



# Yukon Legislative Assembly

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Number 211

1st Session

33rd Legislature

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## HANSARD

Tuesday, May 12, 2015 — 1:00 p.m.

Speaker: The Honourable David Laxton

# YUKON LEGISLATIVE ASSEMBLY

**SPEAKER — Hon. David Laxton, MLA, Porter Creek Centre**

**DEPUTY SPEAKER — Patti McLeod, MLA, Watson Lake**

## CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Darrell Pasloski</b>	Mountainview	<b>Premier</b> Minister responsible for Finance; Executive Council Office
<b>Hon. Elaine Taylor</b>	Whitehorse West	Deputy Premier Minister responsible for Tourism and Culture; Women's Directorate; French Language Services Directorate
<b>Hon. Brad Cathers</b>	Lake Laberge	Minister responsible for Justice; Yukon Development Corporation/ Yukon Energy Corporation
<b>Hon. Doug Graham</b>	Porter Creek North	Minister responsible for Education
<b>Hon. Scott Kent</b>	Riverdale North	Minister responsible for Energy, Mines and Resources; Highways and Public Works
<b>Hon. Currie Dixon</b>	Copperbelt North	Minister responsible for Community Services; Public Service Commission
<b>Hon. Wade Istchenko</b>	Kluane	Minister responsible for Environment
<b>Hon. Mike Nixon</b>	Porter Creek South	Minister responsible for Health and Social Services; Workers' Compensation Health and Safety Board
<b>Hon. Stacey Hassard</b>	Pelly-Nisutlin	Minister responsible for Economic Development; Yukon Housing Corporation; Yukon Liquor Corporation

## GOVERNMENT PRIVATE MEMBERS

### Yukon Party

<b>Darius Elias</b>	Government House Leader Vuntut Gwitchin
<b>Hon. David Laxton</b>	Porter Creek Centre
<b>Patti McLeod</b>	Watson Lake

## OPPOSITION MEMBERS

### New Democratic Party

<b>Elizabeth Hanson</b>	Leader of the Official Opposition Whitehorse Centre
<b>Jan Stick</b>	Official Opposition House Leader Riverdale South
<b>Kevin Barr</b>	Mount Lorne-Southern Lakes
<b>Lois Moorcroft</b>	Copperbelt South
<b>Jim Tredger</b>	Mayo-Tatchun
<b>Kate White</b>	Takhini-Kopper King

### Liberal Party

<b>Sandy Silver</b>	Leader of the Third Party Klondike
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## LEGISLATIVE STAFF

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Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Rudy Couture
Deputy Sergeant-at-Arms	Doris McLean
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, May 12, 2015 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Tributes.

## TRIBUTES

### In recognition of the Yukon/Stikine Regional Heritage Fair

**Hon. Mr. Graham:** Mr. Speaker, it's indeed a pleasure for me to rise today to pay tribute on behalf of all members of the Legislature to the Yukon/Stikine Regional Heritage Fair, which took place last week at the Yukon Transportation Museum.

This event showcases the learning and talents of many Yukon and B.C. students in grades 4 through 9. They spent weeks researching and preparing their creative presentations about Canadian heritage. I was given the opportunity to visit the fair; unfortunately, I was injured and unable to attend, but the Minister of Tourism and Culture attended on my behalf. She said that she saw some of the most creative, clever projects she has ever seen and she is a regular attendee at the Yukon/Stikine Regional Heritage Fair.

At this year's fair, approximately 60 students presented projects on the people, history and culture of Canada, Yukon and the communities. These bright young people were engaged in their learning and excited to share their learning with others. Yukon has a vibrant and dynamic heritage, from the traditional knowledge of Yukon's First Nations to the lively gold rush era. Student projects for the fair explore genealogy and family stories, sports and recreation, transportation, First Nation culture, explorers and inventors and personalities and celebrations. Participants in this fair are truly immersed in their learning.

The fair couldn't happen without the dedication of the organizing committee at Heritage Yukon. Thanks to the members of the committee for their work to coordinate this event. Thanks as well to the sponsors for their ongoing support of this experiential learning program, which sparks the imagination and the minds of so many young people in the Yukon and Stikine.

Lastly, great congratulations to all of the students who participated in the fair this year and thank you to the teachers and the parents who helped them with their projects.

Great congratulations to all of the students who participated in the fair this year, and a thank you to the teachers and the parents who helped them with their projects. I will just read through a few of the projects that won in their grade level: grade 4, first place, "I am Wolf", by Jason McKay

of Golden Horn Elementary School here in Whitehorse; second place, "How my dad got a plant named after him", by Kalie Bennett of Golden Horn Elementary School; third place, entitled "the Haida", by Macy Dewald-Rose of Robert Service Community School in Dawson City.

In grades 5 and 6 are: first place, entitled "Alice Buyck", by — and I know I am going to screw this name up, Mr. Speaker — Aliyah Sprokkreeff of J.V. Clark Elementary School in Mayo — I should have talked to you in advance — second place, entitled "Who was E.G. HRGG", by Berkley Malchow of Christ the King Elementary School; third place, entitled "the Nancy", by Liam Balmer of Golden Horn Elementary School. In grades 7, 8 and 9, I am happy to tell you, Mr. Speaker, and all members of the Legislature, that first place, entitled "What did Vuntut Gwich'in play before Hockey?", was won by the nephew of our own member from Old Crow, Teryn Kassi of Chief Zzeh Gittlit School in Old Crow — second place, entitled "Growing up in Fort Selkirk", by Rachel Walker of Golden Horn Elementary School; and third place, entitled "Traditional Tlingit Food", by Donna Jim of the Atlin Community School in Atlin, B.C.

There were a number of other prizes awarded but, in the interest of brevity, I will end there.

*Applause*

### In recognition of Vision Health Month

**Hon. Mr. Nixon:** I rise on behalf of all members in the Legislative Assembly to pay tribute to Vision Health Month. May 1 marked the beginning of Vision Health Month, and I would like to invite my colleagues in this House to join me in recognizing the importance of our eye health and the importance of prevention measures and early detection of eye disease.

The objective of Vision Health Month is to raise awareness about the importance of protecting our vision. Sponsored by the Canadian National Institute for the Blind, otherwise known as CNIB, this is only the second year that May has been recognized as Vision Health Month.

Every 12 minutes, a Canadian develops a problem with his or her vision. More than 836,000 Canadians have a significant loss of vision. In Yukon there are approximately 950 people living with blindness or partial sight. These Yukoners are more likely to face other serious health risks associated with vision loss.

Vision loss can happen to anyone at any time at any age. The stats are showing that, over their lifetime, one out of seven Canadians will develop a serious eye disease. They also tell us that 75 percent of vision loss is avoidable through prevention and through treatment.

I would like to reiterate the importance for individuals and families to educate themselves about vision health. This year the CNIB asks all Canadians to protect their family's vision health starting with getting regular eye exams. The Canadian National Institute for the Blind has created an interactive healthy vision checklist that provides tips on how to keep eyes healthy, guidelines on how to protect eyes from things like UV damage, daily eye-care tips, details on when

and how frequently to have an eye exam, and facts about common eye conditions.

CNIB also want to remind Canadians that nutrition can influence vision health — a balance of vitamins, minerals, fats and other nutrients. They have eye-healthy recipes available on their website that seem delicious and fairly easy to prepare.

The Department of Health and Social Services continues to financially support the work of CNIB directly, and also through the support we provide to other non-government organizations that serve a broader community that includes those who are vision-impaired.

As a government, we promote healthy lifestyles that help prevent vision diseases. We encourage Yukoners to have a healthy diet, engage in physical activities, see a health care professional regularly and quit smoking.

**Speaker:** Introduction of visitors.

### INTRODUCTION OF VISITORS

**Mr. Barr:** I would like to ask the House to welcome Bianka Walcher and her daughters, Jack and Amy. They live in Mount Lorne.

*Applause*

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

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

### NOTICES OF MOTIONS

**Ms. McLeod:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to affirm the importance of foster parents by conducting a public awareness campaign about the contribution foster parents make to children and to support and enhance the retention and recruitment of foster parents by hosting a forum that provides opportunities to network, to hear from guest speakers and to identify areas of improvement within the foster care program.

**Ms. Moorcroft:** I rise to give notice of the following motion:

THAT this House calls on the Government of Yukon to take steps before the beginning of the 2015 summer tourism season to implement enhanced safety measures on the approaches to the Takhini River bridge on the north Klondike Highway.

**Mr. Tredger:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to:

(1) conduct water quality tests at minimum on a quarterly basis on Keno City's community water well; and

(2) establish protocols to clearly and effectively communicate the results of those water quality tests to the residents of Keno City.

**Mr. Silver:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to:

(1) publicly release engineering reports related to the repairs of the Ross River School;

(2) inform the Ross River Dena Council of how it plans to proceed with repairs to the Ross River School; and

(3) ensure work done this summer achieves a permanent and not a temporary fix.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to explain why a tender for pharmaceutical services in the community of Watson Lake has been cancelled.

**Speaker:** Is there a statement by a minister?

This brings us to Question Period.

### QUESTION PERIOD

#### Question re: Hydraulic fracturing in Liard Basin

**Ms. Hanson:** You know, Mr. Speaker, this Yukon Party government says it plans to open Yukon to fracking, contrary to public consensus and scientific evidence.

To ease the blow, this government says it will restrict fracking to the Liard Basin. While this government is trying to sneak fracking into the territory, they're displaying a complete lack of understanding about the international environment within which we work. Under investor trade agreements, it is difficult for Yukon to take a selective approach to fracking in the territory. This was established again this year when a \$250-million lawsuit against Canada over the Quebec fracking ban was fast-tracked.

Can the Premier explain the provisions of NAFTA's chapter 11 as it pertains to his government's decision to allow fracking in the Yukon?

**Hon. Mr. Kent:** As I have mentioned a number of times on the floor of this House before, the Yukon government supports the development of a strong and robust oil and gas industry here in the Yukon and recognizes that the development of these resources could contribute to significant economic growth as well as diversification of our economy.

The Yukon government accepted and is addressing all 21 recommendations from the select committee. In addition to our response to the 21 recommendations, we're also open to shale gas development opportunities in the Liard Basin, provided that we have the support of the First Nations.

The member opposite's characterization that we're trying to sneak fracking into the Yukon is again incorrect and we'll just add that to the long list of incorrect assertions that she has made on the floor of the House, not only in this Sitting, but every Sitting since 2011.

**Ms. Hanson:** The issue was NAFTA. The investor-state dispute settlement mechanism contained in chapter 11 of

NAFTA grants foreign investors the right to sue Canada, including for decisions made by provincial and territorial governments.

This government's decision to allow fracking in one basin but not another may open Canada up to such a lawsuit. Quebec, like the Yukon, had a de facto moratorium on fracking, but when Quebec decided to put in force a ban along the St. Lawrence at the same time it allowed fracking to occur on Anticosti Island, a lawsuit was brought against Canada by Lone Pine Resources under chapter 11 of NAFTA.

In light of this costly precedent, does the Premier believe he is somehow protected from similar legal action when he allows fracking to take place in just one part of the Yukon?

**Hon. Mr. Dixon:** Over the number of years that we have been in this House, we have had numerous discussions about the implications of various trade agreements with the members opposite. Their position has been clear throughout the years: they don't like free trade; they don't like the kinds of international agreements that Canada has entered into over the past years and decades, including NAFTA, CETA and other international trade agreements. What we know, from the Yukon government's perspective, is simply that none of these trade agreements limit in any way the Yukon government's ability to legislate or regulate for the interest of our environment here in the territory. That includes oil and gas. That includes a number of other issues as well.

While the members opposite are very concerned that international trade agreements will limit our ability to protect the environment, the Yukon government, on the advice of our experts in international trade — have assured us that these trade agreements don't limit our ability to legislate or regulate for the benefit of our environment or to implement the unique First Nation land claims here in the territory or deal with unsettled First Nations as well.

**Ms. Hanson:** It would be most interesting to have that legal opinion tabled. The Premier's agenda to allow fracking in the Yukon is not a surprise to many Yukoners, but few Yukoners know about the legal ramifications of the Premier's recent decision to open up the Liard Basin. Canada is currently being sued because Quebec allowed fracking in only one part of its province. Quebec passed the moratorium in order to study the impacts of fracking. Lone Pine says this decision was arbitrary, capricious and illegal, and that it will claim the loss of its valuable right. The \$250-million lawsuit has since been fast-tracked. In previous NAFTA suits, Prime Minister Harper suggested Ottawa would like to find a way for the provinces to pay in these cases. You can bet they will ask the territory as well.

Does the Premier acknowledge that he cannot take a piecemeal approach to fracking in Yukon and that, when he says yes to oil and gas companies, he is declaring that oil and gas companies have more of a right —

**Speaker:** Order please. The member's time has elapsed.

**Hon. Mr. Kent:** As I have said and my colleagues on this side of the House have said on a number of occasions, we believe that a strong, robust oil and gas industry in the Yukon

will significantly contribute to economic growth and jobs and opportunities for Yukon individuals and businesses — opportunities for Yukoners who are currently working in this industry outside of our borders to come home to a made-in-Yukon oil and gas industry and contribute to the diversity of our communities and live in our communities, pay taxes and buy all of the necessities for life in our communities.

The Yukon Party believes that oil and gas gives us an opportunity to diversify our economy but, to put this in context, only 15 percent of the Yukon has geology favourable for oil and gas development. A fraction of that has shale gas opportunities. The Liard Basin comprises less than two percent of the Yukon's land mass. We, unlike the members opposite, do not want to close Yukon to oil and gas development, and through our actions in response to the select committee, we can move forward in a responsible way.

#### **Question re: Cabinet minister conduct**

**Ms. White:** This weekend, the Minister of Environment was photographed drinking a beer on his ATV at a public event. He apologized for his conduct and poor judgment, yet this issue goes a little deeper than that.

The minister's lack of judgment directly calls into question his ability to do his job. The minister is responsible and sets the example for hundreds of Department of Environment employees and oversees a budget of over \$40 million. Yukoners need to know that they can trust their ministers to make the right judgment call regardless of their circumstances, and if they show that they cannot, it's up to the Premier to take action.

Mr. Speaker, in light of the Minister of Environment's recent conduct, does the Premier think that the minister demonstrates that he has the judgment to do his job?

**Hon. Mr. Istchenko:** As I indicated yesterday in the Legislature, I would like to take this opportunity to apologize to Yukoners for an incident this past weekend.

As I have said, I was taking part in a local charitable event, which I have helped organize and participated in for the past 20 years. While we were stopped for lunch on a wilderness trail, I made an error in judgment and consumed a beer while seated on my parked ATV.

Safely operating off-road vehicles is important. I take this very seriously and I apologize to all Yukoners.

**Ms. White:** This is an issue that can't be swept away with a repeated apology. Yukoners expect their elected representatives to hold themselves to a higher standard than that. The Minister of Environment wasn't just in the bush with his buddies hauling firewood and having a beer. He was at a public event representing the Yukon and the Yukon government.

If the minister doesn't have the wherewithal to not drink a beer in a motor vehicle at a public event where he is representing the Yukon, how can we expect him to make the right call when he is doing his job as the Minister of Environment?

The minister himself has spoken at length about his responsibilities as a trained ORV instructor to lead by

example when it comes to ORV safety. If this was a Department of Environment staffer being photographed drinking while sitting in a vehicle on the job, would an apology like the minister gave suffice?

**Hon. Mr. Istchenko:** As I indicated yesterday in the Legislature, I would like to take this opportunity to apologize to Yukoners for an incident this past weekend.

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Safely operating off-road vehicles is important. I take this very seriously and I apologize to all Yukoners.

**Ms. White:** It's about leading by example. What is really at issue here is that the Minister of Environment's lack of judgment calls into question his ability to do his job. This is the second time that this Minister of Environment has had to apologize for poor judgment and inappropriate conduct that directly relates to his current portfolio. This isn't about the minister drinking on his ATV; it's about the minister not having the good judgment to know it's wrong. It's about the minister's credibility when his real message is, "Do as I say, not as I do." It's about public trust.

If the minister can't make the right judgment call at a public event, how can the public trust him to make the right call when he's at a meeting or negotiations that will affect the territory as a whole? What kind of message does the Premier send when a minister who has repeatedly made serious errors in judgment retains his position in Cabinet without facing any discipline?

**Hon. Mr. Istchenko:** As I indicated yesterday in the Legislature, I would like to take this opportunity to apologize to Yukoners for an incident this past weekend.

