploration spending, from \$8 million in 2000 to more than \$150 million in 2010.

In order to ensure the interest in Yukon's mineral potential continues, Energy, Mines and Resources continues to support the geoscience research led by the Yukon Geological Survey. Exploration decision-making and resource planning depends on up-to-date, quality information. Over the past five years, the Yukon Geological Survey has been undertaking a tremendous range of new geophysical and geochemical surveys that directly contribute to the success of the mining industry. The supplementary budget includes \$625,000 additional funding for the Yukon Geological Survey, which was provided by CanNor.

With research in five different specialty areas, there is some really interesting work being done by the Energy, Mines and Resources geologists and scientists. New gravity-surveying research will be done in southwest Yukon's Ruby Range. Data from this aerial survey will help to further refine our understanding of the region's unique mineralization. Existing geoscience information will be brought to new uses with work to reanalyze a portion of NRCan's national archive of stream sediment samples.

In addition, new refinements will be made to existing geophysical tools with work to determine bedrock depth, permafrost characteristics along creek channels in the Klondike.

This research initiative is based on recommendations Yukon government received from placer miners at a workshop held last November. To ensure that all research being gathered by the Yukon Geological Survey is accessible and useful to the public this funding will support work to digitize existing maps and reports and merge multiple data systems into one easily accessible database. In addition to supporting exploration investment decision-making, this research will provide valuable baseline information to support future land use decision-making and infrastructure development.

Energy, Mines and Resources continues to contribute to the Yukon government's goal to build a strong and diversified economy that benefits all Yukoners. The department has made tremendous progress in establishing a foundation of investor confidence and regulatory certainty for Yukon's diverse resource sectors. This is a significant accomplishment, and I would like to take this opportunity to thank all the skilled staff of Energy, Mines and Resources for their continued hard work and dedication.

I realize I focused quite a bit on the mineral side of things in this discussion. The Department of Energy, Mines and Resources certainly has a broad range of responsibility, whether it's energy, minerals, forestry, agriculture or land planning.

We have a wide-ranging breadth of responsibilities, and if members have questions on those or the items from the budget, I would be pleased to entertain them this afternoon.

Mr. McRobb: I would like to start off by thanking the hard-working employees in this department. Mr. Chair, it's always a pleasure to take part in the budget briefings with these people, who are very much on top of their responsibilities in several areas and certainly have the experience and skills necessary to run this department. In addition, people within the department, particularly in the mining branch, have been very busy. We saw them in action at the Mineral Exploration Roundup in Vancouver last month.

Certainly, they were very busy, both in terms of providing information to the general public and the prospectors and miners and others in attendance, as well as conducting the several meetings they had with several groups of people, including the proponents of mining ventures and established mines in the territory.

This is an exciting area, and I can certainly understand the minister's propensity to want to talk about the mining sector of the department. We do know the department is much more than mining. It has other large areas of responsibility, including energy planning, forest resources, water resources — essentially, all of the resources devolved to the federal government, in addition to several other areas, including agriculture and so on.

I want to return to the Mineral Exploration Roundup this year. The Official Opposition had three representatives there for the entire week, and they met with a variety of proponents and established mining companies in the Yukon too. As a member of that contingent, I can say it was very worthwhile to participate in those meetings.

Perhaps the most significant thing I learned is that there are still a lot of things this government could be doing, both in terms of helping the mining industry and the exploration industry. This came as a bit of a surprise, because we've heard a lot of announcements about the initiatives and good work by this government, but we've heard very little in regard to what's missing.

A lot of the concerns about what's missing are rolled up in the recommendations of this year's report from YMAB. That acronym stands for Yukon Minerals Advisory Board. We still don't have the report tabled for this year, even though it was prepared long ago.

Now, I understand there were five main recommendations in that report. Yet, for some reason, the Yukon Party government isn't sharing that report with all members on the opposition side of the House. I wonder why. No one government owns information, such as the YMAB report. I think it was on day one of this sitting, I read a notice of motion calling for the government to table that report. Well, that was weeks ago and we still haven't seen that report. So I have got to call on this Yukon Party government to be more open and accountable and willing to collaborate with all members of this Assembly for the betterment of the Yukon public — in other words, walk the talk. Don't hide the reports.

One of the meetings we had was quite interesting in regard to the major item in this supplementary budget, which is the DIAND funding for the type 2 mines. Specifically, it dealt with possible plans for the Faro mine. The minister referenced the updated workplan and mentioned there was \$700 million to be

spent. He wasn't clear if that total was a roll-up of what has been spent in the past combined with what's expected to be spent in the future, or if it was just from this point on. So I want to start on that point — if he can indicate exactly what that \$700 million represents. Of course, my rationale for trying to find that exact number is the Yukon public has been told the cost for the complete reclamation for the old Faro mine site is going to be nearly half a billion dollars. Well, today we heard a figure that's 40 percent larger. So, again, does that include what was spent in past years, or is it a revised estimate from this point forward?

Now, back to this alternative proposal we heard about. It involved the reprocessing of the mine tailings at the old Faro mine site. I believe it also involves the filling up of the major pit at the mine site. Such a plan, if it happens, will collide with the federal government's plan as it exists now. We would like to hear the minister explain what exactly is happening with respect to the reclamation of this Yukon property and has the plan from this other company been integrated into the federal government's updated plan or not?

Hon. Mr. Rouble: Yes, Mr. Chair, I will certainly agree with the Member from spectacular Kluane that Geoscience — and for that matter, Roundup — were very busy this year with a tremendous amount of interest in the territory. Yes, not only was the Member for Kluane there, the leader of the Liberal Party and as well, the Member for Mayo-Tatchun, but also the Leader of the NDP. On the government side, it included representation from the Premier who attended the Premier's reception, me, Minister of Highways and Public Works, and the Minister of Environment among others.

We felt it was certainly an important step to include a broad range of representation. This is a broad-ranging area and it was certainly important to include representation from the Department of Environment, for example, so that he could hear some of the concerns and the industry could hear some of the concerns coming from that perspective.

It was always interesting to hear the different perspectives. I would trust that the perspectives that we continue to hear from the Liberal Party in the Assembly will be the same as what they told industry at the event. There is a bit of concern about that. We did hear a wide-ranging number of issues or thoughts or promises, if you will, that were coming out. I want to make sure they're consistent with what Yukoners are hearing in the Yukon Legislative Assembly.

I didn't hear that criticism of the NDP — I'll make that perfectly clear. I think their position has stayed true to course. But it is important to ensure that everyone is hearing the same message and that it's not being tailored to whomever one is speaking.

Yes, Mr. Chair, there was a meeting with the Yukon mineral advisory group. I have met with them a number of times in the last year.

They have put forward a number of important issues and I will endeavour to find that report and, where appropriate, table it or send it over to members opposite because it does provide some good advice to government on taking steps to go forward to provide for a healthy, responsible industry here in the terri-

tory. I want to emphasize the word "responsible". The industry has learned a lot; the government has learned a lot; the regulators have learned a lot, and the assessors have learned a lot. Now, when one is putting forward a mining project, they certainly want to ensure that not only are they being good corporate citizens, but that they are having the least amount of permanent impact on the landscape possible. There is a wide range of mitigative steps that modern companies do during their work, right from the beginning, on the exploration side right through to the mine reclamation side. There is a wide array of pieces of legislation and regulation in our very strong regulatory regime that governs these activities.

As well, there are activities that are mandated under their quartz mining licence or their mining use licence to ensure that modern, responsible mining companies are behaving in an appropriate and responsible way, and this is in addition to those factors that organizations such as YESAB put forward and the mitigated steps that accompany their recommendations.

There were a number of issues raised with YMAB. These included regulatory issues, energy issues, access to skilled labour and overall infrastructure issues — those are the ones that I remember off the top of my head. Members will remember that government has made adjustments to the quartz mining licence and made amendments to the royalty regime. These were positive legislative changes that were welcomed by industry.

Energy is continuing to be an ever-increasing issue. As Yukon's economy continues to grow, we are not seeing as much surplus through our renewable energy sources through the hydroelectric facilities that we saw in past years when indeed water was spilled through the gates and we didn't take advantage of all the energy potential here in the territory.

We have been responsive in that area, as has the Development Corporation and the Energy Corporation, in pursuing alternative renewable energy production methods, whether that's Mayo B or some of the other refinements to the Aishihik plant, or other initiatives that the corporation is undertaking. Additionally, steps have been taken with Highways and Public Works to ensure that we're building a highway infrastructure system that will not crumble under the increased activity that is out there. We recognize that we do require infrastructure in order to attract investment. In fact, that's one of the key factors that make Yukon such an attractive area. Also, it should be noted that the issue of the royalty resource cap — that \$3 million cap was raised by members in industry. They expressed a strong desire to see local economies benefit from the local activity.

Receiving a greater amount of the royalties, rather than sending them all to Ottawa, was something they were looking for. They were also speaking very positively of the changes we made to the regulatory process to allow for a community economic development expense. Members will recall the Minto mine recently utilized this expenditure in making a \$1.4-million contribution to the Selkirk First Nation for the construction of an early childhood education centre. Again, industry expressed a strong desire to see local communities, local people, and Yukoners benefit from local and Yukon activity.

The member also went on to ask questions regarding the Faro project. Indeed, this is a very large project and many people are saying that we wish we knew then what we know today, in order to have prevented such a situation from happening.

I would also encourage those folks, though, to take a look at some of the more recent examples of mining, whether it's the recent Brewery Creek project that was reclaimed — to look at how it has been reclaimed to an excellent level and hasn't had that lasting legacy.

