



# Yukon Legislative Assembly

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Number 29

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Tuesday, November 9, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall Sitting

**SPEAKER — Hon. Jeremy Harper, MLA, Mayo-Tatchun**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Annie Blake, MLA, Vuntut Gwitchin**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader* Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Government House Leader* Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

<b>Currie Dixon</b>	Leader of the Official Opposition Copperbelt North	<b>Scott Kent</b>	Official Opposition House Leader Copperbelt South
<b>Brad Cathers</b>	Lake Laberge	<b>Patti McLeod</b>	Watson Lake
<b>Yvonne Clarke</b>	Porter Creek Centre	<b>Geraldine Van Bibber</b>	Porter Creek North
<b>Wade Istchenko</b>	Kluane	<b>Stacey Hassard</b>	Pelly-Nisutlin

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

\*Government House Leader: Hon. Tracy-Anne McPhee to November 4, 2021; Hon. John Streicker from November 5, 2021

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Tuesday, November 9, 2021 — 1:00 p.m.**

**Speaker:** I will now call the House to order.  
 At this time, we will proceed with prayers.

*Prayers*

## DAILY ROUTINE

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

## INTRODUCTION OF VISITORS

**Hon. Mr. Streicker:** Mr. Speaker, can we please welcome to the gallery today — s’il vous plaît, pouvons-nous accueillir — Leslie Larbalestrier et son mari, Philippe Grégoire; Jocelyne Isabelle, directrice de la Garderie du petit cheval blanc; Laurie Trotter, avec *L’Aurore boréale*; Jean-Sébastien Blais, président, Commission scolaire francophone du Yukon; Gregory Torres, agent de projet en immigration; Isabelle Salesse, directrice générale, l’Association franco-yukonnaise; Manon Moreau, sous-ministre de la Direction des services en français; André Bourcier, directeur de la Direction des services en français; Nancy Power, gestionnaire, communication et politique de la Direction des services en français.

*Applause*

**Hon. Mr. Clarke:** For the Porcupine caribou herd tribute, we have the Deputy Minister of Environment, Manon Moreau, who is wearing two hats today, and Christine Cleghorn.

*Applause*

**Speaker:** Are there any tributes?

## TRIBUTES

### In recognition of National Francophone Immigration Week

**Hon. Mr. Streicker:** Monsieur le Président, le Yukon est la troisième juridiction la plus bilingue du Canada. Cela nous fait une destination très attirante pour les immigrants francophones. Je prends la parole aujourd’hui pour souligner la neuvième édition de la Semaine nationale de l’immigration francophone. Ayant pour thème « Une francophonie aux mille saveurs », cet événement nous invite à célébrer la diversité autour de nous et à mieux connaître les autres.

C’est à l’occasion de cette semaine que je tiens à mentionner le travail d’une Yukonnaise remarquable, Madame Leslie Larbalestrier. Elle-même immigrante, Leslie a quitté sa Belgique natale pour s’installer au Yukon il y a plus de 15 ans. Elle a laissé sa marque dans de nombreux organismes francophones à Whitehorse au fil des ans. Leslie occupe aujourd’hui le poste d’adjointe à la direction à la Garderie du petit cheval blanc de Whitehorse, où elle continue de se démarquer par son ardeur au travail.

Dans le cadre de ses fonctions, Leslie participe chaque année au Forum Mobilité Destination Canada où elle accompagne des immigrants et immigrantes qui cherchent à s’installer au Yukon. Cet événement est l’une des stratégies gagnantes de la garderie pour recruter des professionnels et des étudiants en petite enfance qui se joindront à l’équipe de la garderie. Ses efforts permettent ainsi d’amener du personnel qualifié au Yukon, de combler des postes-clés dans la communauté et de renforcer la vitalité de la Franco-Yukonnie. Leslie tisse des liens avec ces futures immigrants et immigrantes et les appuie dans leurs démarches d’immigration, que ce soit pour obtenir un visa de travail ou pour remplir leurs documents d’immigration. Elle les prend également sous son aile dès leur arrivée au Yukon pour les aider à s’intégrer dans leur nouveau milieu de travail et au sein de la communauté. Ce soutien peut prendre plusieurs formes, comme faciliter la rencontre vers d’autres francophones pour les aider ou organiser des voyages de camping.

Leslie incarne parfaitement l’esprit de la Semaine nationale de l’immigration francophone. Elle favorise les échanges et encourage les Yukonnais et Yukonaises à se soutenir l’un l’autre. Je salue donc Leslie qui joue un rôle essentiel pour s’assurer que les familles ont accès aux services dont ils ont besoin et qui fait du Yukon un endroit où il fait bon vivre pour tous et toutes. Je vous invite à prendre part aux diverses activités organisées cette semaine par les organismes francophones.