As I have said, I was taking part in a local charitable event, which I have helped organize and participated in for the past 20 years. While we were stopped for lunch on a wilderness trail, I made an error in judgment and consumed a beer while seated on my parked ATV.

Safely operating off-road vehicles is important. I take this very seriously and I apologize to all Yukoners.

### **Question re: Continuing care facilities**

**Mr. Silver:** With almost no public consultation, the Government of Yukon has decided to proceed with a 300-bed continuing care facility in Whitehorse.

It will centralize continuing care in a one-size-fits-all type of way. The cost estimate for this new facility is \$330 million, according to the government's own reports. Clearly money is no object when it comes to continuing care in Whitehorse. At the same time, the government is proceeding with replacing McDonald Lodge in Dawson. While there were plans to make this a 20-bed facility, these have been scaled back to 15 beds.

People whom I spoke to in my community and other rural centres are interested in staying in their own communities, Mr. Speaker. They don't want to move to a one-size-fits-all facility hundreds of miles away in Whitehorse.

Why is the government pursuing this centralized approach instead of focusing on keeping seniors in their home communities?

**Hon. Mr. Nixon:** I thank the member opposite for his question. Certainly this government is very interested in moving forward with a 150-bed continuing care facility in Whistle Bend, but we are also very interested in making investments like the investments we are making in Dawson City with McDonald Lodge, with the new 15-bed facility that, as I understand it, could be expandable in the future to 20 beds, if required.

This government also stands behind the investments that we make in home care, in keeping those Yukoners — those seniors and people in need of that level of care — in their communities as long as possible.

**Mr. Silver:** If needed — well, it is needed — absolutely. The government is missing an opportunity to have more beds in rural Yukon. It did so because it seems to think that the solution of a big warehouse in Whitehorse would work. We can all agree that the demand for continuing care is growing. The Liberal caucus, however, disagrees fundamentally with the government on how to manage that growth. I would like to see the demand in rural Yukon being met in rural Yukon. The government's approach is to funnel all of our seniors into Whitehorse. One of the planned studies that the government is relying on, as it proceeds with the continuing care decision, says that the only new beds that will be built in the future are all going to be in Whitehorse.

Can the minister confirm that is in fact the plan, going forward, and expand the rationale behind giving our rural seniors only one option — move to Whitehorse?

**Hon. Mr. Nixon:** I think the member opposite truly missed the point. We have had this discussion on the floor of this Legislature before in this session. We are moving forward with a 150-bed facility. We see construction completed in 2018. That will address the growing number of seniors who require that level of care.

Certainly we have made many investments. In fact, our investments in home care have increased over 350 percent. That home care is for individuals with a lower level of care. It is in place to keep them in their communities longer. Once a person receives, or is in need of, a very high level of care, Whitehorse seems to be the best option as far as capacity and the services and the treatment that people require with that level of care.

We will continue to make those investments. Certainly we see the Whistle Bend facility as expandable in the future if that need is there. This government supports keeping seniors in their community for as long as possible, but it also supports providing a higher level of support and service to those seniors who do require it.

**Mr. Silver:** With all due respect to the minister, I think it is he who has missed the point.

Rural seniors don't want to move to Whitehorse to retire. They want to stay in their own communities. The Government of Yukon recently leaned on the City of Whitehorse to make zoning changes to allow the new \$330-million facility to be

built in Whistle Bend. It left at least two councillors publicly criticizing this government over its heavy-handed approach to this project and demonstrated against this government's inability to get together and get along with other levels of government.

We've already heard concerns of First Nation elders in my community and in other communities who are very uncomfortable with such a large institution. I guess my question would be: In the planning of this facility, what consultation has the government had with First Nation governments regarding their needs and their plans to provide for their aging populations?

**Hon. Mr. Pasloski:** This government continues to make investments to ensure, as much as possible, that seniors do have the ability to age in place, whether it's investments in home care — over a 350-percent increase in home care investments — or whether it's investing in seniors residences. We have one that's currently being built in Mayo and also here in Whitehorse, but we've also invested in seniors residences in Haines Junction and Teslin and Watson Lake and Faro. These are investments that we make. You can also look at advancements in technology that, again, allow people to stay in their communities longer.

What we do know for sure is that the Member for Klondike, the Leader of the Liberal Party, has clearly not only voted against the hospital in his community and was very publicly opposed to the hospital in his community — I challenge him to ask the residents of his community whether or not they support that hospital.

The reality is that he talks about supporting long-term care beds in his community. He voted against that too, Mr. Speaker.

#### **Question re: Children's dental program**

**Ms. Stick:** Good oral health is a fundamental piece of our overall health. Health Canada states that equitable access to professional dental care is essential for prevention, diagnosis and treatment leading to good oral and general health. Recognizing that dental health starts at birth, Yukon's preschool dental health program focuses on newborns to five-year olds. It delivers presentations to Yukon parents, who play a big role in keeping their children's teeth healthy and clean, but the number of presentations to parents has been falling at a tremendous rate. While 18 presentations were offered five years ago, this year's budget only provides for five.

Can the minister explain why preventive dental health for Yukon children appears to be less of a priority for this government than previous governments?

**Hon. Mr. Nixon:** I extend my thanks to the department officials who provide services through the dental health program. We know that, nationally, we've seen the dental therapy facility close in November 2011. This was the only school in Canada that provided training for dental therapists. We know that three of the vacant dental therapist positions have been converted to dental hygienist positions to provide a focus on preventive treatment. These positions have just recently been filled, so we will continue to support those

individuals in the department and work throughout the number of communities within the territory.

**Ms. Stick:** Yukon's dental health services are responsible for the children's dental program. This school-based dental health program provides services to children from preschool to grade 8 in Whitehorse, and up to grade 12 in the communities. The number of visits taken by dentists to our rural communities has also fallen over the past five years. Dental therapists and dentists are expected to just make 43 rural trips this year, compared to 97 trips five years ago.

This is a drop of over 50 percent. The numbers of presentations and health fairs have fallen from 51 to five over the same period.

Can the minister tell rural Yukoners whether or not their children have the same access to dental care as families living in Whitehorse?

**Hon. Mr. Nixon:** As I had indicated in my earlier response, certainly we've seen some shortages with the national school closing. Three of the vacant dental therapists' positions have been converted over to dental hygienists' positions and provide a focus on preventive treatment. These positions, as I have indicated, have just recently been filled.

Priorities of the Yukon children's dental program will continue to be prevention of tooth decay and providing urgently needed treatment. This government certainly stands behind the investments that we make in the area of the children's dental program. That program is short-staffed, as I indicated, due to the shortage of national dental therapists, so we will continue to work on retention and recruitment for that program and work with existing staff to cover as many areas of the territory as we can.

**Ms. Stick:** All areas should be covered, Mr. Speaker. Health Canada and the Canadian Dental Association both cite research showing a direct link between oral disease and other health problems such as diabetes, heart disease, stroke and respiratory illness in older adults. The evidence is clear: keeping dental health is an important part of leading a healthy life. Evidence also shows that poor oral health is experienced by Canadians who do not have access to regular dental care.

Days of service to adults in rural Yukon fell from 133 days to just 40 over the past five years. Mr. Speaker, will the minister recognize that oral health is part of overall health and take immediate action to ensure all Yukoners have regular and equal access to oral and dental health care?

**Hon. Mr. Nixon:** The member opposite, if she had been paying attention to my earlier responses, would have heard me talking about the shortages due to the national school being closed. She would have heard me talking about the priorities of the Yukon children's dental program and how they will continue to work on prevention of tooth decay and providing urgently needed treatment. This program is short-staffed due to the closure of the national program. We will continue to work on retention and recruitment in these areas and looking at the scope of the program as it is run throughout the territory in order that we meet the needs of Yukon communities.

**Question re: Takhini Haven group home**

**Ms. Stick:** Mr. Speaker, over the past several years, my colleagues and I have raised concerns about the location of the current Takhini Haven. Takhini Haven is situated immediately next to the Whitehorse Correctional Centre and is partially encircled by 10-foot high fencing. There is not a single prisoner at Takhini Haven; yet that is how residents are feeling living where they do. The purpose of the facility is to provide assistance and support to individuals living with disabilities, yet the location of Takhini Haven makes their home feel a little too much like being in jail.

When I asked this question in December, the former minister said that his department was looking at alternatives to Takhini Haven. What specific alternatives has the minister been looking at to move the current Takhini Haven to a community setting?

**Hon. Mr. Nixon:** The facility that the member opposite is talking about is run by a local non-profit organization — Challenge. They certainly do a good job at providing supports to those individuals who reside there. As I understand it, most of the individuals who do reside there are Yukon Review Board clients and require a certain level of supervision. I commend the non-profits for stepping up to the plate and providing that service to those Yukoners who require that level of support. We look forward to continued discussions with Challenge and with other stakeholders that provide support to Yukon Review Board clients.

**Ms. Stick:** Let's be clear. Yukon Review Board clients are not criminals and no one is arguing about the good staff and support that is provided at Takhini Haven. We are talking about the location. To the people living there, Takhini Haven is their home, but it looks and feels like they are at the jail. We shouldn't have individuals with disabilities feeling like they are living at the jail. This is not a new issue. The former minister also assured us that the department was looking into the issue, and even the simple request of looking into whether the fence — a 10-foot high fence — that is partially encircling Takhini Haven could be removed has been ignored.

Why does the government not even have the decency to take the simple steps to remove the fence surrounding Takhini Haven so that the residents can look out the windows and feel a little more at home?

**Hon. Mr. Cathers:** My understanding on this facility is that most of the clients in there are Review Board clients and one thing the member should keep in mind is that clients who are placed under the Yukon Review Board are those who have been found to be not criminally responsible. The member should understand as well that, in some cases, there could be potential behavioural issues and safety issues that need to be considered. Our priority will continue to be protecting public safety while always endeavouring to provide the appropriate rehabilitative treatment that meets the needs of any person, whether they have been found to be guilty of an offence or whether they are placed under the care of the Review Board because of a finding of being not criminally responsible due to mental incapacity.

**Question re: School bus driver wages**

**Mr. Barr:** Yukon school bus drivers are in a bind. On June 11, 2014, they were certified as Yukon Employees Union members. They were feeling hopeful that they could negotiate their first collective agreement with their employer. Well, it has been almost a year and our school bus drivers haven't signed an agreement. In fact, their employer has refused to meet with the school bus drivers bargaining team entirely. This is labour relations at its worst. Takhini Transport has the responsibility to sit down with the school bus drivers' democratically chosen representatives and hammer out a negotiated collective agreement.

What steps is the government taking to bring Takhini Transport to the bargaining table?

**Hon. Mr. Graham:** Absolutely none. There is a very clear process under labour law set up to handle such situations as this. The member opposite would be the first one to leap to his feet and condemn us if we became involved in a union/labour relationship in any way, shape or form. Yet, the member also has chosen to take this route.

There are a number of processes that are to be followed. The union representing these workers know perfectly well what that process is, and I'm more than certain that union is capable of handling the situation adequately.

**Mr. Barr:** The government cannot wash its hands of a year-long refusal by an employer to meet with the workers' representatives and pretend that everything is all right. They tried to negotiate on July 8, on September 17, on October 13, on November 3, on December 3, on February 23 and 24, and on March 14. One side of this discussion is putting in the work and the other is ignoring the process. Meanwhile, Yukon school bus drivers are not included in Yukon's fair wage schedule.

When the Yukon NDP asked about this issue, the minister told this House that — and I quote: "It is almost like the members opposite feel that we should have a fair wage schedule for every single occupation in the territory. That is called a minimum wage."

Does the minister think that Yukon school bus drivers should only be paid the minimum wage?

**Hon. Mr. Graham:** The questions from the member opposite have gone now from the ridiculous to the sublime.

We don't get involved in union labour negotiations. There is a very clear process for that. I know the member opposite obviously doesn't understand that process and he should go and talk to some folks involved in the union. There is a process. That process should be followed. If there are difficulties along the way, there are also methods of handling that process. The member opposite should educate himself on the process and how these disputes are resolved and then let them be resolved.

**Mr. Barr:** This has been going on far too long. It is really too bad that the government is willing to stand by the wayside and ignore the legitimate challenges facing Yukon school bus drivers.

Yukon school bus drivers have the right to goodwill collective bargaining negotiations with their employer. Yukon



school bus drivers have the right to a fair wage that is included in Yukon's fair wage schedule.

Is this too much to ask? How far down the rabbit hole do we need to go before the quality of service offered by our school bus drivers is matched by offering workers a fair deal? At what point will this Yukon Party government say that enough is enough and take action to ensure that Yukon school bus drivers get the respect they deserve.

**Hon. Mr. Graham:** I appreciate the Leader of the Official Opposition thinking that this is a good question. All that proves is she's as uninformed as the member sitting behind her.

How many times do you have to say that there is a process? If the process has broken down, there is another method. It's called a labour board. The member opposite should be well aware of that.

I agree that every worker in this territory, if they have that desire, should be represented by a union. I was a member of a union — in fact I was president of the union — for a number of years at the college and I understand the process. We did not, as part of the union that I was head of, go whining to the government every time something broke down. We used the tools at our disposal to make sure that things were handled correctly.

I'm sure that the bus drivers will be more than adequately represented by their union, and the member opposite should understand that system.

**Speaker:** The time for Question Period has now elapsed.

**Some Hon. Member:** (Inaudible)

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

## INTRODUCTION OF VISITORS

**Mr. Elias:** With your indulgence and the indulgence of all members, I would like all members to join me in welcoming my uncle Harvey Kassi to the Assembly today.

We just paid tribute to his son Teryn, who just won a Yukon/Stikine Heritage Fair award. Welcome, uncle.

*Applause*

## Notice of opposition private members' business

**Ms. Stick:** Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Official Opposition to be called on Wednesday, May 13, 2015. They are Motion No. 792, standing in the name of the Member for Copperbelt South, and Motion No. 845, standing in the name of the Member for Mayo-Tatchun.

**Mr. Silver:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, May 13, 2015. It is Motion No. 974, standing in the name of the Member for Klondike.

**Speaker:** We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

**Mr. Elias:** 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 (Ms. McLeod):** Order. Committee of the Whole will now come to order.

The matter before the Committee is Vote 53, Department of Energy, Mines and Resources in Bill No. 18, entitled *First Appropriation Act, 2015-16*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

## Bill No. 18: *First Appropriation Act, 2015-16* — continued

**Chair:** The matter before the Committee is Vote 53, Energy, Mines and Resources, in Bill No. 18, entitled *First Appropriation Act, 2015-16*.

**Department of Energy, Mines and Resources** — *continued*

**Chair:** Mr. Tredger, please — 13 minutes.

**Mr. Tredger:** Madam Chair, I would like to thank the officials back in the House. I look forward to the debate this afternoon. It's nice to be able to talk about energy; talk about our renewable resources and about the wealth that Yukon does have.

The Yukon is a well-endowed place. We have a lot of opportunities, and I think our greatest resource is the people of the Yukon, whether they are in Mayo or Haines Junction or in Watson Lake or Whitehorse. The people of the Yukon have learned to live, they've learned to innovate, they've learned to discover, and they've learned to become dependent upon one another, yet resilient and independent. It's important that the people of the Yukon have the opportunity to have a say in the development of their resources, in how we get our energy and how we move forward.

We are very fortunate in the Yukon to have a public service that is second to none. Again, they are innovative; they are creative; they research and study; they look forward and they put forward many possibilities, many options and many

ways that we can use our potential for the benefit of Yukon citizens today and into the future.

We are also very fortunate in the Yukon to be the recipients or the beneficiaries of the *Umbrella Final Agreement*, self-government agreements and other treaties that have laid out a way that we in the Yukon can move forward and do business — a way that we can respect and share responsibility, one Yukoner to another.

We have a path thanks to our leaders, our elders, our seniors and our governments, who sat down and through a period of long negotiations began a process. That process was built on respect and understanding, neighbour to neighbour. The NDP respects that. When I am in the communities or in Whitehorse talking to people from various areas, I hear of the ideas; I hear of the innovations and the businesses and the plans — neighbour to neighbour. There is an excitement out there. Yukon people realize how lucky we are and how fortunate we are to be where we are and to have the structures in place to move forward.

The NDP believes it is important that all parties be invited to — and accommodated at — the table, whether it's around tourism, mining, exploration, traditional activities or our heritage. There should be no hidden agenda. Peoples' interests should be on the table. What do I want from this? What do we want from this? What do you want from this process? There should be no sudden moves or ultimatums issued. Again, openness, transparency, respect — neighbour to neighbour.