Also, one only has to look at some of the areas around Whitehorse, whether it's the ski trails or the roads through Whitehorse, that are a result of the Copper King mining project. Indeed, many Yukoners, even after they have been here for a number of years, don't recognize that that mine was even in operation here.

The member opposite asked about Faro — I'm just pulling together some notes on this one. The estimates on remediation cost at the option feasibility phase range from \$450 million to \$590 million. As the scope of future activities becomes better defined, cost estimates are revised. Estimates are turned into actuals, and the estimated total cost of the overall project is currently \$700 million. I would expect that that does include the expenditures to date.

The Yukon government is actively working with the Government of Canada and affected Yukon First Nations to develop a comprehensive final closure and remediation plan that addresses both the short and longer term risks at the Faro mine complex. The plan's priorities are to protect the public health and safety and the integrity of the environment while maximizing training, employment and business opportunities for affected Yukon First Nations and Yukoners. The member had included a couple of different questions in that. I'm looking for some advice from him as to whether I've acknowledged or answered the issues that he has brought forward regarding Faro. I'm not —

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: I got one out of three so far. Well, you know, I'm going to have to give him another opportunity if he would like to share with me his questions again, I'll try to provide additional information.

Mr. McRobb: All right, Mr. Chair. The minister did answer the question about the \$700 million, whether it was total or moving forward. I asked when he might be tabling the YMAB report, so that should be relatively easy, but the third one was a little more complex. It involves the federal government's updated Faro reclamation plan and whether this updated plan provides for this private sector plan to reprocess the old tailings at the Faro mine site with the idea of filling up the large pit at the mine site. This is a large scale project. We met with a lot of people in Vancouver last month and learned about this plan, and we want to make sure that, should this plan be feasible and pursued, there remains opportunity within the entire reclamation plan to provide for it. We're here both in support of Yukon taxpayers and Canadian taxpayers in trying to ensure this other plan is accommodated and the Yukon government isn't simply a spectator, watching what could be a large waste of Canadian taxpayer dollars in proceeding down the road, do-

ing certain reclamation work, when this other plan will have to redo it all again.

This is a fair question and it's something I would have expected the minister to be on top of. Unfortunately it sounds like he doesn't know much about it. I would like an idea today whether the federal government's updated plan for the Faro mine reclamation provides for this alternative plan involving private sector business.

Hon. Mr. Rouble: That was an interesting statement there at the end. Does the plan provide for an alternate plan? Well, the plan provides for a number of different contingencies. I trust the member doesn't want me to go into a whole discussion about acid rock drainage, and treatment or levels of membrane, or capping techniques, or the number of Tums one has to put in to neutralize the acid. I trust we're not going to get into that level of discussion or debate in here today, because if it is then I'll have to beg the indulgence of the member opposite and ask a few more engineers to come in and provide advice. Rest assured, there are those engineers providing advice. This is a very significant project not only to Yukon, not only to the affected First Nations, but also to the Government of Canada who have the fiduciary responsibility for this.

We are certainly working with a plan that has been adopted; the Government of Yukon, Indian and Northern Affairs Canada, and the affected Yukon First Nation reached consensus on the preferred options for closure and remediation of the Faro mine complex and, as a result, we are now going forward with that.

The financial responsibility for the Faro mine complex resides with INAC, and the administration and care and control lies with YTG. The two governments agreed to be co-proponents for the assessment and regulatory process. A joint management team has been established, combining INAC and YG staff into a single unit responsible for project execution. This is a very important project to Yukon, a very important project to Canada, and a responsibility that we have to the world and to the environment.

Yes, the member can rest assured that we are taking a very prudent, fiscal look at this, but we are also making sure that this is properly addressed. Due to the geology of the situation, due to the placement of the tailings, due to the type of pit construction, due to the location of creeks, due to the location of the valley, there are a number of different factors that contribute to make this a very challenging and long-standing project.

It's not a matter of filling everything back into the pit and planting some grass seed and going home. There is more to it than that. That's why we have the appropriate professional staff, whether it's through the Department of Energy, Mines and Resources or whether it's contracted-out engineering advice or whether it's the additional advice from the other proponents in this, including Yukon First Nations. We are all working collectively to ensure that we provide an environmentally-sound solution. We have acknowledged that this area will require long-term treatment — that there will be additional acid rock drainage or acid that leaches out of the exposed rock due to it now being exposed to the atmosphere — and that it will have to be treated for some time to come. That will involve — I

don't want to get too technical here — an additional tailings area with treatment provided to it. It is a very significant project. We are working to ensure that there are strong, regional economic benefits and that there are employment opportunities for people in the whole region.

Mr. Chair, there is more technical advice I can offer, but I want to conclude for the member that the Government of Yukon and the Government of Canada are working in conjunction with affected First Nations on this. We are committed to providing a responsible solution that will stand up in the long term. We recognize that it will take a long-term implementation strategy. We recognize the variety of roles in the process, and we're going to continue to work with Canada on the funding of this, as they have the fiduciary responsibility and we have the operations and care responsibility.

Mr. McRobb: Well, I'd have to say the minister's response to the question on whether the federal government's updated workplan accommodates this other plan, as described, is simply inadequate. We're no smarter now than we were 10 minutes ago on this matter. This is a major issue. Canadian taxpayers will be paying up to \$590 million to reclaim this former mine site in the years ahead. This is the minister's own number, although that is subject to check once the final numbers are in. In present day dollars, given this will take decades to clean up, the net present value would be well over a billion dollars.

This is a major expenditure, and we don't want to see unnecessary replication of costs, especially in consideration of this other proposal, yet the minister failed to comment on whether the federal government's plan will accommodate this private sector plan to reprocess the tailings and fill in the large pit. Instead the minister chose to suggest that I wanted to bring engineers in here. We don't need engineers in here to answer the very simple question of whether the federal government's updated plan accommodates this or not. The minister is supposed to have a grip on his department and especially a handle on what's happening with this Faro mine reclamation.

It's also the minister's responsibility to assist mining ventures in the territory, such as the one I've alluded to, which is interested in reprocessing the Faro mine tailings. What do we get out of the minister? A big blank and accusations that somehow we want engineers in here. This is not about engineers; this is about the minister doing his job. This is the Legislative Assembly; we're asking a viable question here on the federal government's plan. We know the minister has officials available for briefings all the time, yet it seems this alternative has fallen through the cracks, because the minister has nothing to offer.

I'll give him one more opportunity to explain this whole question about this proposal in relation to the federal government's updated plan and whether it accommodates it.

Hon. Mr. Rouble: Another one of the interesting projects that's going on right now is the Alexco Bellekeno project. This was a long-term liability where a company was contracted to come in and provide the remediation work. With that remediation work, there was a reprocessing and, indeed, Alexco is planning to mine new areas, so in addition to accepting the

responsibility of cleaning up that long-term liability — which they're being paid for — they're also working at creating a mine there. That, I think, is what the member opposite is talking about: having a private sector company come in and re-mine the tailings, or reprocess the tailings, and then put things together, or put things back in a better way. Well, that's an interesting proposition. It has certainly been a very interesting process to work through between the federal government and Alexco, who are responsible for doing the remediation at the Bellekeno site. We do have quite a different order of magnitude on the Grum sulfide deposit at Faro. This is a very large project that, as I indicated, would likely be in the \$700-million range.

There is a plan in place. There's a long-term strategy in place. I would suggest that if there is any proponent out there that has a solution to this, they continue to contact the federal government, the Yukon government, and the team that is involved in this. I can't, on the floor of the Assembly, based on the information here, tell whether that would be a suitable project or a suitable alternative. I can tell the member opposite that there is another example going on at Alexco where there's work with the company to do some remediation. It sounds like an interesting idea being put forward. Can I commit to changing the plan to accommodate the idea that's put forward? No, not at this time. But, like any other good idea, it's probably worth taking a look at to identify whether it's feasible, whether it's practicable, whether it's in the best interest of the environment and those who have the fiduciary responsibility.

Mr. McRobb: Well, Mr. Chair, it's somewhat stunning to realize the minister seems to be caught off guard by this whole proposal. This is a major proposal that's being talked about out there in the mining circles. We know the minister was in Vancouver; we know his officials were in Vancouver; a lot of meetings took place, yet this seems to have fallen between the cracks. I'm just floored by this.

Now the minister rephrased the question into something far different from what it was. I heard him just suggest that we're asking him to change the plan. Mr. Chair, we're asking him if he is aware of whether the federal government's updated plan includes this proposal, and we still haven't got an answer on that.

We also want to know if the federal government's plan will accommodate this private sector proposal. We haven't gotten an answer on that.

One has to wonder what the minister was doing at the Mineral Exploration Roundup, if he wasn't engaged in talking to officials, both in the government and the private sector, about these plans, which could change our territory, both in terms of the economy and the landscape.

Instead, the minister talks about how the Liberals said one thing at the Roundup and that was different from their position here in the Yukon. I call on the minister to raise the bar. Get away from the hearsay; table the evidence, if he wants to make any such accusations, and we'll deal with it, but just to put on the record this type of hearsay, which is derogatory toward the Official Opposition, has no place in this House. We're here to debate a supplementary budget for last year. One of the major

expenditures in this budget is DIAND's commitment for type 2 mine reclamation, the largest of which is the Faro mine.

My questions pertain to the reclamation of the Faro mine, yet what do we get? Accusations of hearsay — which caught the minister's ear — and suggestions that we bring engineers in to answer the questions when clearly it's the minister's own responsibility, so it's very disappointing to realize all this has transpired and we still don't have an answer as to when the minister will be tabling the YMAB report, so we're still spinning out on answers to the very first questions asked in this debate an hour later.