Monsieur le Président, un grand merci au ministère du Développement économique et à l’AFY pour l’excellent travail qu’ils font pour soutenir l’immigration francophone.

Bonne Semaine de l’immigration francophone à tous et à toutes.

*Applause*

**Ms. Clarke:** Merci, Mr. Speaker. I rise on behalf of the Yukon Party Official Opposition to recognize the importance of francophone immigration to Canada and between our provinces and territories. From November 7 to 13, we are celebrating the 9<sup>th</sup> edition of National Francophone Immigration Week.

This year’s theme is “The thousand flavours of la francophonie”, which is a nice reminder that we are all bound together by our different varieties of cuisine, but also by the many flavours of culture and tradition.

Since the 1800s, the franco-yukonnais have participated fully in the community, cultural, and economic life of the Yukon. They seek to improve the quality of life of all Yukoners while preserving their francophone culture. Early on, they had an active role in the social and political life of the territory, emerging from the time of the gold rush and continuing on to the present day. What started out as an initiative of new dedicated individuals quickly evolved into an energetic collective enterprise.

In 1979, francophones got together and formed the Association franco-yukonnaise — AFY. Officially incorporated in 1982, AFY is a one-stop shop that offers many

services in French, particularly in job search, reception, and integration of newcomers in training.

Over the years, francophones in the Yukon have set up a number of organizations to ensure the sustainability of their community. Today, these francophone organizations and institutions have contributed to the development of the Yukon. Each of these organizations creates jobs and offers a variety of services.

According to the Canada 2016 census, 1,575 residents of the Yukon identified as francophone. As we welcome new Yukoners every year, we are sure to see that this number has grown when 2021 numbers are released.

The francophone community has had such an incredible impact in the territory. Several Yukon employers have experimented with hiring employees through the Destination Canada Mobility Forum, which is held each year in France and Belgium.

We continue to see increasing interest from parents around French immersion enrolment. This is wonderful to see. Having a second language is an asset to anyone.

When I came to Canada 26 years ago, I hung out with the French community. I discovered that there are a lot of similarities in our cultures. This is where I learned my English with a French accent. I am proud of the diverse territory that the Yukon has grown to become. Every culture contributes so much to our social fabric. Let's build community through diversity.

Merci à tout le monde.

*Applause*

**Ms. White:** Merci, Monsieur le Président. Je suis heureuse de me lever aujourd'hui au nom du NPD du Yukon pour parler de la Semaine de l'immigration francophone.

La francophonie est une partie importante de la culture canadienne. Comme élève d'immersion française pendant toute ma scolarité, j'ai eu le plaisir d'apprendre tant de choses sur cette culture riche et diverse.

La francophonie du Canada comprend tant de provinces et de territoires, de pays d'origine, d'accents, de cultures, d'ethnicités, de religions, d'expériences et d'expressions. C'est la richesse de l'immigration et la richesse de notre propre pays qui se rencontrent.

La francophonie, ou la francophilie, se retrouve sur tous les continents.

Dans notre territoire, la Franco-Yukonnie est pleine de vitalité. Je suis fière de faire partie, même à titre d'invitée, de cette communauté.

La Semaine de l'immigration francophone nous rappelle aussi qu'il est important de continuer les discussions amorcées partout au Canada: les discussions sur les discriminations raciales, les oppressions, la — je suis en pratique, pardon, encore une fois — réconciliation avec les peuples autochtones. La francophonie Canadienne a son rôle à jouer pour bâtir un avenir inclusif pour toutes et pour tous.

Cette semaine est aussi l'opportunité de rendre hommages aux personnes immigrantes du Canada — les personnes francophones, mais aussi les personnes de toutes langues, et de

tout pays d'origine. Pas uniquement pour leur apport aux arts et à la culture, mais pour leur apport à l'économie, à l'éducation, à l'environnement, à la santé, à l'industrie et au tourisme, ou encore à la vitalité générale du territoire.

Merci, Monsieur.

*Applause*

### In recognition of the Porcupine caribou herd

**Hon. Mr. Clarke:** I rise today to pay tribute to and acknowledge the efforts of our partners in the ongoing protection of the Porcupine caribou herd and its habitat. Caribou are an iconic northern species.

The Porcupine caribou herd is very healthy and is currently one of the largest caribou herds in the world. The Porcupine caribou herd's range covers over 250,000 square kilometres of northern tundra and taiga in Alaska, the Yukon, and Northwest Territories. The herd is ecologically and culturally important to the First Nation and Inuvialuit peoples across this region who have a connection to the caribou that spans millennia.

In northern communities, where the cost of healthy food can be a financial barrier, caribou is an essential food source. The last population survey in 2017 estimated the herd to be at 218,000 animals — the highest estimate since population monitoring began in the 1970s. The size of the herd is a testament to its healthy and abundant habitat and the strength of the co-management structure that the Government of Yukon is proud to be part of.