Finally, we must respect the spirit and the intent of our treaties and our agreements. They were not easy to arrive at. There was a lot of give and take. It took a long time to build the trust. They do point the way forward to opportunities. It's important that we reinvigorate our land use planning process. It's important that, over 20 years since signing self-government agreements, we do what we promised to do — neighbours working together to develop the implementation of those agreements, to look at our land use planning process, and to ensure that it moves forward and doesn't act as a deterrent and doesn't end up in court cases where judges make decisions that Yukon people should be making together.

We have an opportunity in the mining industry. The NDP and Yukon people welcome mining. It's very simple: mining is good for Yukon. Yukon people benefit from mining. It's important that they follow the rules. It's important that they hire local people and support local businesses, and it's important that they clean up when they are done. The mining companies I have talked to are responsible, good citizens, and they have benefitted Yukon.

One other important aspect to Energy, Mines and Resources — and I touched on it when we were in debate last time — is the importance of climate change. One of the biggest challenges facing the world today is climate change. What is our role as legislators around climate change? We can say, "Well, we don't contribute much anyway. It's an insignificant amount." We can say that our economy is more important than our climate or our land. We can say that, despite what the Intergovernmental Panel on Climate Change

says, roughly 60 to 80 percent of our known carbon resources must stay in the ground and cannot be burned within the next 50 years. We can acknowledge that fact and say that the world currently is awash in oil and gas. The price of oil and gas has dropped dramatically. The world's problem is not that there is not enough oil and gas; it's that there is too much oil and gas. It only makes sense that we would recognize what science and economists tell us and begin the process of divesting ourselves from oil and gas and the burning of fossilized carbon.

Just last year the world hit a milestone and over top of Hawaii there were 400 parts per million of carbon dioxide in the atmosphere. This year that was true over North America. The world is passing milestone after milestone and it's becoming increasingly critical that we act and act now to divest ourselves from oil and gas and the burning of fossilized carbons.

The Premier is right; we need to do our share. Our share is leading the way and showing leadership. In the Yukon, the majority of our contributions to climate change are through our heating and transportation. Yes, we produce electricity through the legacy projects that were in the past and we're still living off them from renewable resources. Our transportation and our heating industries continue to produce carbon dioxide more than we need to. So we need to research, make investments in renewable energy and, like the people before us, leave a legacy to the future.

I would ask again that the Premier and members look to the oil and gas industry and look for ways that we can divest ourselves — not make more investments in it — and build a clean, renewable future.

**Hon. Mr. Kent:** I too would like to take the time to welcome back Shirley Abercrombie and Manon Moreau, two officials from the Department of Energy, Mines and Resources who are here this afternoon to provide support to me during debate on the Energy, Mines and Resources main estimates.

Just a couple of things I would like to do — first of all, starting with correcting the record from last week. On May 4 the Leader of the Official Opposition suggested that the Minto mine sourced nothing locally. I think we subsequently certainly proved the member wrong by following up with the officials from the Minto mine, but the numbers that they provided to me at that time were incorrect. So just to correct those numbers, the Minto mine spent \$78.1 million in 2013 and \$58.2 in 2014 on Yukon goods and services and that of course excludes wages.

I know the Leader of the Official Opposition referenced that they didn't buy anything from toilet paper to lettuce or whatever comes in on big trucks. Again, as I have said in the past, I believe those numbers that were supplied by Minto mine on local procurement of goods and services certainly show that what the Leader of the Official Opposition has said is incorrect and really shows a lack of understanding of what the mining industry contributes to our economy and what it needs to even be more successful.

I welcome their remarks, eight days after the Leader of the Official Opposition made her statement that was, quite

honestly, incorrect to members of this Legislature. Hopefully she has taken the time as well to reach out to individuals in the mining industry and get a real sense of what they contribute, not only to our economy but to our identity as Yukoners. I'm sure that if she was able to go and do some additional homework with respect to what the industry contributes —

**Some Hon. Member:** (Inaudible)

### Point of order

**Chair:** Mr. Tredger, on a point of order.

**Mr. Tredger:** Yes, I believe if the minister opposite would check the Blues, he would find that in fact that is not what the Leader of the Official Opposition said.

**Chair:** Order please. Are you disputing the statements from a section of the Standing Orders?

**Mr. Tredger:** Standing Order 19(g) — the Blues are quite clear.

### Chair's ruling

**Chair:** There is no point of order. This is a dispute among members. I think Mr. Speaker has advised all members in the past that everyone has their own interpretation of the facts.

Mr. Kent, please.

**Hon. Mr. Kent:** Just to reiterate what the Leader of the Official Opposition actually said in the Blues —

**Some Hon. Member:** (Inaudible)

**Chair:** Order please, Mr. Kent.

Mr. Tredger?

**Mr. Tredger:** Sorry, I believe that the Blues would substantiate what I said.

### Chair's statement

**Chair:** Thank you, Mr. Tredger. The Chair has made a ruling.

**Hon. Mr. Kent:** Thank you very much, Madam Chair. Again, just to read the quote into the record — the actual quote from Hansard on May 4, 2015 when the Leader of the Official Opposition was in debate with the Minister of Economic Development on the mains in his department was — and I quote: "...once the mine is in operation...the actual procurement of everything from, I would say, toilet paper to lettuce to whatever comes in on big trucks, on pallets, from Outside, and nothing is sourced locally".

Again, that's right out of Hansard and those were the words of the Leader of the Official Opposition, the Leader of the New Democrats and again, the date was May 4, 2015. I think that Hansard will speak for itself, Madam Chair, as suggested by the member opposite, and it does.

That said, Madam Chair, I think this gives us an opportunity to move on to some of the other issues that came up during earlier debate on Energy, Mines and Resources. For starters, the Member for Mayo-Tatchun earlier asked a question about the Mayo Road land that we have turned over to the Yukon Agricultural Association. I had the opportunity this past weekend to attend the Yukon Agricultural

Association AGM as well as my colleague, the Minister of Justice, the Member for Lake Laberge. We spent the entire morning with the organization. I had to duck out, but the Member for Lake Laberge stuck around for the lunch as well, and had the opportunity to talk to those individuals engaged in the agriculture industry here in the territory.

With respect to that land, though, and the question that the member opposite asked, there was, I believe, a resolution put forward by the Agricultural Association on Saturday to allow them to apply for additional funding from CanNor to assist in a business plan for the facility and the lands in question. That work is underway, and we look forward to hearing back from the Yukon Agricultural Association with what they come up with as far as plans for that Mayo Road land.

I just want to touch a little bit on the energy side of things and some of the exciting initiatives that we have underway when it comes to energy. There are a number of activities underway in Energy, Mines and Resources, as well as the Yukon Development Corporation and Yukon Energy Corporation, that will support our renewable energy future. We talked a little bit last time about the biomass strategy that we're out consulting on right now, and I think that will provide opportunities not only for the forestry industry here in town, but will give us some different opportunities when it comes to providing renewable heat or energy sources for Yukoners.

There was the announcement that we made in conjunction with CanNor about the geothermal favourability mapping project. That announcement was made just prior to the start of this session, and we're excited to see that activity continue. There are, of course, next generation hydro and wind projects that are underway, primarily in the Yukon Development Corporation and Yukon Energy Corporation, but First Nations, like the Kluane First Nation, are also looking at wind energy options.

The microgeneration program that we brought in last year has been extremely successful. The Member for Klondike, earlier in this session during Question Period, asked about the independent power producers policy, and we'll look forward to bringing that program into place and providing what the member asked for, which is a *What We Heard* document, and then moving forward with an IPP program. It still has internal reviews, and I still need to put it through our internal process of caucus and Cabinet, but I look forward to doing that as soon as possible so we can meet the deadlines that we referred to last fall and again earlier in this session.

I should also take the opportunity — on top of what Kluane First Nation is doing with respect to investing in wind projects in their traditional territory, or looking at potential wind projects in their traditional territory — to also congratulate First Nations, such as the Kwanlin Dun First Nation and Na Cho Nyäk Dun First Nation, for the investment opportunities they took with respect to energy projects like the LNG or the diesel to natural gas conversion here at the Whitehorse Rapids facility, which will provide backup and peak demand energy options for Yukoners when the

renewable sources are either tapped out or, as was the case last year when the ice went into the hydro facility here, when we relied heavily on that backup power to provide energy to Yukoners and keep them warm and safe in their homes.

Na Cho Nyäk Dun invested, I believe, in Mayo B, and we've seen — and I may stand to be corrected on this, Madam Chair. The Tr'ondëk Hwëch'in First Nation, I think, made investments in power line facilities in their traditional territory too. Not only are the Yukon government and the Yukon people stepping up, but First Nation governments and development corporations are, and we look forward to additional opportunities moving forward.

I just want to provide a status report on our energy programs. Our good energy residential incentive program was launched late last year. I believe we made the announcement in December. Just to provide an update for members on what types of incentives have been paid out, in January — obviously relatively new — the program got off to a bit of a slow start, but I would imagine that a lot of this was invested in the energy assessments and audits that we provided funding for. There was \$1,626 paid out in January; February saw \$23,853 paid out; in March, there was \$63,928; in April, there was \$89,935. Of course, we're in the month of May so, when I received this note, it was \$11,350 up to that date.

These are providing opportunities for a number of different incentives, such as renewable energy or supporting the microgeneration. This program will provide up to \$5,000 for microgeneration program purchases. There are the HRV improvements, windows and doors, new homes and, of course, the energy assessment. By type, it ranges from 13 for renewable energy to 18 different program applications for energy assessment.

We have seen tremendous activity. I think arguably that this is one of the most comprehensive residential energy programs, and I would like to take the opportunity to thank staff at the Energy Solutions Centre, led by Shane Andre and — for a time, Mr. Matt Ball was filling in for Shane while, I believe, he was on paternity leave — so congratulations to those individuals and all the individuals there. We look forward to seeing some numbers come forward for the commercial energy incentive program that we announced last month, I believe it was. That is for energy improvements to multi-use residential buildings and commercial lighting.

All of this contributes significantly to what we're looking for as far as providing a renewable energy future for the Yukon, but, of course, we do recognize that fossil fuel is necessary. It's a necessary instrument to provide that backup power as well as meeting peak demand power. Even the member opposite has mentioned on occasion that he has backup fossil fuel at his off-grid home that is located, I think, on the Yukon River. Stepping Stone, I believe is where the member opposite has his home — obviously wanting to generate as much as he can from renewable sources, but relying on that backup fossil, which is essentially what we do here in the Yukon.

Over 99 percent of the grid power that is generated in the territory last year, according to the Yukon Energy

Corporation, was generated from renewable sources, and a small amount, obviously, from non-renewable sources. It represents a small portion of what we generate here in the territory, but a very important portion. We certainly want to ensure that Yukoners can be safe and secure in their homes and that the power will go on when they need it to meet the lifestyles that Yukoners have come to appreciate and rely on.

Just a quick update with respect to the commercial program — there is a lot of interest out there from individuals contacting the Energy Solutions Centre with respect to the commercial. We haven't received any applications yet, but we certainly look forward to that. I think the energy record of the Yukon Party government is something that we can all be very proud of. There have been significant investments in hydro over the past number of years and through these types of efforts we are looking at alternate renewable energy sources to ensure that Yukoners can continue to have a clean power future.

Just to touch briefly on the oil and gas activities, I think have spoken about it on a number of occasions during this current Sitting. The Yukon government supports a strong and robust oil and gas industry. We think there can be significant contributions to the families of the Yukon and the economy of the Yukon, whether it's shale gas opportunities in the Liard Basin or conventional gas opportunities in some of the other basins that we have here in the territory, such as Eagle Plains, which is where the other activity is focused. We won't proceed with the shale gas opportunities without the support of the affected six First Nations who have traditional territories or asserted traditional territories in the Yukon portion of the Liard Basin. Those are the five Kaska nations as well as the Acho Dene Koe.

I know that as we move through this budget and as we move into the final days of this Sitting there are still a number of departments that we're anxious to debate and talk about the budget, so I will turn the floor back over to the Member for Mayo-Tatchun and look forward to questions from him with respect to the budget and, I assume, eventually questions from the Leader of the Third Party as well.

**Mr. Tredger:** I thank the minister for his comments. I would encourage people to read the full text of what the Leader of the Official Opposition said rather than take particular parts out of it and twist them to mean something that they were not intended to mean —

**Some Hon. Member:** (Inaudible)

#### Point of order

**Chair:** Mr. Elias, on a point of order.

**Mr. Elias:** For the Member for Mayo-Tatchun to suggest that the honourable minister is twisting someone's words in this House is against Standing Order No 19(g): "imputes false or unavowed motives to another member". I suggest he retract that and unequivocally apologize to this House.

**Chair:** Ms. Stick, on the point of order.

**Ms. Stick:** I hear a dispute between members and believe that is what is happening here.

### Chair's ruling

**Chair:** There is no point of order. This is a dispute among members.

**Mr. Tredger:** Thank you, Madam Chair. Again, I would suggest everybody read the entire statement.

The minister mentioned microgeneration and the IPP policies. Are there any targets for the microgeneration? Can he tell us how many people have signed up for it? How many kilowatts have been produced? I understand from the company that there is some concern that there may be a maximum amount that the system is currently able to handle.

What are the parameters around that and what is the minister doing to encourage more people to sign up for that? He said it was a tremendous success. What does he consider that to be: 10 systems, 100 systems or 1,000 systems? I know in many other jurisdictions with the small ones they're looking at a 20-percent production or a 40-percent production. What are the goals that the minister has in mind?

**Hon. Mr. Kent:** Just to provide a summary for members with respect to the microgen program — under the program, Yukoners are able to offset their electrical consumption by connecting renewable energy technologies to their homes or businesses while remaining connected to Yukon's grid. Any excess energy produced by their renewable energy systems and not used within the building can be exported to the grid for compensation. The incentive program applies to surplus electricity exported to the grid and is set at a rate of 21 cents per kilowatt hour on Yukon's integrated system and 30 cents per kilowatt hour in electrically isolated communities currently powered by diesel generation.

Renewable energy systems include solar photovoltaic or PV, wind, hydro and biomass. Other renewable technologies will be considered as they emerge.

Microgen projects with a nameplate capacity of less than five kilowatts for customers on a shared transformer and less than 25 kilowatts for customers on a single transformer will be assessed through a streamlined utility approval process. Microgen projects with nameplate capacities larger than the limits mentioned above — up to 59 kilowatts — will be considered on a case-by-case basis by the utilities and will be subject to a detailed review of the customer's current infrastructure capacity and the local grid reliability factors. Costs related to this review will be the responsibility of the customer.

Currently there are 11 customers in the program. The payout which occurred from a metre reading in January provided seven customers a total of just over \$1,600. Three clients had readings below a dollar, which are not paid out, and one client is new.

The total energy displaced by the microgen program from the January readings is 6,223 kilowatt hours, or approximately half of one household's annual consumption.

Microgen systems may also participate in the residential energy-efficiency incentive program. I guess this gets to the member opposite's question of what we're doing to encourage additional customers to joining that. What we will provide is

20 percent of pre-tax material costs up to \$5,000. The materials include racks, solar panels and wiring inverters, to name a few. It does not include the cost of labour for installation. It's a maximum of one microgen installation per residence and the system must be a residential installation to receive the incentive.

So that's a quick update, I believe, on the microgen program. I don't think at this point we've set targets for that. We're trying to encourage as many individuals as we can to take advantage of our incentive and take advantage of the savings and the energy offsets that are provided by this program, but I think given the fact that we're only about four or five months into it, it's too early at this point to set targets. We're working with the Energy Solutions Centre to identify and attract customers and clients to this program.

**Mr. Tredger:** I do believe it is a good program, but I think it is necessary to set targets and have some idea. The minister referred to it as a tremendous success. What is he basing that on? There is a lot of potential, and other jurisdictions have gone out of their way to ensure there's an uptake of that. I've talked to many people who are interested and looking at it.

I would encourage the minister to set some targets, see if we can meet them, and then grow from there. It allows us to move into the future and to use the ingenuity, the entrepreneurship, to build an industry around that that can move forward.