We've got to raise the bar, start to produce in here as the public expects.

Now, since the minister has no answers on these areas, as the record has clearly established, let's go to some other areas within this department. I've got some questions on land development.

Now we already are aware of the debacle of how the government has been very much lacking in terms of developing residential lots. This has been a huge concern for Yukoners and wannabe Yukoners. This is another concern we heard in Vancouver: where are the lots on which homes can be built to house our workers? This came from the mining industry with properties well outside the City of Whitehorse. They were calling on us to try to bring some flame to this minister's toes, to do something more in this area so they can bring more skilled workers to the territory and actually contribute to our economy, but instead, what do we have? Well, the minister likes to talk about Whistle Bend and he mentions the year 2012. However, as is already clearly on the record in this House, we know it won't be until late 2012 when these lots become available. Given the lack of a building season in the winter, it won't be until at least the spring of 2013 when we see construction on some of these lots. Mr. Chair, that's more than two years away.

We're hearing this concern out there, not only from Yukoners — people in the real estate industry, people in the land development industry — but also people from outside the territory who want to move here. So the lack of residential lots is definitely stunting the Yukon's growth.

I want to ask the minister specifically about the government's development of a commercial industrial subdivision. The reason for this is to get a better idea of what it actually costs the government versus the revenue from the sale of lots in such a subdivision. Let's use the example of the new area just off of Burns Road in Hillcrest. There are a number of lots that are designated both commercial and industrial in that area. I would like the minister to give us the number of lots and what the total revenue is expected to be once the lots are sold.

I understand that one lot has been sold. So we're looking for projected revenue once all the lots have been sold, so we're able to compare the figure of the revenue at the end of the day — at the end of the sale — to the actual cost to the government for these lots and in building the subdivision, if we can call it that.

My question is specifically on this commercial industrial subdivision, if we can call it that, and what the number of lots is, what the estimated revenue is from the sale of all the lots

and the cost to the government of developing and marketing those lots. Those are the numbers we expect to hear from this minister.

Hon. Mr. Rouble: In 2009, Indian and Northern Affairs Canada, Yukon government and affected Yukon First Nations reached consensus on the preferred option for closure and remediation of the Faro mine complex. Now, there's an additional idea coming through. Here, on the floor of the Assembly, the member opposite would like to know if we're going to go ahead with that or if that can be accommodated. I've answered him a couple of times now that there is a history in Yukon of working with companies on remediation processes and also that we have a responsibility to ensure that we're putting in place the right solution — one that makes sense environmentally, one that makes sense financially, one that addresses the issues that have been raised by a number of different people, and that if there are ideas that have come forward since the 2009 agreement, that there would have to be some kind of consideration of those before I could come to any conclusion that I could share with the member opposite. There are a number of different issues.

He asks if the plan will accommodate the plan. Well, there are a few more levels of detail that need to be examined and a few more issues of feasibility that need to be reviewed. Certainly, an idea such as this would have to be examined in much greater detail than by two politicians on the floor of the Legislative Assembly. You know, it sounds interesting. I will certainly have the Department of Energy, Mines and Resources follow up.

Additional issues that came forward were also about attracting human resources to the territory and ensuring that people had appropriate accommodations, whether they were in camps or within communities, and looking at permanent residences for many who would like to live here. Indeed, we're seeing growth in Yukon communities. That's something that we weren't seeing in the past.

The Government of Yukon, whether it's Energy, Mines and Resources or Community Services, has been working diligently with Yukon communities and with First Nations in order to meet the demand for land from Yukoners. There are projects in the planning and development stages occurring in Dawson, Mayo, Haines Junction, Teslin, Destruction Bay, Carmacks, and the Whitehorse periphery. In addition to projects put forward by the Government of Yukon, there are projects put forward by the City of Whitehorse and also by several Yukon First Nations.

We launched the sale of lots in the Ingram subdivision earlier this year, in addition to other lots, and we continue to work with the City of Whitehorse, which also has a strong responsibility to meet housing needs and land needs here in their municipality.

We are working in collaboration with the City of Whitehorse, as per the *Land Development Protocol*, and that will result in the Ingram subdivision, which will be on stream and will literally provide thousands of options for housing.

Additionally, we also need to work — both from a government perspective and from an industry perspective — with

the City of Whitehorse on expanding some of the housing options, alternatives and styles that are available. Obviously, looking at the density is important to the City of Whitehorse. We also need to look at a mix of housing, and I'll leave that mix of housing to the minister responsible for the Yukon Housing Corporation to discuss.

The member opposite has also asked about industrial lots that are available for sale. There are some commercial lots that are available through private sector developers in Marwell and on Hamilton Boulevard at the south access and Alaska Highway intersection. From the information I have at my hand here, there is one lot in inventory for industrial lots through our department — for an industrial lot that is in the range of \$190,000.

We'll continue to work with Community Services on this issue, also with the City of Whitehorse on this issue. We have seen a number of different industrial lots being worked on throughout the territory, including the Mount Sima project, so I would suggest that not only is the Department of Energy, Mines and Resources responsible for this but we'll also follow up with some work with the City of Whitehorse to do a further identification of some of the lots that they may have available. The member was right, that it was a time to raise the bar, to address the issue that's in the supplementary budget, because that's what we're all here for. He also commented again that I hadn't answered his question and I would ask him to take that careful look again through the Blues. I did make a commitment to endeavour to provide the YMAB report to the member opposite. That was stated earlier; that's on the record. I guess he wasn't listening then.

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: The member opposite is shouting, "When?"

Some Hon. Member: (Inaudible)

Point of order

Chair: Mr. McRobb, on a point of order.

Mr. McRobb: On a point of order, my soft comment was portrayed as shouting and I object.

Chair's ruling

Chair: There is no point of order. Mr. Rouble.

Hon. Mr. Rouble: I tried to recharacterize the comments coming from the member opposite as "shouting." Yes, he interrupted contrary to Standing Order 6(6).

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: No, it's not a point of order now. The Member for Kluane is having a side conversation with the Chair. It's always a challenge here when we have one set of rules for one person and another set of rules for other people.

Mr. Chair, we've tried to provide answers to the member opposite; we've provided answers; we've provided the information that he has asked for. I will look into a couple of the other issues that he has raised that are outside of the area addressed in the supplementary budget. If he does have other questions regarding to the supplementary budget, I would be glad to answer them now.

Mr. McRobb: For the minister's information and for the public record, he hesitated in his speech and that's when I softly conveyed the question "when" to the minister, trying to be helpful. To get it portrayed on the record as "shouting" and for the minister to repeat that again is another example of not raising the bar in this Assembly, nor is it productive. I was trying to be helpful to the minister. Again, when will he be tabling the YMAB report?

Now, in terms of lot development, he answered none of the questions I put on the record, so to clarify these questions again: how many lots are in this Burns Road development? What's the estimated revenue from the sale of all the lots, and what's the cost to the government? Surely the minister must know.

Hon. Mr. Rouble: \$190,471. I will endeavour to provide the member opposite with the YMAB report, either through a legislative return, through the mail, or by tabling it in this House — however it's appropriate. I think I have answered his question now — again.

Mr. McRobb: Well, I'm being forced to either drop this line of questioning, or somehow try to make sense of that figure — that single figure we were provided. In addition, I'm struggling to know when to expect the minister to provide the YMAB report. Just a simple undertaking to provide it does not tell us when; it's not helpful. We know it will be provided at some point. My question was, when will it be provided? The minister has stood up at least twice now and taken credit for already answering that question, when in fact it has not been answered.

Will it be tabled this week? Next week? Or on the final day of the sitting as is typically the Yukon Party way of tabling documents in this House? We saw it on the final day of the fall sitting, where important reports were tabled in this House, which effectively pushes them past the last Question Period of the sitting. So it benefits the government to foot-drag on tabling reports. It enables it to evade accountability and answering the questions those very reports might raise among opposition members. That is why I'm going back to this question of when this report will be tabled.

In terms of this number the minister threw out of \$190,471, is that the estimated revenue from the sale of all the lots? I highly doubt it. I understand the one lot that was purchased was at least that amount. What about all the other lots? That number just doesn't cut it. The minister was also asked three or four times to provide the number of lots, as he was asked the cost to the government from developing these lots.

Again, for the minister's assistance, we're referring to the new development on Burns Road right across from the Department of Environment, which has properties all cleared and surveyed with a paved road in there. This land has been sitting up there in this state for quite awhile now without too much activity. The minister and I have had debates before about how lots are priced. I'm trying to use this example to gain better insight into how this government arrives at the retail prices for these lots and whether these lots are developed on a development-cost charge basis or if there is built-in profit allowance or market rate — whatever. We're also interested in finding out

the particulars about the costs and revenues of this particular project. Yet, the minister doesn't give any information on that.

Why are we even asking questions in here if it has come to this? It has been very unproductive so far in terms of getting answers. Surely the minister can give us these numbers. He gave us one number that doesn't seem to apply to anything. Can he give us the numbers we're looking for? Once again, the number of lots — that's number one. Number two, the estimated revenue from the sale of all the lots in this area. Number three, the cost to the government of developing those lots.

You know, Mr. Chair, I've been a member in this Assembly for about 14 and a half years — I used to be Chair of Committee of the Whole as a matter of fact — a memory I don't relish — but nevertheless, during that three and a half years, I recall a lot of good information being passed back and forth in this Assembly. These questions are fair ball; these questions should be answered, yet we're not getting an answer and it begs the question why? What's the government hiding? In practice, is it open and accountable? This government is a long, long way from being open and accountable. We hear grandiose statements like this government is a prudent fiscal manager. If it's so prudent, why doesn't the minister give us these numbers so we can analyze this project in terms of whether it's prudent or not?