The herd is co-managed by the parties to the *Porcupine Caribou Management Agreement*, comprised of: the governments of Yukon, Canada, and Northwest Territories; the Inuvialuit Game Council; the Gwich'in Tribal Council; Vuntut Gwitchin First Nation; the Tr'ondëk Hwëch'in; and the First Nation of Na-Cho Nyäk Dun. Through the Porcupine Caribou Management Board, we work together to ensure that the herd will remain strong. Maintaining this collaborative relationship is important. I actually just met with the Porcupine Caribou Management Board on October 15, where we talked about the board's priorities, including integrating indigenous knowledge to inform management decisions.

Regular monitoring since the 1970s tells us that during their calving period, the herd is spread across the coastal plain of Alaska and the Yukon. Indigenous knowledge that dates much further back from the 1970s tells the same story.

Because the parties share harvest information, we have a very clear picture of what is happening with the herd and we are able to make management decisions based on strong information. In the Yukon, the herd's most sensitive habitat is protected from development by the Ivavik and Vuntut national parks and through treaties and government agreements for the Yukon North Slope and adjacent habitats.

In Alaska, the Arctic National Wildlife Refuge has been an important conservation area. The herd's most critical calving grounds are located in the refuge. The Government of Yukon supports protection of the Porcupine caribou herd's critical calving and post-calving season grounds in Alaska's Arctic National Wildlife Refuge.

Partnerships and agreements with indigenous, territorial, state, and federal governments strengthen our ability to protect this important herd and its habitat. I would like to highlight the advocacy efforts of the Vuntut Gwitchin First Nation and acknowledge the leadership of indigenous partners in gaining commitments from international banks to stop oil and gas development in the refuge. I would also like to thank Joe Tetlichy for his years of guidance and leadership as the chair of the Porcupine Caribou Management Board. Your commitment to caribou carries our work forward.

As a government, we continue to implement the *Porcupine Caribou Management Agreement* and *Inuvialuit Final Agreement* by contributing to Porcupine caribou herd management activities. We will work with all partners including the Porcupine Caribou Management Board, the International Porcupine Caribou Board, the Wildlife Management Advisory Council (North Slope), Government of Northwest Territories, Government of Canada, First Nations and Inuvialuit, the State of Alaska, and the United States of America. These partnerships have existed for decades and are essential for the continued conservation of this iconic herd and its habitat.

We must do all we can together to sustain this herd as the herd has sustained us for generations.

*Applause*

**Ms. Blake:** I rise today on behalf of the Yukon NDP and the Yukon Party to pay tribute to the Porcupine caribou herd.

Each fall season, the Porcupine caribou make their way across the borders within the traditional territories of the Gwich'in Nation. The Gwich'in Nation represents one of the most northerly indigenous people living at the limits of the boreal forest. The Gwich'in Nation spans across the borders of the Northwest Territories, Yukon, and Alaska and includes 15 Gwich'in communities.

The Porcupine caribou herd is the heart of the Gwich'in culture and is our main staple of food year-round. The sacred connection between us, as a people, and the Porcupine caribou is thousands of years old. The Porcupine caribou herd continues to hold a strong presence within every aspect of the Gwich'in people's existence. Our deeply embedded connection is captured in the essence of our oral history. The caribou is a part of our lifeline from the time we are in our mother's womb until long after we are gone.

A sacred ceremony quietly unfolds when the caribou arrive within the traditional territory of the Vuntut Gwitchin. Stories are exchanged across kitchen tables about our ancestors' traditional teachings of depending on and respecting the caribou herd. Excitement fills the homes as men prepare for their hunt. Young boys help with excitement as they too prepare to hunt their first caribou and the women prepare their kitchens to work with a harvest that will soon be brought home. Every part of the caribou is used for food, tools, and clothing. The Porcupine caribou nourishes us as a people spiritually, keeps us connected to our lands, and sustains our culture while providing strength to us as a people. When there is no caribou for

extended periods, we feel it as a people. The Porcupine caribou herd is medicine to who we are as Gwich'in.

Our existence and ability to survive for thousands of years is interconnected with the Porcupine caribou herd. The Gwich'in Nation has worked tirelessly for the protection of the Arctic National Wildlife Refuge, which is the calving grounds of the Porcupine caribou herd. Legislative action is still needed to permanently protect these lands and our culture.