On the IPP policy — when the consultation was initially done, it was for renewable energies. The last time it was brought up, the minister said it was for renewable energies and it was cleaner than diesel. I believe "cleaner than diesel" doesn't tell the story. My understanding is that diesel produces around 1,000 tonnes of carbon dioxide per unit; natural gas is around 500; renewables — what this was originally planned to serve — produces an order of 10 to 40, which is a significant difference from 500 and 1,000.

Given what we know about the burning of fossil fuels and the effect it is having on our planet, to inject that cleaner than diesel — that's not a standard that I would think any government in this day and age would be looking at entertaining when there are renewable options.

I guess my question for the minister around this is: When, after five years of looking at it, can we expect the IPP policy to be brought forward? Will the minister assure the Yukon public that it will be for renewable energies?

**Hon. Mr. Kent:** I thank one of the officials for providing me a little bit of an update with respect to the microgeneration program. There is a review required in two years. It's built into the current policy and program, so we look forward to the review and measuring the success. Again, I think the initial work has been undertaken to attract clients and potential customers to this program, and that's the work that the Energy Solutions Centre is undertaking right now with respect to that program.

When it comes to the IPP policy and eventual program as I've mentioned in the past — and the member opposite can correct me if I'm wrong, but I believe he said that the initial

consultation only contemplated renewable, but I believe, if you look back to the 2009 energy strategy, it's my understanding that renewable energy as well as energy produced from natural gas was contemplated in that. That's why we went out at the time, in our consultations last summer, including that. That was the most recent consultation on the energy strategy.

The IPP policy is part of the strategy's priority action to update and develop a framework for electricity that emphasizes efficiency and conservation. There was a discussion paper on net metering, and IPP was released for public consultation between November 2009 and February 2010. Through the consultation, the public clearly indicated that there should be separate policies for net metering, or what has become the microgeneration program, and IPP. Valuable input was received during that consultation on proposed policy objectives, eligible energy sources, size of electricity projects, connecting to Yukon's electrical grid, financial arrangements, policy framework, and roles and responsibilities.

Again, we approved the microgeneration policy in October of 2013 and implemented it early in 2014. The draft IPP policy was released for public consultation on May 22, 2014. The public consultation period ended on August 29, 2014. We will be releasing, as I mentioned, a *What We Heard* document as a result of those consultations. We are working closely with First Nations and our utilities to better understand their positions on IPP and how we can ensure that their concerns are met.

Just referencing the priorities under the *Energy Strategy for Yukon* — there is in there a recommendation to consider renewable energy and cleaner sources, such as natural gas, for all new electricity generation projects. That's the document that we were working off of. I don't want at this point to prejudge what the final IPP strategy will look like. I know that one of the questions that was asked during the consultation was the inclusion, as I mentioned, of natural gas as a generating source. We're still in the process. I still have to take this document to my caucus colleagues and eventually Cabinet colleagues before we're ready to implement it but, as I've committed to, I am anticipating that being done prior to the end of June and we will look forward to another plank of the energy strategy being met by this government.

**Mr. Tredger:** The microgeneration policy has been in place since early 2014 — so that's a year — and we have 11 customers. I would encourage the minister to set some targets there and move forward.

As far as the IPP policy — this is an opportunity to show some leadership and develop renewable energies. We know, as legislators and as scientists, that we cannot continue to burn fossil fuels. I would recommend that we don't put more policies in place that commit us to the burning of fossilized carbon.

When it comes to renewables, we have made some progress. As the minister correctly referenced, much — in fact, the vast majority — of our electricity is produced via hydro, but it seems to move beyond that. We are pursuing a

number of studies and a number of pilot projects — a number of “let's put it out there and see what happens”. We are having a geothermal study. Ten years ago we had a geothermal study. We are doing another wind study on Mount Sumanik. We did a wind study on Haeckel Hill and we did a wind study on Ferry Hill. Now we're going back to Sumanik, which we studied once before, and we are doing another study. We are developing, since 2007, an IPP strategy. We are consulting on a biomass strategy. We are in the inaugural part of a microgen policy.

We are doing some very good things around insulating houses and building retrofits for residents. There are a few government buildings that have taken that into account. We have seen how quickly this government moved to bring an LNG plant into the territory. In less than a year — in less than two years — it was pushed through. We have had those two windmills on Haeckel Hill. At one point in 1993, over 10 years ago, we were cutting edge; we had two windmills. Our researchers were developing knowledge around that. They were sharing it with other jurisdictions. Yet we still just have two windmills. Drive down through Alberta and there are miles of windmills; outside of Grande Prairie there are windmills. Scotland produces almost 50 percent of their power from wind. Other jurisdictions are making milestones every day. We know it is economical. We know it's effective. We know that we can act if we have the political will, but we're conducting studies and consulting and spinning our wheels.

As I mentioned earlier, climate change is real. It is happening faster than we predicted and it is caused by the burning of fossilized carbon. We, as legislators, need to show the leadership.

In Yukon, transportation and heating make up the bulk of our contributions to climate change. We have had a number of buildings — we had an opportunity with F.H. Collins to put in geothermal. We dug the well, we spent millions of dollars. We proved it was viable economically and then we didn't do it. So for 40 years now, F.H. Collins will generate heat by burning fossil fuels. How many other buildings in this budget are we going to fund that don't take advantage of modern technology; that don't take advantage of district heating; that don't take advantage of biomass? We know these are proven technologies.

Geothermal was there for the taking with F.H. Collins. As late as the last session, the minister said they hadn't decided whether or not to go with geothermal in F.H. Collins. Then he said, well, we're thinking of it for the trades wing. We talked about district heating in Whistle Bend. We looked at possibilities, yet now we're building a number of new buildings — big buildings, expensive buildings — and I've heard naught about renewable energy to heat them.

Yet we know, as a territory, that heating our buildings is one of our largest contributions to greenhouse gas. What about transportation? What are we looking at? Do we have a pilot project to look at electrifying some of our government vehicles, the ones that buzz around town? Let's start looking at it. Other jurisdictions are realizing we don't have that much

time to go ahead and do it. Certainly we're going to encounter problems, but the Yukon people have a lot of ingenuity. We have inventors, we have scientists, we have mechanics, we have people who can put together machinery and figure it out. We need the leadership. We need the political will.

So I'm asking the minister: What are his plans for our heating and transportation contributions to climate change? How are we addressing that? What ways are we actively moving now to reduce our dependence upon fossil fuels? Yes, the minister mentioned that we are dependent upon fossil fuels. The world is dependent upon fossil fuels. The question is: What are we going to do about it?

He mentioned my home on the river. The first year when I put in my solar system and unit, I realized that, through conservation, I would not have to run a generator as backup. Now, two years running, with conservation, with wise use of the resources and with carefully learning it, I haven't had to run a backup generator. Will that happen forever? I don't know, but I am trying and I am learning. That is what we as a government and that is what we as people in the Yukon need to do. We have to get out ahead of the curve, and we can. We were there with wind in 1993. We were doing geothermal studies. We had biomass. Certainly in Pelly Crossing when I got there, there was a wood-chip boiler. There was one in town here at Elijah Smith. They didn't always work as well as they might have, but with a little care and time, that is how we learn. Humans learn through trial and error.

My question to the minister — I apologize. I got a little sidetracked there.

What are we doing in terms of the transportation industry and heating to lessen our dependence on burning of fossilized carbon?

**Hon. Mr. Kent:** As a government, what we are doing is putting the tools in place to enable different kinds of energy sources to become active here in the territory. We have talked about a number of them here today, but there are also a number of factors that determine which source should be chosen, whether it's hydro, wind, diesel, natural gas, biomass, geothermal. Demand-side management is what we are looking at through our energy efficiency programs — district energy opportunities, waste energy, the PV, or the solar opportunities, and the grid interconnection. Some of these factors include the capital cost, operating cost, lead time, seasonal availability, lifespan, site specificity, and the ability to scale up or down.

It's not as simple as what the member opposite would have Yukoners believe when it comes to trying to determine what type of energy generating system to put in place. I know the members opposite have long been critics of the natural gas conversion at the Whitehorse Rapids facility here. Those diesels that are being replaced are over 40 years old. They were here before my family arrived in the Yukon in 1973. I believe one of them is 44 and the other one is — and I stand to be corrected — 46 years old. The Premier and I, when I was minister responsible for the Energy Corporation, had the opportunity to do a tour of the diesel generators here. You can certainly see the evolution of our energy history as you walk through the diesel plant over at the Whitehorse Rapids facility.

The very large, old diesels are being replaced by the more efficient natural gas ones, and more environmentally friendly natural-gas burning facilities are due to be commissioned here, I understand, in the next number of months.

I think that those are great opportunities to put in the necessary infrastructure to ensure that all Yukoners have reliable electrical generation and power when they need it, particularly when the temperature drops below a certain amount, which is when we see the backups or peak power demands here in the territory.

The member opposite I think referenced that 50 percent of Scotland's energy was generated by wind or renewable sources. As I mentioned last year, 99.5 percent of the grid energy here in the Yukon was from a renewable source. I think the number overall is around 94 percent, which is ahead of the national average as far as renewable generation. I think we as Yukoners have a lot to be proud of when it comes to what we're achieving as far as renewable energy, but again, as a government, we're not resting on our laurels.

We're looking at next generation hydro, we're looking at wind and we're looking at biomass opportunities. Geothermal — I know the member opposite was dismissive of the work that the Energy Solutions Centre and the Yukon Geological Survey are conducting, but it is my understanding that geothermal energy is very difficult to find. You have to obviously develop drill targets, and that's what the Geological Survey and the Energy Solutions Centre, in partnership with CanNor and the national organization, are looking for — a favourability map — so that we can narrow that down and reduce the risk for individuals and companies that are looking for geothermal opportunities.

When it comes to our buildings — and I would think that we would get into this in a little bit more detail when we get to Highways and Public Works, as they are ultimately responsible for the construction and management of the buildings that we have in the government inventory. I guess just to provide an update, for the main admin building — the Yukon Legislative Assembly building — we're looking at doing a significant energy retrofit, including replacing windows and also re-insulating and re-siding this building. My understanding is this is one of the most expensive buildings that we have to operate, not only from an expense side, but from an emissions side as well. We certainly want to see that work done. We're anticipating tenders going out for that work later on this year, which will not only provide jobs and opportunities for local contractors, but take one of our most inefficient buildings and make them much more efficient when it comes to energy.

The F.H. Collins building is being built to a LEED silver standard and we're excited about the energy-efficiency opportunities that are presenting themselves over there. I know I don't have to remind members that when we decided to go with the new design for F.H. Collins we also decided to go with a new location, which was considerably further away from the existing well — I believe it's an existing well — that the member opposite talked about with respect to geothermal opportunities.

We're also looking at biomass opportunities, as mentioned, with respect to the technical education wing and then there are some district heating opportunities for a number of the buildings that are located on that educational reserve, and potentially the hospital and other campuses as well for district biomass opportunities.

Members can find that study on the Yukon Energy Corporation website, if they're interested in reviewing it. It's certainly interesting to me and has caught my attention as something that perhaps we'll have the opportunity to explore when it comes to district biomass heating here in the territory.

When it comes to the commercial side and the demand-side management, we have seen the Yukon Energy Corporation and ATCO — Yukon Electrical — put in light bulb programs, which will help to contribute to better energy efficiency. We've taken that a step further on the commercial side and have introduced the commercial lighting program and the multi-unit residential building retrofit initiative as well. As I mentioned, we don't currently have any applications for that program, but there's an awful lot of interest from companies out there engaged with the Energy Solutions Centre looking for opportunities.

I won't get into the details, but I'm very proud of what we've put in place for residential energy efficiency and the good energy rebates that we have. There are a number of opportunities on the heating side. On the transportation side, I think perhaps we could get into this a little bit, as I mentioned, although I'm the minister responsible for Highways and Public Works — when officials from that department are here, we can get into a little bit more detail of what we're trying to do on the transportation side.

I know in other jurisdictions they've talked about natural gas opportunities to power vehicles, which is a more efficient and environmentally friendly way to power vehicles. I think they've talked about everything from some of the heavy rail to long-haul trucking, as far as opportunities when it comes to natural gas.

Actually, at this time, Madam Chair, maybe I'll take the opportunity to congratulate Mr. Bruce Winchester, who was recently appointed as executive director of the Canadian Natural Gas Vehicle Alliance. I wish him well and hopefully we will have the opportunity to meet with him, at some point, and hear his points of view on how natural gas can play an important role in a cleaner energy future on the transportation side.

That said, Madam Chair, when it comes to Yukon-specific activities, there's nothing that we're considering as of right now, but when we get into Highways and Public Works and discussions around fleet vehicles, perhaps we can address it at that time.

**Mr. Tredger:** I thank the minister for that answer. I would reiterate that I am not dismissive of the efforts that are being put forward. I only ask for leadership from the government to move us and recognize the urgency of the situation. Certainly the public servants are making some great gains. They're doing some work. But as a society, as legislators, we need to show leadership.

Science is telling us that the sooner we act, the less costly it's going to be. Science is telling us that a dollar spent now will save much more down the line. Science is telling us that we must put our resources, our energies, our leadership into addressing climate change. Because I ask for more, I am not dismissive. The minister continues to dismiss the concerns of scientists. The minister continues to misquote —

**Some Hon. Member:** (Inaudible)

#### Point of order

**Chair:** Mr. Elias, on a point of order.

**Mr. Elias:** For the member opposite to suggest that the minister is dismissing scientists is imputing an unavowed motive to the honourable minister and I would ask the Member for Mayo-Tatchun to temper his language because it is going to lead to discord in here. That is all I have to say about it.

**Chair:** Ms. Stick, on the point of order.

**Ms. Stick:** I am not sure which standing order the member opposite was referring to, but I believe this is a dispute between members.

#### Chair's ruling

**Chair:** There is no point of order. This is a dispute among members.

Mr. Tredger, you have the floor.

**Mr. Tredger:** Thank you. It is important. I will move from climate change, other than to say we need to address it. It is not going to be easy. It is going to be us working together. Thank you for hearing me.

I would like to move on. In our last discussion, the minister talked about the Assessment and Abandoned Mines branch, which directs and oversees planning, care and maintenance and closure of type 2 mine sites identified under devolution. The branch enters into funding arrangements with the Government of Canada to carry out this work. This year's budget for Assessment and Abandoned Mines is \$44.115 million. If the minister could tell me how much has been spent since devolution in 1993 — the signing of the DTA, the devolution transfer agreement — and could he give me a breakdown of the \$44 million that is anticipated to be spent this year?

**Hon. Mr. Kent:** For the member opposite, to follow up on his previous energy remarks, of course we're not ignoring the recommendations of the scientific community. The energy-efficiency programs were based on a study by Marbek. The study is essential to determine the direction that our government should take and information needs to be updated regularly because we don't want to get complacent or be static.

Obviously these are important initiatives that we as a government have undertaken. I would also argue — I know the member opposite in earlier remarks this afternoon talked about talking to the public, working on strategies and pilot projects and other things. I think those are all important things — ensuring that we engage the Yukon community and get



their feedback. I would think that if we were just plowing ahead on our own without hearing from Yukoners, the member would be equally critical of that type of tack.

With respect to the biomass strategy and other strategies and programs that we have put in place, it is important to hear from Yukoners and balance the input that we have from Yukoners with what we know from Outside experts and what we know about the other situation here in the territory, which is, as I mentioned, the number of different aspects when it comes to determining which source of energy is the appropriate one to choose for a specific activity or to meet a demand.

I should also correct the member opposite. I believe he said 1993 was the year of the devolution transfer — an honest mistake, obviously — but to correct the record, the devolution transfer was in the year 2003. We are 12 years in, and I think that we have seen some tremendous opportunities, both economically and as a society here in the Yukon, from what we achieved at devolution and what we continue to achieve, working with First Nations and other Yukoners and industry on going forward to ensure that we responsibly manage our resources.

When it comes to the abandoned mines, the big ones that we are working on with respect to the type 2 sites that were identified in the DTA — Mount Nansen is one, Keno, Clinton Creek and Faro. We will soon add the Ketza mine to that list of mines that were permitted and are the responsibility of the federal government.

The numbers that I have here are 2014-15: the total at Mount Nansen was \$5.052 million; Keno was \$75,000, Clinton Creek was \$2.582 million; and Faro is the largest component at \$35.321 million. As I am sure the member opposite can appreciate, this is a very dynamic file and, when we are working with Canada — and some of the surprises that come up, particularly when we are talking about the Faro mine, because of the size and magnitude of what is being undertaken there.