If I continue to speak in these terms of statements the government has given versus what actually transpires on the ground, I'd be here until the final day of the sitting talking away, and that is not my intent. I want to return to the questions. The minister knows what they are. I assume he knows the answers. Will he give them to us now?

Hon. Mr. Rouble: Turning our attention to the supplementary budget before us, he will realize there is an allocation under sustainable resources. That's the area that deals with land development. The \$103,000 reduction in O&M expenditures in sustainable resources is attributed to on-the-job resource-management training funds being removed from the current budget and deferred to the 2011-12 budget to match the start date of the employee for lands. Also, there are forest management funds under the Champagne and Aishihik First Nations abatement and bark-beetle initiative. They are being deferred until 2011-12 to accommodate changes in the consultation plan.

The supplementary budget before us does not address the issue of industrial lot development. It's not something that is put forward as a change in our situation here today. There are a wide range of government departments responsible for these initiatives in addition to the City of Whitehorse and I would encourage him to continue his discussions also with the Minister for Community Services.

Mr. Cardiff: I am pleased to be able to enter the debate today on the supplementary budget, Energy, Mines and Resources, Vote 53. I would also like to take the opportunity to thank the officials and employees of Energy, Mines and Resources for the work they do and for the briefings and information that they provided on the budgets.

I'm hoping that we can keep this brief. There is a desire on this side of the House to ask other questions that are contained

in the main estimates, but I do have a couple of questions regarding some things that the minister said in his opening statements. He talked about what an active year it has been for the department; I believe that to be the case. There has been a lot of exploration activity and mine development. There has been lots of work done in the land-development area, some work done in land planning.

I know there is work going on in the forestry area, as well — in the development of management plans and that. But I'd like to stick with the mineral resources section. Because it's an active year — the minister talked about the three operating mines — Minto, Bellekeno and Wolverine — and the prospect of other mines going through the permitting process. I know Carmacks Copper is still looking for some resolution around water licence issues. Victoria Gold and Selwyn are moving through the various processes. As we saw earlier this month, we're expected to have a lot of exploration and claim-staking activity throughout the Yukon. I will have another question about that later. The minister talked about the challenges it presents and the opportunities. What I'm looking for from the minister is not so much how the department intends to turn those challenges into opportunities, but it's about meeting those challenges.

I know in the mains, there is additional money for some more people to come on stream. What type of planning is the department doing to meet those challenges — the increased demands, both on the staff and the resources in the Energy, Mines and Resources department? So it's human resources and financial resources — what kind of planning is being done to meet those challenges?

Hon. Mr. Rouble: One of the things we'll be doing is ordering more claim tags. That was an issue earlier this year. It was an issue about a month ago, where we typically did not see people purchase thousands of claim tags in the middle of winter.

The member has raised a good question and that is, what is the department doing to prepare for this busy time? I have to tell members that the folks who work in EM&R are a very professional group of people who have become very excited and enthused. Some of the phrases I've heard are, "These are the kind of times we've been waiting for for years." There's an excitement about the industry; there's a real feeling of electricity in the air. It has created a very busy time, whether it has been a busy time selling claim tags, processing the claims, conducting the geoscience work or working on the inspections, I have to hand it to folks who have really stepped up and met the challenges that have faced them.

Several of the initiatives that we're doing on the planning side would, of course, be planning to purchase more claim tags. I do have to hand it to the department that when faced with a rather unique situation, they immediately put in place a backup plan of being able to issue claim numbers so no one went without. Also, there was very quick work in locating other claims or tags throughout the territory in order to address that issue and some quick work with ordering new tags.

We never actually ran out. There were tags on hand. We did not have to go to the stage of providing people with num-

bers to use in lieu of a claim post, but that's only dealing with one small area. The management behind the department has also been very proactive in this area of ensuring that we have people with appropriate training and staffing in the different positions and that there is ongoing training and skills development for people in the Department of Energy, Mines and Resources. I know that continual learning and continual growth is an important part of the philosophy in the department.

Indeed, at a recent strategic planning session held by the department, they recognized that was a key factor in their department. Also, the very fact that they were having a strategic planning session — sitting down, recognizing the issues that were coming their way and then putting in place proactive steps — was an important part in addressing the member opposite's question.

This has been an issue that many people have been waiting for for some time. People are becoming prepared for it. It's involving additional training for people. Also, we're working with on-the-job resource-management training for Yukon First Nation candidates. This is a joint program with Energy, Mines and Resources and the Public Service Commission. This project is established to provide on-the-job resource-management training for a variety of First Nation candidates and to provide candidates with skills so that they may find work within their own First Nation governments and other governments or the private sector.

We're doing this work in conjunction with the northern strategy trust and with the Public Service Commission regarding workplace diversity issues. So we're ensuring that we have the appropriate people with the appropriate skills in place and we're staffing up a variety of levels.

The member commented that in the budget for this coming fiscal year, we are seeing an increase of three FTEs in the client services and inspection area, which is in response to the growing amount and volume of work that is out there in the territory. I have faith in the folks that do the compliance monitoring and enforcement. By having the additional people, we will be able to respond to the growing increased workload. Also, I should add that there are other organizations or agencies that are increasing staffing levels or ensuring that they are fully staffed in preparation for this busy time that we're facing. Yes, it's resulting in increased opportunities with increased revenues, and also the folks in the department are responding positively to the work that is ahead of them.

In summary, we're increasing staffing levels; we're increasing training; we're working with a variety of different organizations. I should add in there the Yukon Mine Training Association, which is an industry organization in partnership with Yukon First Nations that has tapped into the aboriginal skills and employment program dollars, as well as other resources — for example, from the northern strategy — in order to help prepare Yukoners for Yukon opportunities. Also, Yukon College is looking at expanding its education and training areas in the area of mining and industrial equipment operation.

There's a wide range of steps being taken across all areas of government and with a variety of different governments to prepare for this increased level of activity.

Mr. Cardiff: I thank the minister for the answer. It's good to know. Specifically, the strategic planning exercise that was happening is certainly a valuable exercise to go through to see where you're at, and where you're going and what's needed to get there. It's always helpful and provides for a bit of a vision and some direction for all of those who are working in the department, and I think that that's a valuable exercise.

There was a lot of talk about the Faro mine complex, and the reclamation there, and the liabilities, and the amount of money that is going to be spent on that project. I can assure the minister that we have some questions around that, but we'll be asking those in the main estimates.

I'd like to know what the status is. Bellekeno went into commercial production, I believe it was at the beginning of the year, and Wolverine is slated to go into commercial production here very shortly.

I think that we're all looking forward to seeing what royalties come from that. Does the minister know when the royalties will start to flow to Yukoners from those operating mines? I realize this may be a little trickier with the Bellekeno project, but I'd be interested in knowing what reclamation bonds are in place and some assurance that they're adequate.

Hon. Mr. Rouble: The member opposite asked a question regarding royalties and what level will we be receiving and that is a challenging answer to come up with on the floor of the Assembly. During the first year of operations we can't, at this stage, predict the total volume of ore to be produced.

We also can't predict the total expenses. Royalties are also based on the profit that is achieved, so it is one of those things where we do a review of the financials. Also, at this stage, without it being into production, providing an estimate of the total amount produced is a challenge — looking at identification from the outside of all of the expenses of going into operation are a bit of a challenge. As well, examining the exploration credits that are part of the royalty calculation is another factor that goes into this.

So with this situation, we will be working very closely with the proponent, following the royalty process to ensure that they are in compliance with it, that we are receiving the appropriate information at the appropriate time, and that we are working with them to identify the appropriate amount of royalties that are due. For the sake of comparison, the royalties that have been paid from the Minto mine for 2008 were in the order of \$1.5 million and then in 2009 were \$5.9 million.

Again, there are a number of different factors that will go into a calculation of these royalties into the future. Also, the member has asked me a question regarding the performance bond. I appreciate that as we're in the supplementary budget, some of these are a heads-up as to what's coming in the debate on the mains. That is one of the figures that I don't have at my fingertips, but I will ensure that that information is available during our discussion on the mains. If there are other areas that the member is planning to delve into, for which I might not

have information at my fingertips, it would be of benefit to find out what those are, and then if I know in advance, I can attempt to provide the information.

Mr. Cardiff: I thank the minister for his answer. I am prepared — seeing the time that's flying by now — to wait and to receive some of those answers during the mains. I'd just like to say to the minister, however, that drawing a comparison between the royalties that might be due to the Government of Yukon under that royalty regime is substantially different from the royalty regime in the agreement that was negotiated between the Selkirk First Nation and the proponents of the Capstone mine at Minto.

I can assure the minister that, when we do get into the mains, there will be questions in this area. There will be questions around land and land planning, land availability, and hopefully we'll have time to fully debate the mains. I do have one last question for him. It wasn't that long ago that there was an order-in-council extending the moratorium on staking in the Peel. Last year there was a memorandum that wasn't made public and didn't come to our attention until later in the year.

It's my understanding that there is another memorandum from the office of the minister that is granting relief for assessment work or payment in lieu of that assessment work for the claims that are due to expire within the area better known as the Peel planning area. Can the minister confirm that that's true?

Hon. Mr. Rouble: Mr. Chair, to go back to one of the member opposite's first comments, the regulatory regime is the same whether it's on First Nation land or on Yukon land. It's the same process. The member opposite has also asked questions regarding the *Peel Watershed Regional Land Use Plan* and some of the efforts that have taken place in order to allow us to go through the process of concluding the plan. Yes, earlier this year, the Government of Yukon issued an extension to the interim subsurface withdrawal for new mineral staking in the Peel region for an additional year in order to provide that additional level of certainty during the review process.