I would beg the member's indulgence for me to get back to him with numbers respecting the 2015-16 year. I will commit to getting back to him in a letter with what we are anticipating being spent. When we are standing here next year debating the same budget on Assessment and Abandoned Mines, we recognize that those numbers could be quite a bit different. I will mention though that I believe that currently on the government's tender management system there is a tender that closes, I believe, later this month or early in June, for Clinton Creek. Once we get those bids in, we will have a better idea of what type of expenditures we are looking at for 2015-16. Again, he mentioned the total number. That could change as we work through issues with Canada, especially issues surrounding the Faro mine site.

**Mr. Tredger:** I thank the minister for that correction. I had 1993 on my brain, but he's right that it was indeed in 2003, some 12 years ago, that the DTA occurred and we took over.

I had also asked about how much we have spent since 2003, historically. I understand that the minister may not have

that at his fingertips, but if he could include that in the anticipated expenditures for this year.

I have just a quick question before I go further on that. In response to a question last week, the minister said that he was working with all parties on a closure approach in the Keno mining district. Can he explain what a closure approach is?

**Hon. Mr. Kent:** Just to quickly repeat what we discussed last week — I think that was during Question Period last week or the week before — Yukon government and the Elsa Reclamation and Development Company, as well as Aboriginal Affairs and Northern Development Canada and the First Nation of Na Cho Nyäk Dun, have selected a closure approach, which will eventually lead to a closure plan to address historic liabilities at the Keno Hill site.

As the member knows, this is one of the type 2 sites that has a bit of a different model as far as the care and maintenance and looking at the closure options, but again, that is the update for members at this time. As more information becomes available, I'll certainly keep members informed, or we'll do so through the local media, as we move toward a final closure plan for the Keno Hill site, of course recognizing that it is still an active mine site owned by Alexco Resources. While they're in temporary closure, they have identified additional mineral deposits that they'll look to access when there are more favourable market conditions to do so.

**Mr. Tredger:** I thank the minister for his answers to that. I will come back to that area in a couple of minutes, but first I want to talk a little bit about the devolution transfer agreement. As part of that agreement, Yukon government agreed to do the management, as well as care and maintenance, and develop closure plans for the type 2 sites. Now I guess it's 12 years later, or thereabouts — I stand to be corrected — and we have a closure approach in Keno.

That wasn't contemplated in the devolution transfer agreement. They had talked quite specifically about closure plans. Can the minister tell me how many of our type 2 sites now have a signed and agreed-to closure plan, and when can those be shared with the public?

**Hon. Mr. Kent:** As I mentioned, that closure approach at Keno will eventually lead to a closure plan. Obviously these types of activities need to go through the environmental assessment process, the YESAA process, when it comes to development, so I guess, until that process is complete for any of the type 2 sites, we won't have a closure plan in place. That, of course, includes Faro and Mount Nansen.

We thought we were close at Mount Nansen, and then the Government of Canada wanted to take a step back and review the plan. I think that work is currently underway. The Government of Canada plays a major role in this as the funder. We work closely with the Government of Canada and the affected First Nations, depending on where the abandoned mine is located.

Again, once we get a little bit closer to submitting the YESAA documents, that will give us a better indication of when we will have a final closure plan in place for the various type 2 sites that exist throughout the territory.

**Mr. Tredger:** The Yukon government took over the management with the understanding that they would develop closure plans in 2003. It's now 2015 — 12 years later. We don't have any closure plans in place. We've spent a fair bit of money. I assume it's around \$200 million. I stand to be corrected on that, but when I did some rough calculations, that is what it came up to. I await the minister to either confirm or deny that — but in the neighbourhood of \$200 million.

Part of the devolution transfer agreement was a federal contaminated sites action plan, or FCSAP, and that was the federal government agreeing to fund this process. It's my understanding that that had a sunset clause and it's due to expire in 2020, which is in seven years. According to my calculations, we've had 12 years to work on this. We don't have any plans in place. We have another five years, I guess, before a sunset clause.

My question for the minister is: Has this government negotiated an extension of the sunset clause? What are the plans, should we come up to the year 2020? The federal government, as we know, has mismanaged the federal budget and is looking for ways to theoretically balance the budget. Once that clause sunsets, what are the minister's plans for our type 2 mines?

**Hon. Mr. Kent:** To make assertions that no work has taken place just because we don't have any plans in place certainly does a disservice to the officials from all three levels of government — Canada, Yukon and First Nation governments — that have been engaged in activities around these type 2 sites for the last number of years. As I have mentioned, we're working toward closure plans on a number of these sites. We thought that Mount Nansen was ready to go, but the Government of Canada wanted to take another look at it. We feel that we're close on Faro, as well as Keno, as I mentioned earlier.

Again, prior to these plans going through the YESAA process, I think it's premature to comment on them until the YESAA application and assessment process has run its course.

With respect to the 2020 sunset clause that the member opposite referenced, it's something that I'll look into in a little bit more detail, but we've been working very closely with the Government of Canada and First Nations on these type 2 sites. I know that officials in Assessment and Abandoned Mines work very closely. The federal government, obviously as the funder, has to approve our plans, and they have approved the plans. They fund the care and maintenance activities that occur at these sites as well.

This isn't just a Yukon government aspect. There are obviously the First Nation partners that we work closely with and have consultation requirements with, as well as the funder, which is the Government of Canada. These aren't things that are solely in our control, but we'll look to continue to work with our partners to bring these sites into closure.

This isn't a straight-forward file when it comes to dealing on these type 2 sites here in the territory. There are many partners, as I've said, at the table. Often there are some

movable parts when it comes to new aspects that pop up that weren't anticipated.

Again I would reference specifically the Faro mine complex when it comes to that. I had the opportunity to visit there last fall with the MLA for Pelly-Nisutlin, the Minister of Economic Development. I have flown over that site a number of times, but to actually be on the ground there, you recognize the scale of what we're dealing with and what we're trying to do. I applaud not only officials in Assessment and Abandoned Mines, but officials with the Government of Canada and the various First Nations for the work that they've undertaken since devolution on those sites and the work they continue to undertake on behalf of Yukoners and Canadians when it comes to dealing with these sites.

**Mr. Tredger:** The minister did not understand, or he misunderstood, my statements. I did not make any assertion that there was no work taking place. In fact, I thought that in the neighbourhood of \$200 million had been spent, so I am not sure where he came up with that assertion. I certainly applaud the officials, the public service, as well as the residents of First Nations who are working on these type 2 sites. They are complicated. My concern is that we have had the care and management, with the responsibility to create a closure plan for 12 years. In 12 years we do not have one closure plan.

If that sunset clause is there, we should show some sense of urgency. It is important that we get this resolved and resolved quickly. We have just recently added the Ketza River site to our list of ones that we assumed responsibility for. I know that there has been some potential mining being done in Keno. How does the minister work with the federal government to determine liability in the case where mining is occurring on type 2 sites? Who assumes the responsibility, and how is that determined prior to actual mining — or is it something we figure out as we go along? Does the minister have a policy statement? Do we have something that is written down in the devolution transfer agreements that guides us in making those decisions?

**Hon. Mr. Kent:** Just to ensure that the record is correct with respect to the Ketza mine — obviously that is a historic mine. That is why it is listed as a type 2 site under the devolution transfer agreement. I think it originally operated, starting in the mid-1980s — during the 1980s and 1990s is when it operated initially, and that obviously was under the federal government's watch. There has been no mining production since 2003. There have been a number of exploration activities that have taken place on that site since that time, of which we have collected almost \$800,000 in security from the company that was active on the site until recently, when it will be reverting to a type 2 site as an abandoned mine and be the responsibility of the federal government again.

It has just recently been turned over to the Assessment and Abandoned Mines branch to manage that site. There are contractors on-site conducting care and maintenance activities and some other health- and safety-related activities right now. We would anticipate a tender later on this year for longer term

care and maintenance and then working with the federal government to develop a closure plan for the Ketzka mine area and remediation of the historic liabilities there.

When it comes to the United Keno Hill Mines, Alexco entered into a cost-sharing arrangement with the federal government related to historic mining liabilities at the abandoned site and, in turn, was granted rights to residual mineral reserves, which is what we talked about earlier. The numbers that I have in front of me — they provided \$410,000 in cash for secured creditors, paid \$10 million into a qualified environmental trust fund, and assumed care and maintenance of the site under a fixed-price contract. Alexco also executed the development of an overall remediation plan partially funded by Canada at a 65:35 split.

We are anticipating some sort of an overall remediation plan coming forward here very shortly. It will have to go through the YESAA process. The simplest way to explain this is that, when it comes to properties like Ketzka or United Keno Hill, it is my understanding that we are responsible for any activities — and again, the company is responsible through providing security — that have been permitted since devolution in 2003. Any historic liabilities that have occurred prior to devolution are the responsibility of either the company or the federal government, as is the case in the Ketzka River mine. We should take the opportunity to thank those individuals who represent Alexco and the Elsa mine remediation company — I think is the company that they have put together to take on the historic environmental liabilities at that site. I know that they are working hard to develop a closure plan and get it before YESAA. We will look forward to that going through when it does.

With respect to the member's question about 2020 and beyond — as I have mentioned, these are very complicated sites, and he has acknowledged that they are complicated sites. It would be speculative at this time to comment on what we are looking at as we approach 2020. I know that officials across departments in the Yukon government, and indeed across the Canadian and First Nation governments, are working hard to come up with closure plans for these various sites. We will continue to support their efforts and their work going forward.

**Mr. Tredger:** I guess I was hoping that there would be some guidelines or policies to determine how — we are entering into quite complicated jurisdictions around type 2 sites that have historical liabilities, and building current ones. It would be good to have some guidelines that guide the minister. However, we'll go on from there.

Faro, when it was initially established, had a steering committee that consisted of the three levels of government and affected First Nations. Can the minister tell me how often that steering committee is meeting? Are they considering the new closure approach? It will be a closure approach until it's a closure plan. What time frame does the minister anticipate before we do have a final closure plan on Faro?

**Hon. Mr. Kent:** In 2010, Canada agreed to establish a separate forum within which to address related and broader issues with respect to the Faro mine complex. To date, such a

forum hasn't been created, pending resolution of some outstanding questions.

At the end of April 2015, Canada and Yukon received a proposal from the Kaska related to the Faro remediation project. It includes a number of aspects, including a socio-economic impact study of the mine.

The proposed impact study starts from pre-mining and is designed to understand and quantify the impacts of mine development and operation on the Kaska people.

The specific forum that the member opposite referenced — again, I'm not sure of the last time that forum met, but, when it comes to the Faro mine site, the future role of affected Yukon First Nations is currently under discussion, as I mentioned, with Liard First Nation, Ross River Dena Council and the Selkirk First Nation.

I guess one point to make is that, since 2004, the Yukon government has provided over \$7 million to affected Yukon First Nations to support their direct participation in the Faro mine remediation project, and we continue to advocate for these tripartite meetings between Canada, Yukon and the affected First Nations to discuss not only their proposals, but how the future will be guided with respect to work at the Faro mine.

**Mr. Tredger:** Last fall during our conversations, questions and debate, it became evident that Rose Creek, coming out of Faro, had elevated levels of zinc. At the time, it was not sure where it was coming from; however, the minister mentioned that they were doing some further testing and attempting to resolve an issue around the source of that. My question for the minister is: Has that indeed been identified? How is it being resolved? What is the cost to resolve that issue? Have the downstream residents been informed, and how?

**Hon. Mr. Kent:** This is the information that I have, as of this Spring Sitting obviously, with respect to the water quality.

Just to step back, in late October 2013, care and maintenance operators at the Faro mine complex first detected an increase in zinc levels in Rose Creek immediately downstream of the site. Further investigations carried out in November and December of that year allowed the source of contamination to be identified, which was a new seep in the southeast portion of the Faro waste rock dump. Throughout January 2014, zinc concentrations in the upper reaches of Rose Creek continued to increase, exceeding acutely toxic levels for fish in certain areas. The freshet event of spring 2014 introduced additional quantities of fresh water into the system, naturally diluting the new source of contamination and reducing zinc concentrations to acceptable levels.

Further in the summer and fall of 2014 — and the fall is when the Minister of Economic Development and I visited this site — YG designed a seepage interception system to collect contaminated water from the north fork of Rose Creek. This design included construction of a sump and pumping system. The seepage interception system was completed and commissioned in January of 2015. The governments of Yukon and Canada were issued a direction by Environment Canada

in October of last year and have been actively working with the regulators to address this issue.

Assessment and Abandoned Mines branch continues to monitor water quality in the north fork of Rose Creek to understand performance of the seepage interception system and identify any further measures that may be required. The Yukon government is currently responsible for this site under section 37 of the *Yukon Waters Act*, enabling YG to implement any work necessary to maintain the site and protect human health and the environment until the remediation or closure plan can be implemented.

While I don't have the specific cost numbers that the member opposite asked for, I can include them in the response that I've promised to get to him with respect to overall expenditures by Assessment and Abandoned Mines since devolution and some of the other questions that he asked earlier on in debate.

**Mr. Tredger:** Have recent tests been conducted to determine whether or not that problem has been alleviated? I know it was tried.

My question, and the question of residents living downstream, is: Has it been alleviated? Is it effective? The minister may not have the latest test results, although I think it would be quite critical to determine the effectiveness of it.

Can the minister tell me whether it has been and is being regularly tested, if those results will be shared, and how he will inform the residents downstream, in particular along the Pelly River, in Pelly Crossing, at any farms along the way and any communities along the way?

**Hon. Mr. Kent:** While the note that I have from Assessment and Abandoned Mines doesn't include this information, I am assuming that they may be waiting for the current freshet event to be completed before they make a determination on whether or not the seepage interception system that was commissioned in January 2015 is working. I can assure members that there is indeed regular testing of the water on-site and at different sites throughout the Faro mine complex. The new water treatment plant is now in place and we received a tour from one of the young engineers — a young Yukon engineer, Cameron Malloch — who was working for CH2M Hill, when we were there last year. I thank him — as he is, I believe, a born-and-raised Yukoner — for the education that he achieved and the work that he is contributing to the environmental integrity of the Faro mine complex.

I will check back with officials at Assessment and Abandoned Mines to get some of the more recent data that we have with respect to the water quality there and get a better sense of when they are able to determine whether or not the system that they designed, commissioned and put in place — commissioned in January of this year — is in fact addressing the problem that was discovered in late October 2013.

**Mr. Tredger:** I thank the minister for that answer.

I would like to move on to a couple of questions about Mount Nansen. Currently, the water is compliant with the standards on average, although there are seasonal spikes that exceed it. There has been some talk of moving the tailings to a

more stable pit. What has been noted is that the toxicity has been increasing and there had been talk of a water treatment plant — currently there is not one. I know at one point there was a plan to put one in. That was set aside, but as they note, the toxicity of the water is increasing.

Can the minister tell me whether or not there will be a water treatment plant? When will it be put in place? What is our approach there in trying to deal with the type 2 site?

**Hon. Mr. Kent:** This gives me an opportunity to update members on some of the goings-on at Mount Nansen. Assessment and Abandoned Mines branch leads efforts to address the environmental issues at the site, which includes managing ongoing site operations, better known as care and maintenance, and developing and implementing the remediation plan.

As I mentioned earlier today in debate, we are waiting for the Government of Canada to approve the remediation plan and then of course it still has to go through the YESAA process before we can act on it.

Members, since we last sat, Denison Environmental Services was the successful bidder on a public tender process and is responsible for site operations — again, the care and maintenance activities — until March 31, 2017.

The branch completed a significant amount of the design for the remediation project and, as I mentioned, it's currently undergoing a cost-refinement review. Once complete and upon Government of Canada's approval, the branch will complete that design work and then move forward.

As the member opposite mentioned, there have been some concerns raised, particularly by the Little Salmon Carmacks First Nation, with the quality of water leaving the Mount Nansen site and the effect this water may be having on downstream users. The branch has been leading a process for the development of an adaptive management plan to address these concerns. Water quality is monitored on the site on a monthly basis, and the branch will also complete annual technical reviews to identify any potential concerns.

Just to reiterate for anyone who is interested, the Government of Canada, through the federal contaminated sites action plan, provides 100-percent funding for site operations and development of the remediation plan. That's the most recent update I can provide members with respect to the activity at the Mount Nansen site.

**Mr. Tredger:** Do we have any firm dates as to when the water treatment issue will be dealt with? I know it is an ongoing process and I guess I've been asking questions about Mount Nansen since I got here, and I know there's an ongoing plan. Do we have any kind of idea whether it will be one year, two years or five years before we do finally have a closure plan that is agreed to by all parties?

**Hon. Mr. Kent:** As I mentioned, a significant portion of the design work for the remediation project has been completed. It is currently undergoing a cost-refinement review. Once complete and upon Government of Canada's approval, the branch will complete that work on the design. The branch has been leading a process for the development of

an adaptive management plan to address the water quality concerns.

As I mentioned, Denison Environmental Services was the successful bidder and is on-site until March 31, 2017. Once I get a better indication of where Canada wants to go with this, I can provide that information to the House but, as we've mentioned on a number of occasions this afternoon, with the multiple partners and with Canada as the main funding partner ultimately responsible for this, they play a very important role. We'll continue to work with Canada and the appropriate officials so we can address the concerns at Mount Nansen.

Again, just to repeat, the Assessment and Abandoned Mines branch monitors site water quality on a monthly basis and completes annual technical reviews to identify any potential concerns. We'll look to continue to provide — I believe we provide that information to Little Salmon Carmacks First Nation and we'll look to continue to provide that to any interested parties in what's happening at the Mount Nansen site.

This is one of a number of type 2 sites that we are currently working on and working toward some sort of final remediation for those sites. Not to be too repetitive, but these are very complicated projects when you are dealing with the issues that are on-site, compounded with the number of governments that are involved. I want to ensure that once these sites are closed, it is done to the satisfaction of all of the parties and we can move on as best we can from these type 2 sites and focus on a more modern mining and regulatory regime where the companies themselves will put up the security necessary to remediate the projects.

**Chair:** Before proceeding, would members like to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Chair:** Committee of the Whole will now come to order. The matter before the Committee is Vote 53, Energy, Mines and Resources in Bill No. 18. We are continuing general debate.

**Mr. Tredger:** I thank the minister for his work and especially the officials who are working on the type 2 mines. As he mentioned, they are legacy and they are a concern.

I would like to talk about the United Keno Hill mine site and Keno City. There was a health impact assessment done, and I will just read from what Dr. Hanley said: Water contamination is a key concern among residents of Keno City. Historical mining has left a legacy of water contamination in the project area, and some local water sources, in particular water near the Onek 400 adit, have been found to have elevated levels of metals, cadmium and zinc that exceed Canadian drinking water guidelines. Water in the fire hall well, which supplies the town's drinking water, has not been found to contain contamination hazardous to human health. However, the fact that there are contaminated wells near the

fire hall well has led to considerable fear among some residents that the town's water supply, while currently safe, is not secure and that its security is further jeopardized.

He goes on to planned expansions: A robust groundwater monitoring plan with an adaptive management component and a strong focus on communications is essential both to ensuring the safety of local drinking water supply and to reducing stress and anxiety.

As we noted, the water was not tested for well over a year. I'm not sure if the minister has an adaptive management plan in place. Could the minister speak to that and speak to an adaptive water management plan?

While he's speaking to that — last year on April 8, 2014, in response to some of my questions, he sent a letter: It is important to remember that the historic Onek workings were developed in the 1950s. Water discharging from the 400 adit has been elevated in cadmium and zinc for many decades. The water discharge is directly to ground and the groundwater flows away from the community of Keno City, as confirmed recently by groundwater studies conducted by XCO. ERDC is currently authorized to discharge untreated waste water from the Onek 400 adit, so long as all discharges are to ground or to drainages that report to ground.

My concern and my thought is, again, that we're not sure of the aquifers in the area, and there have been conflicting reports around the suitability or wisdom of allowing contaminated effluent to flow to ground anywhere in the environment, and particularly near a community. I'm wondering if the minister has looked into that since that time, whether there have been any indications that the groundwater is developing a plume that may, in fact, affect the drinking water — certainly it will affect the surrounding area — and if the minister has any thoughts on the advisability of allowing contaminated water to go to ground.

**Hon. Mr. Kent:** Just to answer the latter part of the member's question first, we did talk about this, I believe, just last spring, as he mentioned. I think I would prefer just to get an updated briefing note before making any further response with respect to that. It's my understanding that, through the water use licence and other aspects, that type of thing would be controlled, but I would prefer to get accurate information to the member opposite, so I hope he understands if we decide to just defer that and respond to him in a letter with respect to that specific thing.

Earlier this Sitting — I believe it was during Question Period — the member opposite brought up the water quality testing and the delivery of that with respect to the health impact study. I do stand to be corrected because these are the responsibility of two departments that aren't mine — but it's my understanding that the permit is issued by the Department of Health and Social Services and the Department of Community Services undertakes to execute that permit.

In the permit water testing, my understanding is that the permit specifically says that it has to be done on an annual basis, but there was a commitment to the community that it would be done on a more frequent basis.

So in conversations with the Minister responsible for Community Services, I understand that quarterly testing of the water will be undertaken. The permit specifically said “annual” and so there was — I wouldn’t say an error, but just reading the permit — specifically saying annual testing is what one of the officials felt that that was what needed to be done, but again there was a community commitment for more regular testing, so the minister has informed me that quarterly testing will be undertaken with respect to the water for the community of Keno City.

I hope that answers that part of the question. I can get him to redirect this to the Minister of Community Services or the Minister of Health and Social Services and, again with respect to the issues that we brought up last spring, I will just beg members’ indulgence to get back with an accurate portrayal of where we are now, rather than where we were last year at this time.

**Mr. Tredger:** We have discussed the effluent going to ground and question the wisdom of it.

I have a letter from Access Consulting Group on the Elsa Reclamation and Development Company water licence that was written to the Yukon Water Board and in this letter it states quite clearly that we also include more complete descriptions of the various studies that lead us to believe that the only responsible action to take at the present time is to install a water treatment facility at the Onek 400 adit. They go into quite a bit of detail explaining the historic workings. So whether there is a development or not — a mine or not — it is irrelevant to the effluent coming out of the mine and they’re very concerned. That water treatment facility was put on hold for some reason or another with the idea that perhaps when future mining was done according to the YESAA application, it may have gone forward. They chose not to go forward, but the Elsa Reclamation and Development Company Ltd. was quite clear that, despite that, there was a necessity for a water treatment plant.

I will read you the conclusion of their letter, which is quite concerning: The ERDC believes that the input from the initial environmental assessment and licensing processes, which then incorporated into the original adaptive management plan and its update, has led to the requirement to treat water at Onek 400. We are also of the opinion that it is the appropriate response to be taken from a scientific perspective when relying on the precautionary principle. There is clearly a plausible continued risk to groundwater and surface water from leaving Onek 400 water untreated. Where that risk was not so clearly identified the first time, the licensing of Onek 400 was considered. We respectfully reject the AANDC arguments that further study or consideration is required and believe at the present time it is appropriate to install a temporary treatment system for the care and maintenance of the Onek 400 adit while the closure planning process continues.

At the conclusion of that process, it is possible that other alternatives will be selected, at which time those alternatives will be assessed and a WUL sought for that alternative. In consideration of the concerns brought forward by the Elsa

reclamation, the people who are responsible for the care and maintenance, will the minister look into this situation and assess whether or not a water treatment plant is necessary for the Onek 400 adit and report his findings back to the House and the people of Keno City?

**Hon. Mr. Kent:** If memory serves from last spring’s debate on this, there were a number of players obviously involved. Rather than ask the member opposite to table the letter that he was reading from, I am assuming that is available publicly. I will check into whether or not that is available publicly. I am sure it is, if he has a copy of it.

Again, with respect to the historical workings at the United Keno Hill property, this is something that the federal government is responsible for. They have entered into a cost-sharing arrangement with Alexco related to historic mining liabilities at the abandoned site and, in turn, Alexco was granted the rights to residual mineral reserves. We talked earlier about the security paid and the \$10 million that Alexco put into a qualified environmental trust fund and assumed care and maintenance of the site under a fixed-price contract.

With respect to the specific water treatment issues, there are a number of players, including the Yukon Water Board, Aboriginal Affairs and Northern Development Canada, and the company ERDC as well. This would be the responsibility of the federal government to pay for this water treatment plant. I will commit to review the situation from last spring and give it full and fair consideration as to what our thoughts are, but this is primarily the responsibility of the federal government. We can report back to members on what our thoughts are, based on last year and based on current information, but it would be premature and, I think, speculative of me at this time to commit to anything on the floor of the House rather than to look back and take into account the new information — if indeed, it was new information — brought forward by the Member for Mayo-Tatchun here today.

**Mr. Tredger:** The health impact assessment by Dr. Hanley is on-line and it is available at the Health and Social Services’ website. This is an attachment issued on January 3, 2013, in response to the Yukon Water Board and it was written by Elsa Reclamation and Development Company Ltd. Again, that is for the minister’s information — January 3, 2013 — and I assume it would be on the Yukon Water Board website. He can find it there.

In the interest of time, I will leave the situation at Keno for now, and I do hope that the minister does inform me and get the information that I have requested on that.

I have a couple of quick questions on Wolverine. I will just read a few of them, and perhaps the minister can provide an update for what is happening at the Wolverine mine. Has he had any discussions with Yukon Zinc, either in the lead-up to the closure of the Wolverine mine? Has the mine come into compliance with their temporary closure plan? Has the flooding been stopped or is it still being allowed to continue? If it is being allowed to continue, has the department identified whether or not there will be any additional costs for closure when the final mine closure plan is ultimately

implemented? Are there any impacts to the environment that need to be mitigated due to the lapsing of the temporary closure plan? Has there been any interest shown with regard to the sale of the mine? Are there potential buyers? If the mine is purchased, will all the requirements in the water licence and the quartz licence need to be met by the new owner?

**Hon. Mr. Kent:** I will attempt to answer most of those questions. If I miss some, I will just ask the member to ask them again.

When it comes to meeting with mining companies, as the Minister of Energy, Mines and Resources, I meet regularly with mining companies that are active in the territory or would like to become active. Between the Department of Energy, Mines and Resources and the Department of Economic Development, the Minister of Economic Development and I attend shows such as the Geoscience Forum, the Mineral Exploration Roundup and the Prospectors and Developers Association of Canada. There are regular meetings with all sorts of mining companies. I met personally with representatives of Yukon Zinc as well as having officials and some other ministers present at the Exploration Roundup. Officials met with representatives of Yukon Zinc at PDAC, although I didn't take part in that particular meeting.

When it comes to the Wolverine mine — just to provide members with a bit of an update and background on where we are at, we will step back to January 21 of this year. The company announced that they were suspending operations at the Wolverine mine due to a lack of cash flow to sustain those operations. Efforts to seek funding had not been successful. Direction was provided to Yukon Zinc to implement their temporary closure plan. Mineral Resources branch issued a letter on February 3, 2015, to Yukon Zinc stating that an environmental risk assessment would be undertaken immediately by Energy, Mines and Resources and requested the company cooperate with providing the necessary information. At that time, as of the date of this briefing note — which I should let the members know was approximately a month ago; April 7, 2015 — this work was underway, and I can commit to getting an update for members on whether or not that work has in fact been completed.

A working group was established with representation from Justice, the Yukon Workers' Compensation Health and Safety Board, Compliance Monitoring and Inspections, which is a branch of Energy, Mines and Resources, and the Mineral Resources branch to share information and discuss plans. The group also met with mine site officials to obtain regular updates and site status. The first meeting occurred on February 4, 2015.

The mine site was notified on that date by Yukon Zinc to lay off 43 people, leaving 30 employees to manage the mine site during care and maintenance. Since that time, many key people have been laid off and few employees remain on-site. In a meeting between mine site officials and Yukon government held on February 4, 2015, concern was expressed by the mine site officials that the staffing levels may not be adequate to properly maintain the site during temporary closure. Of particular concern is the ground stability condition

of the main access ramp into the underground workings. This ramp must be kept open in order to access the underground manual pumps. WCB was on-site February 5 with a geotech expert to examine the ground conditions. There are several ground support issues on the ramp and the area cannot be safely accessed in its present condition.

A stop-work order was issued by WCB related to the underground workings, and workers can no longer access the bottom of the ramp until restoration is done. There's a secondary access to the bottom of the ramp along Yukon Zinc to monitor the pumps. In a meeting between remaining mine site employees and YG held on February 11, there were a number of concerns identified with the underground workings, the portal and a number of other issues with respect to happenings at the mine.

The underground working was not being heated and the de-watering underground pumps were not in operation at that time, which will result in the underground workings flooding and create added pressure to deal with materials that are to be returned underground before permanent closure. YG provided written correspondence to the company on February 18, 2015, clearly stating that the company needs to take the steps required to maintain the mine during this period, as provided for in the applicable licence and legislation, and that it fulfill all of its legal obligations respecting the mine, including providing the outstanding security.

Yukon Zinc had fuel delivered to the site on February 20, and 12 employees remain on-site for care and maintenance activities.

Mineral Resources branch issued a letter on February 26 requesting Yukon Zinc update the temporary closure section of the reclamation and closure plan to include contingency for activities that have not been done for the underground instability and de-watering and to include sufficient resources to adequately maintain the site in a stable manner.

YG will carefully monitor the situation as it unfolds in the short term and will be positioned to adapt to dynamic circumstances. YG is holding \$7.7 million in security and still requires \$2.8 million to be paid. A payment schedule had been established between YG and Yukon Zinc. Yukon Zinc did not make its last two payments, due October 31, 2014 and a second one due January 31 of this year. YG has charged Yukon Zinc for its failure to comply with the security schedule, the maximum fine for which is \$100,000.

As Yukon Zinc was under various operational and financial constraints, YG established this payment schedule to enable the company to continue operations while making smaller quarterly payments rather than one large payment. The underground contractor, Procon, is no longer on-site and has filed an additional lien against Yukon Zinc. An additional amount of liens have been filed against Yukon Zinc by other contractors.

Yukon Zinc is involved in court action in B.C. Supreme Court over Procon's filing of miners' liens. Subsequently, on March 17 of this year, Yukon Zinc announced by news release that they had applied to the B.C. Supreme Court and were

granted creditor protection under the *Companies' Creditors Arrangement Act*.

Yukon Zinc is now operating as a debtor in possession under the supervision of a court-appointed monitor, PricewaterhouseCoopers Inc. Officials from YG met on April 2 with the court-appointed monitor from PricewaterhouseCoopers and Yukon Zinc to discuss the status of the mine site and the compliance issues.

Yukon Zinc will begin working on a re-entry proposal that will be reviewed by WCB and Energy, Mines and Resources. Again, given the date of this briefing note, that may have already occurred. If it has, I will provide an update for members. Once their proposal is reviewed and accepted, they will have their qualified personnel enter the underground to do an assessment. WCB is considering having its own qualified person join the Yukon Zinc team at that time.

Yukon Zinc plans are a three-phased approach. The first phase would be to re-enter the mine and do their analysis. The second is to work with YG to put together a plan for the site and complete some rehabilitation and, in the third phase, they plan to commence dewatering once the underground meets YG safety standards. The amended temporary closure plan is due July 17, 2015. The company is aware of this deadline and has committed to work with YG Mineral Resources branch to get this done.

That is the most up-to-date information that I have at this point. Of course, recently most members will probably be aware that the company is advertising the property for sale. The Yukon has a very limited role in this. Obviously we have heard from a couple of the interested parties and, for proprietary information, I don't think it's appropriate for me to mention who they are on the floor of this House or publicly and have provided information to them with respect to outstanding liabilities and other issues.

The mine is in temporary closure. The company itself, Yukon Zinc, is on-site conducting the care and maintenance work. I don't believe any of the \$7.7 million in security has had to be accessed at this time. They are working off a line of credit to conduct the work and to keep the people on-site. Compliance Monitoring and Inspections regularly visits the site to inspect and enforce any of the activities — or any deficiencies, I guess I would say — with respect to the work going on.

I know that the Minister of Economic Development, the MLA for Pelly-Nisutlin and I were on the phone with the Chief of the Ross River Dena Council and a number of councillors. We offered a site visit to the mine and I think we got quite a way along that road until the First Nation decided they no longer wanted to conduct the site visit. We will of course, through CMI and Mineral Resources and other agencies of government, keep them informed as best we can on any new developments with respect to the mine.

My understanding is that the creditor process has been extended into June — I think it is June 12. I do stand to be corrected, but I do believe that's the date that officials have told me, but again that might be off by a little bit. If it is off, I'll correct the record at the first possible opportunity.