At the same time, in order to recognize the challenges that were faced by those legitimate claimholders, we put forward an extension of the relief from assessment work that was also in place. There were issues and people on both sides of this issue. There were some who did not want to see people working on the land doing the legitimate work that they were allowed to do — in fact, required to do under the process to keep their plans in good standing. Additionally it was recognized that the planning process created an environment that made it very challenging to those legitimate claim owners to raise additional funds in order to keep their claims in good standing.

We therefore took a very balanced approach in this process, prevented additional staking from taking place and also provided a relief from assessment work to provide that level of balance to the legitimate claim holders who were obviously facing some challenges due to the situation created by the planning process.

Chair: Is there any further general debate? Seeing none, we will proceed line by line in Vote 53, Department of Energy, Mines and Resources.

Mr. Cardiff: Mr. Chair, I would like to request the unanimous consent of the Committee to deem all lines cleared or carried, as required, in Vote 53, Department of Energy, Mines and Resources.

Unanimous consent re deeming all lines in Vote 53, Department of Energy, Mines and Resources, cleared or carried

Chair: Mr. Cardiff has requested the unanimous consent of Committee of the Whole to deem all lines in Vote 53, Department of Energy, Mines and Resources, cleared or carried, as required. Are you agreed?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures
Total Operation and Maintenance Expenditures under-
expenditure in the amount of \$3,573,000 cleared

On Capital Expenditures

Total Capital Expenditures underexpenditure in the
amount of \$11,000 cleared

Department of Energy, Mines and Resources agreed to

Chair: Committee of the Whole will now proceed to Department of Environment. Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 23, *Third Appropriation Act, 2010-11*. We will now proceed with general debate in Vote 52, Department of Environment.

Department of Environment

Hon. Mr. Edzerza: I would like to start by of course thanking all of the Environment staff for their dedication and hard work involved in dealing with environmental issues in the Yukon. The department has worked hard to achieve a better quality of life for all Yukoners and I'm going to give some examples of that statement.

We have invested more than \$500,000 in recycling and waste reduction efforts throughout Yukon, including improvements to community depots and ongoing support for a popular recycling club for kids and the school recycling program. We are providing financial assistance of more than \$320,000 over two years to Raven Recycling to help it maintain recycling services. We hosted the Environment Fair, showcasing Yukoners' environment. There was participation of over 1,300 members of the public. We are planning for a 2011 Environment Fair on May 13 and 14.

Through the federal climate change adaptation program, the Yukon government has invested \$1.3 million over four years, 2008 to 2011, in four projects. We hosted the annual Yukon youth forum on climate change, which was attended by young people from several Yukon communities. We conducted

several surveys to ensure that we are better able to serve the Yukon public. These included the hunting licence holder survey, a hunter effort survey, fisheries survey and public consultation on *Wildlife Act* amendments.

We have improved our website and increased access to information for the public. We have also allocated \$252,000 for the coming year to establish a new conservation officer services office in Carmacks. We have been providing services to the Carmacks area out of our Whitehorse and Faro offices, and this additional position will help our efforts to respond to human-wildlife conflicts and increase conservation officer services.

We have also developed a harvest management plan for the Porcupine caribou herd in collaboration with First Nation governments, Government of Canada, and other agencies. We completed an associated implementation plan for endorsement by the eight parties. We are monitoring and enforcing conservation measures for the Porcupine caribou herd in accordance with the harvest management plan. We have had enhanced field monitoring of harvests through greater field officer presence, along with a mandatory check station to ensure the plan's objectives are being met.

Work is underway on all 34 actions identified in the *Climate Change Action Plan*, including several research projects involved in wildlife and water resources. We are completing a water management framework and considering a Yukon water strategy. We provided funding to support community climate change adaptation planning in Dawson City, Mayo and Whitehorse. We have collaborated with climate change officials in the Northwest Territories and Nunavut to develop a draft pan-territorial adaptation strategy.

The main items in these Department of Environment supplementary estimates are an indicator of this government's significant commitment to clean up its contaminated sites around the territory. These estimates also recognize the government's achievement in obtaining an agreement with Ottawa that will see the cleanup of the Marwell tar pit in Whitehorse. This is the largest single-source hydrocarbon contaminated site in Yukon and we estimate that this cleanup will be a 10-year-long project that will cost almost \$7 million. These estimates provide a reference point in time to show the Yukon government's outstanding financial liability to clean up contaminated sites under its ownership and control.

These contaminated sites can include highway camps and airstrips. This is not new money that will be thrown into the Department of Environment's yearly programs. It is a book-keeping notation that can help us track our progress as we proceed with contaminated sites remediation.

This total will move up and down in the coming years as work is completed and new locations are added to the schedule. At this moment in time, we have identified 67 sites throughout the territory. They do not represent every site, as we believe other properties will be brought to our attention over time. Of these 67, we have determined that up to 15 sites are not significantly contaminated and do not need to be remediated — airstrips being an example of these sites.

We have identified and noted 22 sites that are highly contaminated and have to be addressed in the years to come. We are taking a rational, measured approach, with the understanding that we have limited resources and capacity, and that it will take many years before all the sites can be assessed and remediated.

This *Supplementary Estimates No. 2, 2010-11* is on the books to show that the Yukon government's contaminated sites liabilities have gone from \$7.6 million on April 1, 2010 to \$12.7 million as of March 31, 2011, an increase of \$5.1 million.

We have identified four sites that we will work on this year, with the largest being the Klondike River highway maintenance camp at kilometre 65.1 on the Dempster Highway. The cleanup of the Klondike River camp is an example of how our estimates can change in a very short period of time. Our original estimates called for \$600,000 to clean up this site. There was further assessment work done over the past year, and we have now been advised that the cost to clean up a portion of this site is now just over \$2 million. The rest of this year's increase came when new sites, such as the Marwell tar pit in Whitehorse and other Yukon government highway camps, were added to the list. These have increased our liabilities by \$5.1 million.

Our estimates at the beginning of the year did not include the Marwell tar pit because we were still in discussion with the federal government on cost-sharing.

We now estimate that the liability for this site is just over \$2 million. We will be managing this project. The activities planned for this year include planning additional assessments and the YESAA screening and permitting.

With that, Mr. Chair, I will take questions from the opposition.

Mr. Elias: Once again, it's a pleasure to rise in the House to debate Vote 52, Department of Environment. I too would like to do my traditional thank you to all the Department of Environment staff and officials, as well as the renewable resources councils throughout our territory, the Yukon Fish and Wildlife Management Board — all the boards and committees throughout our territory that help to make our environment a pristine and well-loved place throughout our territory.

I want to begin by raising an issue that I have — that the minister knows that I have raised before — and that's with the report on the Yukon government's performance under the *Environment Act* that was tabled by the minister on the last day of the fall 2010 sitting.

The audit committee approved the report on September 8, 2010, but it was tabled on the very last day of the legislative sitting. I didn't get a chance to actually discuss the findings with the minister. In Vote 52, under the Department of Environment, on the second bullet under "The Departmental Objective", it says, "ensuring that all legislative and regulatory initiatives intended to safeguard Yukon's environment and natural resources remain relevant through the ongoing delivery of effective education, monitoring and enforcement programs".

Thus, my questions to the minister. In the report that was tabled on the last day of the 2010 fall sitting, a number of is-

sues and concerns were raised within that document that I believe deserve some response from the minister. Some of them did include some key points. Some context, first of all: under the *Environment Act*, section 39 requires that an audit of the government's performance under the act be completed every three years and presented to the Legislative Assembly.

The last audit was completed June 24, 2008 and this audit considers government performance in applying the act efficiently and fairly and includes follow-up on the last audit's findings. Some of the key points that I pulled out of the report on the Yukon government's performance under the *Environment Act* was that the Yukon government did not meet its responsibilities to apply several key parts of the *Environment Act* efficiently and fairly. As well, it has consistently not been able to act on the recommendations arising from the audits of the government's performance. Of the eight recommendations that have arisen from audits in 2005 and 2008, seven remain outstanding, and I'll just briefly go over some of those.

The auditors raised specific concerns about incomplete environmental reports. There were unused sections of the act and the act was actually in need of review. There were unused abilities to designate contaminated sites, there was a lack of a risk-based approach to determine which activities to inspect, and there were concerns that the act is not being consistently applied when that responsibility lies with the Department of Energy, Mines and Resources for resource sector clients.

It also went on to say that there was an inconsistent application of storage tank regulations and that there was uncertainty as to the inclusion of conservation priorities in government purchasing policies.

It is obvious to me that the *Environment Act* is outdated in some areas and is in need of revision. I was wondering if the minister has given his department direction, since he tabled this report on the last day of the fall 2010 sitting, to undergo a thorough and concise review of the *Environment Act* as it pertains to today's Yukon and in terms of how it relates to the *Yukon Environmental Socio-economic Assessment Act*, because parts of the *Environment Act* make those sections actually redundant now that that new piece of federal legislation has come to pass in our territory. Again, we're talking about unresolved deficiencies that detract from the principles of efficiency and fairness, and that's one of the basic premises as to why the report on the Yukon government's performance under the *Environment Act* takes place as mandated in section 39 of the act itself. So I'll begin by making that opening statement and I'll wait for the response from the minister.

Hon. Mr. Edzerza: The report on the Yukon government performance under the *Environment Act* for the period of October 1, 2006 to September 30, 2009 was completed by Government Audit Services, Executive Council Office, and tabled in the Legislature on November 9, 2010.

I can give the member a summary of how the prior audit recommendations will be addressed by the department.

Recommendation 1, under section "151(1) "Inspection of Regulated Activities": The Department of Environment and Energy, Mines and Resources should formalize a risk based approach to inspection coverage." Of course, the management

agreed that the Department of Environment is evaluating risk-based criteria for inspections. The current status of this first recommendation is that the responsibility for the enforcement of the *Environment Act* within the resource-based sector is shared with Energy, Mines and Resources. The Department of Energy, Mines and Resources applied a risk-based approach.

The second recommendation was "Permitting and Enforcement in the Resource-based Sector": "Energy, Mines and Resources should develop an inspection process in the resource development sector that would meet the requirements of the *Environment Act*." The management response was that they did agree. The inspection process is governed by the *Environment Act* operations manual. The current status is that the responsibility for the enforcement of the *Environment Act* within the resource-based sector is shared with Energy, Mines and Resources. The Department of Energy, Mines and Resources is responsible for the development of an inspection process.

Recommendation 3 was "Storage Tank Regulations": "The Yukon government should develop options to better administer the issuance and monitoring of storage tank permits to ensure that it complies with the Storage Tank Regulations." The department agreed. The Department of Environment will review the existing regulations to determine whether amendments are required and will examine current processes to ensure consistent application. The current status — the responsibility for the enforcement of the *Environment Act* within the resource-based sector is shared with Energy, Mines and Resources.

The Department of Community Services is responsible for the issuing of these permits at present. With recommendation 4 with the purchasing policies, the Yukon government should take the necessary steps to more visibly or overtly demonstrate compliance. The department agreed; the Yukon government will create a green procurement policy. In May of 2010, the Yukon government created a green procurement policy.

As you can see, the government is actively working on all of the recommendations that were given to the department through the audit. We also have section 39 of the *Environment Act* regarding reports to the Legislative Assembly. The Department of Environment should ensure that it meets the legislative timelines for the Yukon conservation strategy and Yukon state of the environment report. The Department of Environment will meet legislated timelines for completing state of the environment reports.

The Yukon conservation strategy will be addressed through *Environment Act* review. The current status of the Yukon conservation strategy: the Department of Environment will remain in default of the requirement to revise the Yukon conservation strategy every three years in anticipation of proposed amendments to the act. The Yukon state of the environment report: the Department of Environment meets legislated timelines for completing state of the environment reports as data is available.

Parts 5 and 6 of the *Environment Act*: the Yukon government should review the *Environment Act* in light of the substantial governance changes since 1991. Of course, the department agrees with that. The current status: in March 2009, the Department of Environment commissioned a third-party

evaluation of the impact of legislative and administrative changes on the *Environment Act*. The department has committed to developing a workplan outlining the suggested steps for undergoing an official review and revision of the act in the future.

With contaminated sites regulations, the Department of Environment should review its policy for designating contaminated sites to ensure that it complies with the contaminated sites regulations and is meeting the fairness criterion and government responsibilities with respect to prevention of environmental harm and freedom of information. The management has responded that the proposed amendments to the contaminated sites regulations include the addition of a process for identifying sites as being contaminated, revisions to the designation process and changes to the public registry. The current status as of now is that the Department of Environment has done a large amount of work on the records of contaminated sites to the point where the number of files for contaminated sites now totals around 500. The intention remains to identify from this large number those sites that warrant designation by the minister or at least warrant disclosure in the public registry.

In 2006, representatives from the departments of Environment Yukon and Energy, Mines and Resources signed a memorandum of agreement in order to meet the challenges of applying the *Environment Act* effectively and fairly in the resource development sectors.

The two departments are now continuing to work together on these issues. Thank you, Mr. Chair.

Mr. Elias: I'll make this point — I'll believe it when I see it. But the point is this: the Environment audit — since the entire second mandate of the Yukon Party government, the recommendations in the 2005 audit are still outstanding. I guess my point is that this *Environment Act* is in place to ensure that our lands, our waters and our wildlife remain a healthy environment for future generations. This act is central to the minister's ministry and it has been ignored — its recommendations have been incomplete from 2005. I asked the minister if he has given direction to his officials to provide them with a mandate to proceed with a thorough and concise review of our *Environment Act* because back in the day, I remember that this was a leading, cutting-edge piece of legislation in our territory.

I want it to remain so. If there are things that are redundant, if there are things that are outdated and ineffective in today's Yukon, then the leadership needs to be provided and direction needs to be given in order for this formal review to begin. It's the minister who has the obligation to keep the public informed so that Yukoners can be allowed to monitor the government's environmental progress.

It says in the *Environment Act* that the people of the Yukon have the right to a healthful, natural environment. If the piece of legislation that is central to the Department of Environment is in need of some serious attention, then that direction needs to be given.

Incomplete recommendations in 2005, basically today, as we speak on the floor of the House, they're still incomplete. The conservation strategy, the state of the environment report, part 5 and 6 of the *Environment Act*, contaminated sites regula-

tions, incomplete from the 2008 recommendations, section 151(1), inspection of regulated activities, and the list goes on.

It needs to become a little bit more of priority for this government to solidify the *Environment Act* so that we can once again hold this piece of legislation in our country as leading edge. But it needs some work, it needs the direction and a mandate specifically given to the department officials to do their due diligence and go through the process of reviewing and bringing our *Environment Act* up to the expectations of Yukoners and what's in legislation today. So, that work still needs to be done. The minister didn't answer the question as to whether or not he had provided that leadership on behalf of Yukoners.

I'm going to move on here. In the minister's opening remarks, he mentioned the conservation officer who's going to be stationed in Carmacks. I think this is a very good idea. The area in and around Carmacks and Pelly is going to see a lot of resource extraction and development over the years.

It's good to see that there will be some balance because with resource extraction there's a lot more people and that has an effect on our territory's wildlife and the health of our land and waters. I think that's a very good idea for that conservation officer to be based out of Carmacks. I do have a couple of questions with regard to that specific comment in his opening remarks. Is this a full-time permanent position, and will the person be staying in the community of Carmacks?

Are they going to have all the necessary supports afforded to the rest of the territory's conservation officers that are based in Dawson, Mayo, Ross River, Watson Lake, Whitehorse, and Haines Junction, and so on and so forth? I think this deserves a level of detail in discussion with regard to that. If it were to be a satellite station, I think it would be a much better idea for this to be a permanent full-time position based in the community of Carmacks. Could he answer that specific question?

Hon. Mr. Edzerza: I believe the member opposite may have missed my comment with regard to reviewing the *Environment Act*.

I did state that in March 2009, the Department of Environment commissioned a third-party evaluation of the impact of legislative and administrative changes to the *Environment Act*. I have given the department the direction, and the department has committed to developing a workplan outlining the suggested steps for undergoing an official review and revision of the act in the future.

I also heard the member opposite say that this government has not really addressed environmental issues, and I beg to differ with that. In fact, I would be so bold as to say there has never been any party previous to the Yukon Party that has done as much when it comes to addressing environmental issues in the Yukon Territory. I've been around for many years in politics, and I think if one were to look back over the history of politics in the Yukon, you would find that in the last nine years, there have been significant accomplishments from the Yukon Party government.

For example, we opened the new \$2-million Tombstone Territorial Park Interpretive Centre; we invested over \$600,000 in new interpretive trails, parking lot and site restoration projects around the new Tombstone interpretive centre and re-

stored historic buildings in the territorial park on Herschel Island. We renewed a five-year agreement with Holland America, Tr'ondëk Hwëch'in and the Yukon government to promote the use of the interpretive program in Tombstone Territorial Park. We provided logistical support for the filming of a major motion picture in Tombstone Territorial Park, and we supported a Vuntut Gwitchin and private sector tourism joint venture to manage commercial grizzly bear viewing in the Fishing Branch Ecological Reserve.

We also partnered with the Yukon Wildlife Preserve for the construction of a new animal care facility. This included securing \$1.9 million in CanNor funding for the project. We have provided \$1.8 million over three years to the Yukon Wildlife Preserve to help the organization expand its programs.

More than 3,000 people attended Swan Haven and various Celebration of Swans events in April 2010, including 21 school groups. About 800 people participated in other wildlife viewing programs delivered in the summer of 2010, such as elk bugling, mushroom talks, bat night walk and migratory bird events. We established the office of the chief veterinarian to provide advice and direction to policy regulation and surveillance impacting wildlife, domestic animals and public health. We responsibly managed harvest activities, including the challenging and evolving hunts of elk and bison. We completed the winter tick management program that began in 2008, with marked improvements found in the Takhini elk herd and some improvements in the Braeburn elk herd. Management projects are underway on moose, caribou, marten, bats, grizzly bear and selected fish populations. Information gathered informs the government's wildlife management and land use decisions. We have undertaken community-based wildlife plan reviews of wolf management, elk and bison.

This includes work with renewable resources councils and the Yukon Fish and Wildlife Management Board. We began work with First Nations to develop harvest management strategies in areas where overall harvest is considered near or above sustainable limits of ungulates. We are managing the cleanup of the Marwell tar pit, the largest hydrocarbon-contaminated site in the Yukon. This 10-year-long project will cost almost \$7 million.

We allocated over \$2 million for remediating four contaminated sites owned by the Yukon government as part of Yukon government's new approach to managing environmental liabilities. We published the first ever *Status of Yukon Fisheries* report and the *Fish and Wildlife Branch Highlights* report.

We completed boundary delineation work on the Summit Lake-Bell River protected area in north Yukon. We provided expert water quality, hydrology and geotechnical advice to proponents and regulators. We implemented a water enforcement and compliance regime. We took a water adaptation project to develop a water information tool and conduct a water risk assessment and the list goes on.