So obviously this isn't a great situation for those Yukoners who used to work at the mine and we want to ensure, from a Compliance Monitoring and Inspections environmental standards perspective, that the care and maintenance is being carried out during this temporary closure phase and that any new purchasers, if there are some that emerge, are aware of what the environmental liabilities and the responsibilities will be for that company.

I thank members for allowing me to go into a little bit more detail than we have during Question Period for this type of briefing. I'm happy to provide updates as they emerge. If any of the information that I provided today has updates associated with it, I'll provide that to members as well.

**Mr. Tredger:** I thank the minister for his answer. I just have one final question around contracts that have been issued. As of April 1, 2015, a contract in the amount of \$1,850,000 was issued to Denison Mines. After our conversations earlier, is that for one year or for the three years that the minister alluded to?

As well, on April 1, 2015, there were three contracts for a project coordinator — Mactung Property, Eagle Gold property and Selwyn property — that added up to \$53,000. Can the minister tell me what a project coordinator is and whether or not we're funding that position, and to what extent we have project coordinators?

One quick one on the Denison Mines and one on project coordinators, and then I'll turn the floor over to my colleague from the Klondike.

**Hon. Mr. Kent:** Yes, the member opposite is correct with respect to the Denison contract. I will just have to check and see if the contract expires in 2017 or if it's just an annual contract. I'll get back to him on that.

With respect to the role of the project coordinators, it's something that the Yukon government has employed for a number of years. It's really a pathfinder for the companies through different aspects of the mine. We've used project coordinators for the projects that the member opposite mentioned: Mactung, Selwyn and Victoria's Eagle Gold project. We've also used project coordinators in the past. I believe there is one assigned to Northern Cross (Yukon) for their oil and gas activities in the Eagle Plains area. Again, this is the process that I believe is followed: the company is provided with a list of potential individuals and their skillsets and can choose from that list, depending on what their needs are. This individual also reports back to Energy, Mines and Resources and provides updates to us as well as to the type of activities or if there are some potential issues that the company is going through on either the permitting or licensing side of things. We have found it to be a very valuable role over the past number of years.

Again, for individuals who have performed and the companies that have utilized these individuals, I believe — in the conversations I have had with them — it's a mutually beneficial relationship, not only for the company but also for us as a government in addressing some of the issues that surround specific projects as they move through the licensing and permitting system here in the territory.



**Mr. Silver:** Thank you to the department officials for their time here today.

I would like to start with a question on geothermal energy. In early March, our MP, Ryan Leef, announced funding for research and development into potential sources of natural geothermal energy here in the Yukon. The project is receiving a total of \$126,000 from the Canadian Northern Economic Development Agency over the next two years to construct maps and reports that will identify potential sources of geothermal energy.

I was wondering if the minister can provide us with an update on this project. Several studies have been done since the 1970s on geothermal hotspots. I guess the question is: What is the department intending to do with this information, once compiled?

As we all know, an earlier draft of F.H. Collins had geothermal energy included in the blueprint, and so there are questions around why that wasn't explored further as well — if the minister could address that. Also, based upon government builds, will there be any other buildings in the future that would incorporate geothermal on the horizon?

**Hon. Mr. Kent:** As discussed earlier with the Member for Mayo-Tatchun, the geothermal announcement that was made in March of this year is a partnership between CanNor and Yukon government's Energy Solutions Centre, as well as the Yukon Geological Survey, and a national geothermal organization, I believe, is providing support as well to that project.

When it comes to geothermal energy and identifying areas where it can be used for either space heating or potential energy generation, my understanding of it is that it is a very expensive process.

This is essentially doing some of the work that the Geological Survey does with respect to mineral resources where there is mapping conducted to provide information to interested parties and, I would assume, the public. I am not 100-percent sure, but I don't know why that information wouldn't be made publicly available, but if it isn't, I will get back to the member opposite with that. It will allow interested companies or individuals the opportunity to see where some of these areas are so that they can go in and drill potential exploratory wells or look for opportunities for geothermal.

Again, as I mentioned earlier on with the Member for Mayo-Tatchun, the new location of the F.H. Collins school provided some additional challenges. The well that was going to be used for geothermal was located closer to the older location. That said, I believe Highways and Public Works — and perhaps we can get into more detail on this when HPW is up later in the session for debate. We are looking at some options around geothermal. There are a number of buildings on that educational reserve that have potential.

The one thing that I believe we have done with respect to the new school — and will do is with respect to the tech education wing, which will require its own heating system — obviously we are going to have to have some form of fossil fuel heating in there. Whether it is backup or primary is yet to

be determined, but it will allow for connections of potential biomass or potential biomass district heating.

I directed the Member for Mayo-Tatchun to the Yukon Energy Corporation's website earlier today. There they will find a fairly extensive study on biomass district heating for areas, possibly including the hospital campus or the area at Hospital Road as well as the education reserve. There is potential to expand further into Riverdale or into downtown as far as biomass district heating goes. The member would be familiar with the system in Dawson City. I had the opportunity to visit that earlier this year and was very impressed with what they are able to do there, not only heating the waste-water treatment facility but heating the potable water for Dawson City during the winter months as well. There is the potential for expansion there.

We are looking for renewable energy sources, whether it is biomass or looking for options if geothermal is something that is available, as alternatives to the traditional fossil fuel heating options that exist now.

**Mr. Silver:** Thank you to the minister for his response. I am going to move on to staking in Ross River, the traditional territory of the Ross River Dena Council. There was a staking ban that existed and it was extended to January 31, 2017. In the fall I asked if this government was any closer to reaching an agreement after a year of negotiations. At that time, the minister's response was — and I quote: "We are working with the Ross River Dena Council. It is something that is being led by Executive Council Office. My understanding is that the staking ban is due to come off at the end of January and we will have lands identified within the Ross River area that will no longer be available for staking at that time."

I have a couple of different questions about the methodology here. What was the solution that was proposed by the Yukon territorial government? We are getting a lot of information from industry and other folks, and we are wondering — was this proposed solution that was given over Christmas time, or over the winter season, spot-application driven? We are hearing some suggestions that YTG's solution for notification would be on a case-by-case basis. We would like the minister to expand upon that.

Would all new activity have to be negotiated through with the Kaska on a case-by-case basis? If that was actually the process, how was that decided? It would be very clear — again, if this is true — that industry could not have been involved in that conversation because they would have been allowed to voice their concerns. This might have maybe helped YTG avoid some costly court challenges, but only because this particular solution of case-by-case would actually wipe out a lot of mining activity in the area — one might even argue a lot of the mining in the area. As we see, the Kaska are heavily involved in negotiations and consultations with mining companies currently; this would not necessarily be the best-case scenario for economic prosperity.

At the Yukon First Nations Resource Conference held in Whitehorse in March, the Premier did urge Yukon First Nations to unite with his government to encourage a prosperous resource sector.

He told delegates that the mining sector can benefit all governments if they work together. The Premier went on to say that the Government of Yukon will work with First Nations to streamline the mining process and regulations. Yet, in the case of the Ross River Dena Council, the question begs: Is the Yukon Party working alone on these solutions if, when they come up with these solutions, it's met with not necessarily a full-on robust response from either First Nations or from industry?

Walk us through the consultation process that would have ended with both industry and First Nations concluding that, no, this is not the solution that works for either group. We're wondering what kind of consultation was had with industry and First Nations for that.

**Hon. Mr. Kent:** With due respect to the member opposite, I think there are two different declarations associated with the Ross River Dena Council that came as a result of the Court of Appeal decision and the subsequent amendments to the *Quartz Mining Act* and the *Placer Mining Act*.

One is with respect to class 1 notifications. That is the responsibility of the Department of Energy, Mines and Resources. The second is with respect to land that will be made available for staking in the Ross River area. That's why we currently have the withdrawal for new staking in the Ross River area and are working with the Ross River Dena Council.

As the member mentioned, in my quote from last fall, I did indicate that the Executive Council Office is the lead on that consultation with respect to mineral staking in the Ross River area. We have extended that consultation to January 31, 2017. We're also undertaking consultations with other non-settled Yukon First Nations on that first declaration — that is my understanding from what I've received from Executive Council Office.

The Premier, of course, would be in a better position to speak specifically to the withdrawal and the progress. I think I've mentioned a number of times that I don't think it serves any purpose to negotiate or discuss negotiations that are underway on the floor of this House or in the local media. I'm sure the Premier will provide any updates that he can when we get to discussions on Executive Council Office.

Maybe what I could do at this time is just provide a bit of an update on where we're at with respect to the class 1 notifications. Class 1 activities are lower level activities, often defined as grassroots exploration — low potential to cause adverse environmental effects, work and reclamation expected to be completed within a year. These programs do not require government approval and the operator must comply with the operating conditions set out in schedule 1.

This type of activity is regulated, as mentioned, by schedule 1 of the quartz mining land use regulations. The quartz mining land use regulations and the placer mining land use regulations consist of a classification system based on a varying level of specific activities. These threshold levels categorize exploration activities into four classes of operation. They represent activities with increasing potential from class 1, where it is very low potential, to class 4, to cause adverse

environmental impacts. The classification system was developed through a joint process with First Nations, YG and industry culminating in a report to the Minister of DIAND in 1992.

There was some adjustment of the thresholds to accommodate the YESAA process and that act when it came into effect in 2005. In the fall of 2013, Yukon completed detailed consultations on the act amendments with First Nations and industry to introduce the class 1 notification requirements in designated areas. The amendments to both the *Quartz Mining Act* and the *Placer Mining Act* and required regulatory changes were approved in December 2013 through Bill No. 66, which was an *Act to Amend the Placer Mining Act and the Quartz Mining Act* as well as OIC 2013/223.

The mining land use regulation describes a 25-day review period following receipt of a notification and the chief of mining land use has the discretion to extend the review period if necessary. If any regulatory requirement prevents an operator from performing assessment work within the required time frame, consideration can be given to providing relief under the *Quartz Mining Act* and the *Placer Mining Act*.

The big talk with respect to the class 1 activity is with respect to thresholds. There was a meeting in early 2014 between the Premier and me, as minister. The then Minister of Economic Development was in attendance, currently the Minister of Community Services, as well as a number of chiefs and industry individuals. At that time Chief Alatini of the Kluane First Nation and former Chief Champion of the First Nation of Na Cho Nyäk Dun were designated as First Nation advisory committee members, working with me. We then met with First Nation officials in early February of this year regarding class 1 and the mine licensing improvement initiative, including the proposed working group on mining matters.

A meeting of chiefs, the Premier and minister was held on February 19 of this year. The meeting revolved around a proposal to engage technical officials in a working group to prioritize the mineral-related initiatives, including the class 1 thresholds.

The MOU that was proposed with settled First Nations established this ministerial chief advisory committee and the MOU took a considerable amount of time to put into place and I think, quite frankly, we lost a significant amount of time in bringing forward this class 1 notification Yukon-wide, and subsequently informed industry associations as well as First Nations that indeed we will not be in a position to have that class 1 notification in place for this exploration season, but anticipate it being in place for next exploration season.

When it comes to developing these thresholds and moving forward on class 1, we're working very closely with First Nations and we will provide an opportunity for industry to provide their input. I recently received a letter from the Yukon Chamber of Mines that puts forward their proposal with respect to what these thresholds would look like. Again what they finally look like will be something that evolves through the consultation phase, but we're working closely with First Nations and industry to bring something in so that

prospectors who are conducting low-level activities with little or no environmental or adverse environmental effects are able to continue that work.

That's an update obviously on the declaration with respect to class 1 activity. Again I invite the member opposite to speak to the Premier when he is up in his responsibility as minister responsible for the Executive Council Office about providing updates on the withdrawn area from staking and providing any information that he can to members at that time.

**Mr. Silver:** I'm going to move on to another question, but I'm getting conflicting information. I was told through industry representatives that there was actually some kind of a proposal put on the table from the territorial government. I was also told that it didn't necessarily fit very well. If that was actually so, then maybe the minister can — again the consultation behind how a recommendation can come forth that would then be met with, I guess, not so much a positive response from both industry and First Nations afterwards.

I'm going to move on to the lands branch because we are running out of time here today. Madam Chair, as you know, coming from a rural community yourself, attempting to develop land for residential lots is very hard in the rural communities. It would be argued that the lands branch's antiquated system doesn't necessarily help matters, particularly in a situation where you're trying to change land title over from YTG to a municipality.

At AYC, I explained an anecdote about a case in Dawson where a particular private sector developer was trying to develop a part of town and had to work back and forth, sending back title applications to the lands branch six or seven times — each time with a request for new information or new requirements. As you can imagine, Madam Chair, this will be a waste of time, and a waste of money as well, for the private sector that might not necessarily have to happen if the system of lands branch was maybe modernized.

The Mayor of Dawson, Mayor Potoroka, spoke with the previous minister responsible for Community Services on these issues. One of the city managers compiled a list of issues and, after more delay, the project that I'm talking about did make it through, but it could be argued that a season was lost. They did finally get the register after several months and, as you know, building seasons are very short here in the Yukon.

Now that the development is done, the mayor and the developer both wish to see the system addressed. They waited until the completion, so as to not add any delays, to kind of bring these things forward. Could the minister please give me an update on the development of modernizing this system?

**Hon. Mr. Kent:** In the interest of time and allowing the Member for Klondike to get a number of other questions in — as of May 15, the available lots in Whitehorse and the communities — there are 263 available lots, whether they're residential, multi-family, commercial in Whitehorse, to country residential, industrial and commercial throughout some of the communities.

Again, I'm happy to provide the detailed list to members opposite if they'd like it. He could just indicate that the next

time he's on his feet, and I can perhaps send a copy of that down to him and the Member for Mayo-Tatchun.

Very recently, responsibility for rural Yukon land development was transferred from the Department of Community Services to the Department of Energy, Mines and Resources. We're committed to ensuring all rural communities have ongoing access to developed lots for residential and commercial purposes, being responsible for public land management, local area planning, zoning, subdivision and advisory services to municipalities and hamlet councils.

What we are hoping to achieve with this enhanced client approach supports a collaborative and shared role with communities in the planning and consultation for planned development. Ongoing discussions with various communities are currently taking place to identify specific projects that may be considered for both the short and long term. The focus is considering projects and standards that are acceptable to each community.

To that end, we've signed land development protocols with the Town of Watson Lake, Carmacks, Dawson City, Faro, Haines Junction, Mayo and Teslin. These protocols outline a proactive and collaborative approach to fostering planned development to meet community needs for affordable lots.

I won't get into detail, but all members of the House are aware of our MOU with the Carcross-Tagish First Nation. We have tremendous working relationships on land development with a number of other First Nations throughout the territory, including the Teslin Tlingit Council and others that spring to mind. I don't have the full list in front of me, but I can assure you we work with communities and First Nations on an ongoing basis to provide opportunities for land development.

One of the other things that we have initiated in the Land Management branch is a detailed inventory of vacant Commissioner's land in all municipalities and unincorporated communities. This inventory will be used to identify sites for potential future release and subdivision. Phase 1 of the Commissioner's land project focused on existing inventory within the City of Whitehorse and identified several undeveloped lots of Commissioner's land for potential sale or transfer to the city for future development. We are also pursuing future opportunities, as I mentioned, with various First Nations on potential joint development initiatives not only in the City of Whitehorse, but in a number of rural communities.

I am very pleased with the amount of work that the Land Management branch has been able to accomplish since we assumed responsibility for this. I believe it was last year around this time. It was last spring or a little bit earlier — I stand to be corrected on that — but I think there are some real opportunities that we can explore with municipalities and First Nations to ensure that they develop an inventory of lots so that they too can look to attract some of the workers on a longer term basis — both YG and other workers — into their communities on a longer term basis. Like what the member opposite did when he was teaching in Dawson City — he

perhaps lived in staff housing for a while, but then chose to buy a lot, build a home in the community and set up roots.

We want those opportunities available to our public sector employees and then other opportunities available to individuals who may be working in any number of the projects or potential projects that we envision coming on line here in the next number of years — that they have those opportunities to move to the communities. The Coffee gold project springs to mind — the one that is being advanced by Kaminak Gold Corp. I would like to see as many as possible of those individuals who are working at that mine living in the community of Dawson City.

It is our job, through the Land Management branch, to ensure that the housing and the affordability for those individuals who choose to live in Dawson City and take advantage of the exceptional lifestyle that exists in that community can do so. Other communities along the way, as well — we want to see opportunities for individuals to move to those communities, not just Whitehorse — or worse, coming here and working at the mines and leaving, which is something that we certainly don't want to do. Some individuals and families will choose to do that, but we want to give them every opportunity that we can to set up roots in Yukon communities and become active and contributing parts of whichever community they choose to live in.