There's another three or four pages of achievements that this government has accomplished. I won't read them all out, but there is proof — definite proof — if one wants to go and do some research on all of the achievements that this government has accomplished over the last nine years, which are extensive.

When you put the accomplishments of this Yukon Party government up against any previous governments, you'll be able to determine very quickly that this government has worked extensively on improving things within the environment. As for the conservation officer in Carmacks, the answer is yes, the details are just being finalized for one full-time officer plus one part-time officer, and part of this will also be part-time administration staff. All will be based in Carmacks. Thank you, Mr. Chair.

Mr. Elias: Well, I've been in politics a long time too and I've watched my politicians — and I'll use my own community. I don't know if I should even go here, but for this minister to say what this Yukon Party government has accomplished in the environment — all this government had to do on several occasions in north Yukon is basically sign on the dotted line. I've watched my community elders — my community people — sacrifice their time since as far back as I can remember to secure the Fishing Branch — Ni'iinlii'Njik — Habitat Protection Area. For this minister to get on his feet on the floor of this House and suggest that it was his government that accomplished this is insulting.

I remember when Johnny Abel talked about this. I remember when my grandmother used to talk about this. I remember when elders who passed on decades ago were talking about how important the Fishing Branch watershed was to be protected. Yet this minister decides not to give any of those Yukoners any credit on the floor of this House whatsoever, and that goes for Tombstone as well. That goes for the Horseshoe Slough; that goes for the Nisutlin River delta, Vuntut, Kluane, Ivvavik National Park — and the list goes on.

I was at the majority of those management planning processes and I was at the land claims table when those protected areas were being negotiated, and I didn't see anyone at the table from the Yukon Party government.

Maybe the minister would like a little bit of an in-depth history lesson as to how some of these protected areas got created, but I'm not going to be here. I'm just going to make that point, because I'd like the debate to be fruitful in the House today. I thank him for his response on the conservation officer who will be stationed at Carmacks. Again, thank you to the minister.

In the 2006 state of the environment report, in the interim report, regarding the national species at risk that occur in the Yukon that were identified by COSEWIC — back in 2006, there were three categories and species that were suggesting that in the Yukon a management plan was imminent, and that was under the mammals, for the woodland caribou. I was just wondering — back then it said it was in progress and I haven't seen an updated version of this. What herd — I suggest there are several, but what herd management plan was in progress there? Under birds, the peregrine falcon, under national species at risk in the Yukon, was also in progress back in 2006. For amphibians, there was the western toad that was in progress. I do see there are some new pictures on the Department of Environment website that depict the western toad that is found in southeastern Yukon. I was just wondering if the minister could give me an update on those three species at risk that are current

in our territory. What has been done since 2006 and at what stage is the management plan? Are they recognizing other management plans — because I just haven't seen or heard from them?

Hon. Mr. Edzerza: Well, I'm kind of pleased that the Member for Vuntut Gwitchin doesn't want to go down that slippery slope of trying to remember everything that's historical, because I, too, know of the people he mentioned, who were actually good friends of mine and were in my grade 9 classroom. So it goes back a long ways. If the member opposite is ever fortunate enough to be in government, he will soon understand that government must represent all Yukoners, not only the ones in one's riding. It's a very big difference.

With regard to the woodland caribou the member is referring to, the work is nearing completion, and we're working with Canada and First Nations on completing the issue with the woodland caribou. As for the other two, the peregrine falcon and western toads, we'll have to get back to the member opposite with some information on that, because we don't have it with us right at our fingertips at this point in time.

Mr. Elias: The Hon. Minister of Environment just needs to look in *Hansard* for the past four and a half years I've been in here and he can see that I represent Yukoners with a lot of zeal and some enthusiastic devotion to a cause, ideal or goal with a tireless diligence in its furtherance. The Minister of Education keeps saying that I represent my constituents with zeal. Well, I could be the MLA from Timbuktu and I'd still represent those citizens from Timbuktu with some zeal. We'll move forward.

I have some questions of a bigger scope for the minister. I did bring this up in the Legislative Assembly previously, when the Premier, I believe, was Environment minister. At that time — I'm just looking back at *Hansard* — the Premier said that the Yukon River salmon runs were of concern, especially with the chinook salmon that come up to the Yukon River, and were largely under the purview of the Department of Fisheries and Oceans.

Since then, arguments have been made in Ottawa to try to have a look at the pollock fishery that happens out in the open ocean and the by-catch from that pollock fishery. A lot of those salmon are destined for spawning areas within the Yukon tributary. I was just wondering if the minister could give the House an update with regard to — that's just one issue, the pollock fishery — just one issue. But if he can give the House an update as to what's being done at the national level to ensure that many more chinook salmon get to the spawning grounds on our Yukon side of the border, I'll leave it at that. There are a whole bunch of other issues with regard to salmon, but maybe I'll just start with the international one of the pollock fishery.

Hon. Mr. Edzerza: The member opposite always starts off with something that has to be responded to somewhat, even though it is going down that negative slope again. I have to remind the member opposite that he's not alone about doing work — MLAs doing hard work. It has been my observation in this House over the past eight years that all MLAs do the very best they can; that's your job.

But with regard to the question that the member asked — whether the member knows or doesn't know — it's the Department of Fisheries and Oceans that does take the lead on the salmon issue. DFO is working with the government and the salmon committee; all three are working together to try to come up with ways to deal with this issue with the chinook salmon.

The Yukon River chinook salmon is caught as by-catch in the offshore Alaska pollock fisheries, as the member recited. The Beaufort Sea and the Aleutian Islands area in Alaska is where the majority of Yukon chinook salmon is caught by pollock fisheries. Chinook by-catch in this area is controlled through new management rules for the pollock fishery. When the new rules around by-catch of chinook salmon in the Beaufort Sea and Aleutian Islands area were drafted, the Yukon actively advocated low limits of by-catch through our representatives on the Yukon River panel. So the Yukon government is watching this issue and being involved when and wherever we can be.

Mr. Elias: If I can help in any way with national advocacy for healthy watersheds in the territory, I'm just a phone call away. With regard to the salmon, salmon are very important to the health of our Yukon watersheds. I'm sure I don't have to explain that to the Minister of Environment, who I know enjoys to fish in different watersheds throughout northern B.C. and Yukon from time to time.

In this idea of water management, he did mention that there's a water management framework. I'm not sure if he said it was being developed and then, furthermore, there's going to be a water management strategy. I have a couple of easy questions to start off with. Is this water management framework being led by the Department of Environment? Could he give me some of the focus areas that are going to be included in a water management strategy? Is it going to include measurements of glacial melt, or about spawning grounds for salmon of all the different species? Is it going to include snow depth monitoring throughout the Yukon? Is it going to include water consumption in all of the communities; is it going to include potable ground water; is it going to include artesian wells? Is it going to include surface drinking water? All those kinds of things — what is this water management framework going to look like and what are the topic areas under the water management strategy? Have they gone that far to develop them yet?

Again, I did raise this question in the Legislative Assembly to the Environment minister at that time — I believe it is now the Tourism and Culture minister. I believe she said this was under development too. I'm just wondering what stage this water management framework is at because, as time goes on, it's going to get more and more important as our population increases. As the pressure on our water resources increases over time, I see that there's going to be a need for us to take a serious look at not only consumption, but all the other living things out in the environment.

If the minister can go over in some detail what the water management framework looks like and what the water management strategy hot topic areas are.

Hon. Mr. Edzerza: With regard to the chinook salmon, in 2010 there was a poor run of chinook salmon in the

Yukon River. This was the third time in four years that not enough fish reached the border or the spawning grounds in Canada. Yukon continues to work through representatives on the Yukon River Panel. This panel includes Yukon, the federal Department of Fisheries and Oceans and Alaska.

Yukon residents are doing their part to conserve salmon and our partners in Alaska have recognized that they need to do more to meet treaty provisions and conservation targets. Again, the Yukon government is monitoring this very closely and will be involved as much as they can be to come up with solutions or recommendations.

With regard to the water strategy, the management framework is completed now and a lot of the details the member opposite is seeking will be part of moving on to the water strategy which is now being developed, so a lot of those details will be worked out under the water strategy that's now going to be worked on.

Mr. Elias: I thank the minister for the response there. With the water management framework, where are we at? Are we at the public consultation stage? When is the public — or are any documents going to be tabled in the Legislative Assembly?

Hon. Mr. Edzerza: Mr. Chair, for the member opposite, the water management framework was an internal kind of an exercise. It will now go to the water strategy, which will be taken out for public consultation.

Mr. Elias: I would like to know when the timelines are for those documents to be seeking — or ready to receive public input to them. Thank you to the minister for those responses.

I guess I can lump these all into a Southern Lakes region issue. In talking to the people who reside in communities like Carcross and Marsh Lake and Tagish and Mount Lorne, and talking to some long-time Yukon harvesters who hunt in the area, there seems to be an issue with regard to the level of the moose population in the Southern Lakes. I myself 20 years ago used to see a lot of moose tracks. You know what? I don't think I saw one this summer, hiking with my boys in the mountains by zones 7-32, 7-31, on both sides of the Annie Lake Road. In talking to the residents who live there, there seems to be an issue with the moose population in that area, as well as grizzlies in the mountains in that general southern Yukon/Southern Lakes area.

Obviously, an update on the caribou population in the area — is what we've been doing over the last two decades working? Is the population going up? You know, people haven't been seeing wolves either. It's a concern, because a lot of these species are indicative of a healthy ecosystem, and they haven't been seen in encouraging numbers. So I'll just focus on that area and those species right now. I understand that a committee was created with some renewable resources councils — some membership and representatives from various First Nations to try to address some of these concerns. So if the minister can talk about that area of the Yukon, that would be great. Thank you.