**Mr. Silver:** I too would love to see Kaminak move forward to production and I would love to see families from that organization living in Dawson. I will pass on to Kaminak that both the minister and I believe that a highway should come in from Dawson toward the White Gold district. I am looking over — I am not getting any reaction from the minister right now. I will have to talk to the Minister for Highways and Public Works.

On that, when Viceroy came into our town — and this is a mine that is accessible by road to Dawson City — there were 30 new students in the Robert Service School and, of course, when Viceroy left, we lost 30 students in our school. Again, it is extremely important to get mining in the area, and I look forward to more debates about Kaminak and other excellent mining projects in the White Gold district — absolutely.

Also, anecdotally as well — I know the minister responsible for Yukon Housing Corporation is listening intently when we talk about teachers and the rental program that we have. I have to say that in moving to Dawson, it was instrumental to be able to have that housing — it absolutely was. You don't have to worry about developing roots so much when you have such an excellent program.

I will say though, on the other side that, as a teacher, after a couple of years where I probably did know the rental market and I probably could start moving into a mortgage, there was not a lot of incentive to get me out of that rental unit. I was there for probably a couple more years than I should have been. Maybe it is something that we need to look at as far as the Yukon Housing program — again, a wonderful program for many people. I would like to see it extended to other folks. I have had Dawson constituents, or people trying to become

constituents — who work for Northwestel or nurses outside of the hospital or teachers — in the last little while who couldn't find housing through Yukon Housing Corporation. Well, we will keep on with Energy, Mines and Resources here.

I want to talk about the good energy residential incentive program. It is a constituency issue that I have. One of my constituents spoke about the hotline, and I apologize to the staff here from Energy, Mines and Resources. I know I am going all over the place, but that is the nature of being the opposition — getting the issues you might not have hit. They spoke to the hotline at Energy, Mines and Resources and were told that the program requires an energy audit to get the rebate. Locally, here in Whitehorse, the fee charged is about \$275 for that audit. However, for those outside of Whitehorse, there are additional costs to bring an auditor to the property. The question to the minister is: What is the department doing to ensure that all Yukoners have equal access to this program? How much would these extra costs be if you are in a community like Watson Lake or Dawson City?

**Hon. Mr. Kent:** I thank the member opposite for that question. Just quickly back to the land management topic — it is my understanding that Land Management officials met with officials in Dawson City yesterday. They are meeting with Mayo today and Faro tomorrow regarding lot development plans. These protocols that we signed and the subsequent work of officials are starting to hopefully pay off and we will be able to identify some potential for additional lot development in those communities.

The member opposite is correct. An energy assessment is required for some aspects of the program — obviously not the windows and doors in particular in one of the programs. He raises a good point, and I think that was something that during my time as Yukon Housing Corporation minister when we were travelling throughout the Yukon talking about inspections for oil-fired appliances, I, and the then Minister of Community Services — the Deputy Premier now and minister responsible for Tourism and Culture — at that time one of the things that was raised was the cost of bringing individuals out.

If a community didn't have anyone to service or install their oil-fired appliance, the costs were extreme in some of the communities, before anybody even opened a toolbox. It's a good point that has been raised by the member opposite. I'll get back to officials and see what we can do as far as perhaps providing some opportunities for clustering of energy assessments or building a critical mass. We certainly don't want individuals to have to wait too long, but again, trying to deliver services across such a vast territory is a challenge, but I think we're up to trying to find solutions to those challenges. I'll take the member's question under advisement and see what we can put in place to ensure that there are some economies of scale built when these individuals are travelling to communities to conduct these types of assessments.

**Mr. Silver:** Much appreciated from the minister. I'm going to move on to the lands branch, Dawson City, and the Conservation Klondike Society. Recently, lands branch put CKS through a somewhat lengthy consultation process. CKS was later informed that it wasn't necessarily supposed to

happen, but it did, and this consultation process was obviously due to their desire to have recycling facilities at the Quigley landfill, where we're kind of busting at the seams there, as far as capacity for this excellent non-profit organization and the wonderful work they do there with our recycling, compost, et cetera.

I guess I'll start by just asking if the minister can explain the nature of the consultation. I would appreciate that if he doesn't have that at his fingertips, he could get back to me on that. The lands branch put some offers on the floor respecting the operation capacity for CKS at the Quigley landfill in Dawson. They offered a couple of different things — they offered the organization a lease, for example, of 10 percent a year on the price of \$135,000, or also a full buyout. Any other options, CKS was informed, would have to pass through Cabinet, and they were told that could take up to five years.

Can the minister please offer either a justification for such a lengthy process or correct the record for me?

**Hon. Mr. Kent:** I don't have information specific to that. I'm sure the member can appreciate that. I have a number of briefing notes that are prepared by department officials, but nothing specific to CKS. I can either review the Blues and have department officials respond or we can talk offline, just a quick e-mail that I can forward to officials. The time horizon that he has been explaining with respect to Cabinet approval seems extremely long, but I would like some specific details from them. I apologize to him and to his constituents that we're looking for a little bit more clarification today on this issue, but I will commit to look into it in more detail and get back to the member opposite.

**Mr. Silver:** Obviously this is a very detailed issue and I can appreciate that the minister doesn't have that information at his disposal here.

Just a little bit more to add into the record, so that the minister can have a more robust understanding — there was one other option discussed. The land could be transferred to the city for municipal purposes. The city could purchase title for a small fee and then own the land. They could then utilize their budget for construction of a new facility that is guided by the Conservation Klondike Society's expertise and experiences and based on the design ideas and the need. The city would then own everything and CKS would operate out of it. Now, CKS has already discussed with the city, and now lands branch has committed to connect with the municipal CAO to see what kind of deal they can make on the land for the city.

Again, it would be great if the minister can give us an update on this commitment. We have an interim CAO in Dawson right now, so of course that would add to some delays, I would imagine.

In the spirit of random questions from everywhere, I'm going to go to nuclear energy survey. Recently a phone survey has been circulated, asking Yukoners their thoughts on nuclear energy. We were wondering: Is the Department of Energy, Mines and Resources or the Yukon Energy Corporation responsible, involved, or paying for the survey?

Is the Government of Yukon considering options to develop nuclear power generation, if the answer is yes?

**Hon. Mr. Kent:** Just quickly in response to the CKS issue and other Dawson-specific issues — I will have the pleasure of traveling to the great community of Dawson City this weekend for the gold show, along with the Minister of Economic Development and the Minister of Environment. We'll be taking in the gold show, and perhaps I will have the opportunity to touch base at the Friday evening dinner with the member opposite or some of the folks from CKS or the municipality, and allow me to get a little bit better understanding of the issue in that short time frame — and again, I will follow up with officials.

Quickly on the nuclear energy study that is going on — to the best of my recollection in talking with the former minister of Economic Development — we believe this is something that is being done by — I think it's the Atomic Energy of Canada society or corporation, or something like that. I don't think they asked for any funding from the Yukon government, but they were working with the Yukon Research Centre at Yukon College. This goes back to my days as Minister of Education, but I'll get the exact details for the member opposite. I know it wasn't anything that was initiated by Energy, Mines and Resources, just to answer the member's question, but we can potentially get some information from the Yukon Research Centre, through the Minister of Education, and can provide more details to members with respect to the phone survey that was conducted.

**Mr. Silver:** I do appreciate the minister getting back to me on that.

It's great that he will be in the wonderful community of Dawson City this weekend. I will be there as well — it should be a good weekend. It's nice to get back to the homelands.

I'm going to move on to next generation hydro. We've talked about this a lot in the Legislative Assembly. I am not going to go on a big spiel about the situation we are necessarily in, but we are in a place now where mining companies have to not only consider moving forward a mining project, but also how to get power. I would say — and the minister could correct me for the record — we are a ways away from the next generation hydro. As opposed to these companies becoming consumers of Yukon Energy power, they are probably in a situation to develop their own.

The decisions that we make today will form the foundation of the system that our children and our grandchildren will count on. We heard the sweet 16, as far as hydro projects and areas, and I do believe we have been hearing lately in the Legislature that we are down to 10. I do believe I heard that reference. We're wondering if that is true or not. Are we down to 10 now? Have six dropped off for any particular reason and why? Or are we mistaken there?

Also, maybe the minister can give us a little bit of information here about Yukon First Nation consultation, as far as the placement of the hydro dams on traditional territory, and whether or not this is leading them toward a top 10 or some areas that are a little bit more obtainable or feasible than others.

**Hon. Mr. Kent:** As the member opposite is aware, the directive that our government issued with respect to the next generation hydro was to the Yukon Development Corporation. As of mid-January, I am no longer the minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation.

I certainly enjoyed my time there and I know there was quite a bit of activity underway. Just to save the member opposite some time and perhaps give him an opportunity to ask another question, I would refer him to the minister responsible for the YDC or even the officials. I know they appeared here last fall and I'm not sure when they're scheduled to appear again, but it's another question for my colleague, the minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation.

**Mr. Silver:** I do appreciate that, and I will pass that on the next time we have the minister responsible on his feet. I'll move on to the company, BYG Natural Resources — a reclamation issue here. I'm wondering if the minister can shed any light on cleanup work being done on the ground there. How much money spent to date has been on cleanup and how much on administration? Also a question about whether or not the government has a water licence on this site or project.

**Hon. Mr. Kent:** Just for clarification, is the member referring to the Mount Nansen site?

Okay, he is indicating yes. I did provide an update for the Member for Mayo-Tatchun during Assessment and Abandoned Mines debate earlier today on Mount Nansen. Mount Nansen, formerly known as BYG Mount Nansen, is designated as a type 2 site under the DTA. Assessment and Abandoned Mines has been leading efforts to address environmental issues at the site. This includes managing ongoing site operations and developing and implementing a remediation plan. Denison Environmental Services, the successful bidder of a public tender process, is responsible for site operations until March 31, 2017.

Assessment and Abandoned Mines branch completed a significant portion of the design for the remediation project. It's currently undergoing a cost-refinement review.

Once complete, and upon Government of Canada's approval as the funder of this project, the branch will begin work on the remainder of the design.

Little Salmon Carmacks First Nation has raised concerns with the quality of water leaving the Mount Nansen site and the effects this water may be having on downstream users. The branch is currently leading a process for the development of an adaptive management plan to address these concerns. Water quality is monitored by the branch on a monthly basis, and the branch also completes annual technical reviews to identify any potential concerns. The Government of Canada provides 100-percent funding for care and maintenance for the site operations as well as the development of a remediation plan, as this is a type 2 site. I don't have any information with respect to a water licence on-site, but I will be able to turn that around quickly for the member opposite and get a response back to him with respect to that particular site and the status of the water licence.

**Mr. Silver:** It is our understanding that the government does not have a water licence on that site. If the minister is going to be getting back to me, we would like to confirm that please; also if they don't, why not? Lots of questions, such as: Is the government discharging water into the watershed on this project? There are lots of questions about water and mitigation and responsibilities there. I will wait for a response from the minister responsible for that and appreciate the fact that these questions are all over the place.

A quick question on the Peel watershed — the last staking ban expired on January 21, 2014. A new staking ban was then introduced January 8, 2015. If the minister could either get back to me or, if he has it at his fingertips, how many claims — if any — were staked during that one-year window?

**Hon. Mr. Kent:** There were no claims staked during that window.

**Mr. Silver:** I am going to move on to Bill S-6. During Bill S-6 Parliamentary Committee, the Premier suggested that consultation includes not only the five-year review, but also the two years subsequent through action plan Canada. After speaking about the five-year review process, the Premier said — and I quote: "These changes were also informed by the federal action plan to improve northern regulatory regimes. During the review phase, Canada asked the Government of Yukon to provide input into several amendments that focus on improving the overall efficiency and effectiveness of the assessment regime."

The question for the minister is: Does the minister believe that the federal action plan conversations on Bill S-6 is representative of big "C" consultation with First Nation governments as it pertains to the provisions laid out in the UFA? Of course, I will be asking this question of the Premier as well, but I just wanted the Minister of Energy, Mines and Resources to maybe chime in on this. The Premier suggested that we needed to be consistent across North America as well in mining regulations. Shouldn't we be consistent in our consultation of all the amendments, if that is necessarily true?

Also on that as well, I have a question for the minister again. As far as consistent legislation, I'm wondering why that is now a concern. I mean, if you take a look at our education or our health legislation, it's based on the conditions of the jurisdictions. Why should the socio-economic and environmental legislation be any different? I mean, the goals should be similar, but the process should be created with local concerns, by local shareholders, through a process that has real consultation.

Maybe I'll just stop there and I'll continue on that theme if I have some time after this.

**Hon. Mr. Kent:** With respect to Bill S-6, that is the responsibility of the Development Assessment branch in the Executive Council Office. I can assure the member opposite that my position will be exactly the same as the Premier's position on this, and I would invite him to direct that question to the Premier at an appropriate time.

When it comes to mining legislation and regulations and opportunities, I think one only has to look at all the

jurisdictions that are included in the survey that the Fraser Institute does. We're one of many, not only within Canada but around the world, that are competing for investment dollars, and we want to ensure that the regulatory system that we have in place — and the licensing and permitting — fulfills, first and foremost, protecting the integrity of our environment and ensuring that human health and safety is also protected. We also have to recognize that we are in competition for investment dollars with jurisdictions, as I mentioned, not only across Canada but indeed around the world. That's why we are undertaking the mine licensing improvement initiative.

We believe, as the Premier has mentioned on occasions, that the changes in Bill S-6 will allow us to be competitive with other jurisdictions that are seeking to attract the same investment dollars. I'll stop there on Bill S-6 so that the member opposite can direct future questions to the Premier on that.

We're out there in a very competitive global market trying to attract dollars and we're working very hard, not only on our own policies and licensing to ensure that we can be competitive on that, but by getting out there through the Department of Economic Development with industry partners to some of the major financial centres to talk to them and to tell the Yukon story when it comes to — I think a lot of the work that gets done by the Yukon Mining Alliance and Department of Economic Development is dispelling a number of the myths that exist with respect to the Yukon and what we have to offer as a jurisdiction, both on the infrastructure side of things as well as on supply and service and a number of other initiatives.

I'll let the member opposite ask another question at this point.

**Mr. Silver:** It's good to get the minister responsible for Energy, Mines and Resources to express his opinions on this as well. It is hard to get out there. It's a very competitive market — mineral extraction — but again, CYFN has made no bones about it. Litigation is looming if Bill S-6 is passed with these four amendments. There is no myth about that. With these four amendments, we're in a situation where litigation will happen and it's pretty hard to argue that litigation is going to increase investment.

I will move on to the mineral development strategy. During the minister's opening remarks on April 28, he referenced signing off on letters to all First Nation leaders as well as a number of industry stakeholders, and attached a very high-level document that will serve as the starting point of the development of the mineral development strategy.

Can the minister please table this document?

**Hon. Mr. Kent:** I will table that document this week. I know that discussions are underway by officials and representatives of the Yukon government with not only industry associations but — pardon me, Madam Chair, I do understand from one of my officials here that the document is actually on our website. You can access it on the Energy, Mines and Resources website, but I will table it as well. I also have a couple of other mining-related documents to table as we head into this weekend's gold show.

Before I move to report progress, I would just like to invite all Yukoners to travel to Dawson City this weekend and take in the annual gold show. It's a very exciting event, and I know the Dawson City Chamber of Commerce and the Klondike Placer Miners' Association and other groups work very hard to put it on. It's always a very exciting time in the community of Dawson. As it's the unofficial start to the tourism season, we are hoping to get the ferry in this weekend as well for those folks in West Dawson. We will be able to provide an update on that tomorrow or the next day. Highways and Public Works officials are looking to do that too.

Madam Chair, seeing the time, I move that you report progress.

**Chair:** It has been moved by Mr. Kent that the Chair report progress.

*Motion agreed to*

**Mr. Elias:** I move that the Speaker do now resume the Chair.

**Chair:** It has been moved by Mr. Elias that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

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

#### **Chair's report**

**Ms. McLeod:** Mr. Speaker, Committee of the Whole has considered Bill No. 18, entitled *First Appropriation Act, 2015-16*, and directed me to report progress.

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

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

As the Habs are playing and we're close to 5:30 p.m., this House now stands adjourned until 1:00 p.m. tomorrow.

*The House adjourned at 5:26 p.m.*