Hon. Mr. Edzerza: With regard to the water strategy, at the present time it needs a little more work done on it before it goes to Cabinet for approval. But we're anticipating, within

the next few months, that it will be going to Cabinet for approval.

With regard to the Southern Lakes area, there has been a new RRC — renewable resources council — established in Carcross and Southern Lakes Wildlife Coordinating Committee that we will work with on this very issue because we do realize the moose population in this area is very low and needs immediate attention — how to deal with this very issue. Of course, there will probably have to be extensive consultation with the First Nation in the area to be able to address any kinds of methods of harvesting and how much harvesting can be done in this area.

This year we will be doing a Southern Lakes moose study, and north M'Clintock moose survey also. So we are also going to be looking at the Southern Lakes grizzly project that's going to be established too.

Mr. Elias: If I heard him correctly — that there is going to be some attention placed on some of the “charismatic megafauna”, as I like to call them in the Southern Lakes area — and because it is a concern and has been a concern for a couple of years now. So if moose surveys are on the books and a grizzly bear study is on the books, that's good news. That's good to hear. I'd also like the minister to know that with regard to the Dall sheep population in the area, there have been some concerns arising from their populations too. I didn't get a chance to actually see or to try to find the science with regard to some of the sheep populations. But in talking to some of the float plane businesses and aircraft businesses in and around Whitehorse, they have noticed that the sheep population at the end of Fish Lake, on the southwest side of the lake, has been totally displaced. I understand that was a population of 200 sheep, and they haven't been there for two years. To me, that's pretty serious business when a whole band of sheep is displaced from their habitat.

He thinks that they have gone, not one valley over, but two valleys over to the Ibex Valley on the south end of that range. As well, on the Annie Lake Road, again putting some concerns on the table from some people I've been talking to, the sheep population — I think it's in zone 731 — seems to be in large decline. People are concerned that they don't see enough lambs with the ewes over the last few years. However, I have personally seen 17 — or 16 full-curl rams — was it this year? I don't remember going hunting this year — two years ago. Anyway, if the minister can — the concern is that Yukoners want to know if the department knows what the cause is for the displacement of those sheep at the end of Fish Lake, on the southwest end, I believe it is.

It's very concerning to a lot of people. Is it access? Is it access with all-terrain vehicles? Is it harvesting? Is it predation? Does the minister have any idea why those 150- to 200 sheep plus are not there any more? I'll leave it at that.

Hon. Mr. Edzerza: Maybe one thing I can do is give the members opposite an insight into the Environment Yukon inventory projects that are going to be worked on by the department.

With regard to caribou, we have fall composition survey rut counts with one, Aishihik and Kluane caribou herds; 1:2,

with South Nahanni and Coal River caribou herds; with 1:3, we have the Finlayson caribou herd; and 1:4, Ibex and Carcross caribou herds. They're all going to be having surveys done.

We have the distribution telemetry surveys done on the Hart River caribou herd, the Chisana caribou herd census and the Porcupine caribou herd inventory and monitoring, adult cow survival study, calving census, post-calving photo census support, fall composition survey, rut count, collar deployment and composition count and body condition study.

With freshwater fish, we have impact assessment studies on fish habitat, Peel watershed fish inventory and fish stock and habitat assessment. With the carnivores, we have the wolf inventory and the Southern Lakes grizzly bear project underway.

With regard to moose, we have the moose habitat suitability pilot project, which is year 4 of four, the Tatchun moose survey, in partnership with Selkirk First Nation, Southern Lakes moose survey, Whitehorse South, north M'Clintock and Whitehorse north moose survey.

At the present time, the department is actively trying to establish a meeting between the Kwanlin Dun First Nation and the Ta'an First Nation, to discuss the moose populations within the vicinity of Whitehorse. We haven't been successful at this time in arranging a meeting, but as soon as the elections are finished with, we will be embarking upon that ASAP because the department feels that it's critical that people are aware of just how depleted the moose population is within the Whitehorse area. We have diversity signs in management. We have the bat monitoring and conservation, impact of climate change on snowshoe hare survival, and that's in cooperation with the university research. Ecological monitoring: we have the territorial ecological monitoring projects, community ecological monitoring projects. For the species at risk, we have the gyrfalcon inventory and monitoring, the bison inventory and monitoring, and the wolverine study. For sheep and goats, we have the coast mountain sheep survey communications legislation, north Richardson mountains sheep survey, Pilot Mountain sheep survey and Kusawa goat survey.

With regard to habitat, we have the wildlife key area mapping; habitat assessment, the Braeburn elk; Forty Mile caribou winter range assessment; Dawson land use planning inventories; identification of sheep key areas in the south Dawson region; validation and possible reclassification of land-cover maps; validation of fur-bearing models used in previous land use plans; and improved inventory of wetlands and grasslands in the Dawson region.

Southern Lakes habitat mapping; wetlands management options and strategies; the Pickhandle Lake and Tagish Narrows habitat protected areas initial inventory and assessment; and the moose habitat resource selection function modelling test projects. The department is extremely busy in trying to determine what species are being depleted in different regions, along with several other studies that are happening at this time.

Mr. Elias: I thank the minister for that response and the information. All he had to do was maybe add a lot more information on climate change, some of the primary indicators of climate change, and some questions with regard to air qual-

ity and water quality, and he'd have an up-to-date state of the environment report. What's taking him so long?

One of the areas I didn't hear the minister mention was in 2008, there was an Alsek moose survey that was done. At that time, there were 806 moose identified in the area. That was of concern for the population in 2008, and I was wondering if any more work was done on the survey results around the sanctuary near Dalton Post. I understand there's dual work going on between Parks Canada and the Department of Environment.

Again, it's in southern Yukon; again, it's near a highway. Also the bull/cow ratio during that survey dropped from 64 mature bulls per 100 cows — and the last survey that was done was in 1987 — to 43 mature bulls per 100 cows.

Again, the cow/calf ratio has declined from 37 calves per 100 cows to 27 calves per 100 cows, and those statistics are from a survey done in 1997 to 2008. So if the minister can let me know if any further work has been done in that area.

Hon. Mr. Edzerza: To the best of our knowledge, we don't believe there was any more work done after 2008. But with regard to the Alsek moose population, the numbers looked fairly good, but we do not have the particulars on the results of that survey at our fingertips right now.

Mr. Elias: I guess I would have to request that some attention be paid to the Alsek moose population. If it has been proven by scientists to be in decline, then that's all the more reason to add it to the moose survey inventory that's going across the territory, because that's another population in southern Yukon that deserves attention. If it's in decline, it should be watched and monitored very closely.

In April, the Northern Furbearer Conference will be in our capital city. It's going to be hosted for a couple of days, and this is on the Department of Environment website. I'm just wondering, is this a Department of Environment-sponsored event, or does the minister have any partners in this Northern Furbearer Conference that's upcoming on April 13 and 14 of this year?

Hon. Mr. Edzerza: With regard to the moose count up in the Alsek area, the department does have a new regional biologist based out of Haines Junction. As recently as today, we met with the chief and a couple of the councillors from Kluane. We did agree that the department would go up to Burwash and sit down with the chief and council and have a discussion around possibilities of doing some work with regard to a moose survey, so all of that would have to be worked out between the department and the Kluane First Nation. But that was a request from them today, so we will be looking at that and will do what we can.

With regards to the Northern Furbearer Conference, the department is taking part in it and is working to see that takes place.

Mr. Elias: I guess the reason I'm asking is that we have many Yukoners who are worried about the state that our trapping industry is in, in our territory, as compared to our northern neighbours in Alaska, Northwest Territories and Nunavut. I have raised these questions in the Legislature before about revitalizing our trapping economy in our territory. I have presented solutions about what's going on in the Northwest

Territories and how they support their trappers and guarantee an income before their furs go to market, in the James Bay Cree area, as well as — I believe it was in Alaska.

So I'm wondering: is the minister taking a close look at the trapping industry in our territory? I understand that it still contributes a million dollars annually to our economy, and I don't know if that still holds true. I don't know if there are any statistics being gathered in watching the trajectory of furs being harvested in our territory or of furs being sold from our territory by species.

I won't go through all of the species that are allowed to be trapped in the territory, but could the minister just go over some of the things he's doing to help out Yukon's trapping industry?

Hon. Mr. Edzerza: The department does recognize the importance of the trapping industry. We have had several meetings with different trappers and with the association. During the summer of 2010, the Yukon Trappers Association opened a new office, following the closure of their office and store in 2009 due to fiscal difficulties.

Seeing the time, I move that we report progress.

Chair: It has been moved by the Minister of Environment that Committee of the Whole report progress.

Motion agreed to

Hon. Ms. Taylor: I move that the Speaker do now resume the Chair.

Chair: It has been moved by Ms. Taylor that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I now call the House to order. May the House have a report from Chair of Committee of the Whole?

Chair's report

Mr. Nordick: Committee of the Whole has considered *Bill No. 23, Third Appropriation Act, 2010-11*, and directed me to report progress on it.

Speaker: You have heard the report from the Chair of Committee of the Whole. Are you agreed?

All Hon. Members: Agreed.

Speaker: I declare the report carried.

The time being 5:30 p.m., this House now stands adjourned until 1:00 p.m. tomorrow.

The House adjourned at 5:30 p.m.

The following document was tabled February 22, 2011:

11-1-170

Yukon Development Corporation (YDC) Funding Assistance: Letter (dated December 1, 2009) from Hon. Dennis Fentie, minister responsible for the Yukon Development Corporation, to Ray Hayes, chair of the Yukon Development Corporation Board of Directors (McRobb)