Each spring, the Porcupine caribou herd journeys to their calving grounds in the coastal plains of the Arctic National Wildlife Refuge, which is also recognized by the Gwich'in as "Iizhik Gwats'an Gwandaii Goodlit", which translates to "The Sacred Place Where Life Begins". The Arctic National Wildlife Refuge provides pristine wilderness, rich with the freshest waters, the greenest pastures, and vast open lands for animals and birds from all over the world to come and give birth to their young. The Gwich'in people continue to stand united to seek permanent protection of the birthing grounds of the Porcupine caribou herd to ensure sustainability of our culture and our way of life.

I urge the Yukon government to work with the Gwich'in in their efforts to seek permanent protection of the Arctic National Wildlife Refuge with the Prime Minister of Canada and President Biden and his administration in the United States. Mahsi'.

*Applause*

**Speaker:** Are there any further tributes?

Are there any returns or documents for tabling?

## TABLING RETURNS AND DOCUMENTS

**Ms. Blake:** I have for tabling a letter from the Yukon Association for Birth Choices.

**Speaker:** Are there any reports of committees? Petitions.

## PETITIONS

### Petition No. 4 — response

**Hon. Ms. McPhee:** In response to Petition No. 4 tabled in the House on October 26, 2021, I would first like to thank the community of Watson Lake and the over 527 supporters of the petition. We recognize that this is an important matter for the citizens of Watson Lake and the surrounding area, and I appreciate the opportunity to stand in the House today to speak to the petition.

The Department of Health and Social Services is committed to ensuring that Yukoners have access to supports to live safe, independent, and comfortable lives in their own homes or communities for as long as possible, regardless of age, income, or ability level. We are building on this work as we implement the actions laid out in the aging-in-place action plan, along with the complementary recommendations of the *Putting People First* final report.

A few examples of the significant work that we have undertaken related to the recommendations in the action plan include: development of a new rural, end-of-life care program

that will offer direct funding to Yukoners in rural communities who have a progressive, life-limiting illness and are at end of life; implementation of the Shine a Light on Dementia program to provide education and training to support caregivers; establishment of an aging-in-place seniors advisory committee; and increased options for virtual care.

We are keenly aware of the Yukon's aging population, with seniors being the fastest growing group across the territory in the past decade. We are looking ahead and planning for the future. As the population of the Yukon continues to grow, the need for long-term care services will naturally increase. Currently, in Watson Lake, the Department of Health and Social Services offers various services, including care coordination, home support services, community-based nursing, and regional therapy services through the home care program. The home care program works directly with clients and their loved ones to meet the individual's needs through a person-centred approach, wherein the person in the family is at the centre of decisions.

Yukon Housing has a seniors twelplex in Watson Lake, and Health and Social Services home care provides services to seniors living in that building based on individual needs. In the past five years, 14 individuals from Watson Lake have moved into long-term care homes. As of November 3, 2021, there are no individuals from Watson Lake waiting for an assessment for long-term care.

Although there are no plans for the construction of a long-term care home in Watson Lake at the moment, we are always watching for and acting on opportunities. We are also taking into account that long-term care homes are not the only solution for individuals to remain in their community. Other solutions may include in-home respite, enhanced staffing models, partnering with local organizations, day programming, Meals on Wheels, and exploring options with system partners. There may be options for further development across the continuum of care provided in the community.

We evaluate the demographics of communities across the territory with an eye toward the future as part of our commitment to support Yukoners today, tomorrow, and in the years to come. Together with the continued input from care professionals, system partners, municipal governments, First Nation governments, clients, their loved ones, and the community, we will continue to improve how Yukoners age in place.

I look forward to further conversation with the community to understand their needs and perspective as we move ahead with aging in place and *Putting People First* together.

**Speaker:** Are there any petitions to be presented?

### **Petition No. 3 — additional signatures presented**

**Mr. Cathers:** I have today for presentation additional names on Petition No. 3, which, of course, is regarding Hidden Valley Elementary School. These signatures are all from the riding of Klondike.

**Speaker:** Are there any further petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

### **NOTICES OF MOTIONS**

**Mr. Cathers:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the government to provide members of the Official Opposition and the Third Party the opportunity for regular COVID-19 briefings by the acting chief medical officer of health.

I also give notice of the following motion:

THAT this House urges the Yukon government to return to issuing COVID-19 case update news releases every day during the state of emergency.

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

THAT this House urges the Minister of Highways and Public Works to show leadership and take steps to improve winter road conditions in southeast Yukon.

**Ms. Van Bibber:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Minister of Economic Development to review the criteria for the new economic development fund to address concerns in the business community surrounding market disruption and competitiveness.

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

THAT this House urges the Government of Yukon to work with downtown residents, businesses, shelter users, and other stakeholders to address the ongoing community concerns regarding the Whitehorse Emergency Shelter by developing the next phase of the community safety plan.

**Ms. Blake:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to incentivize midwifery in the Yukon by offering a competitive wage.

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

### **MINISTERIAL STATEMENT**

#### **State of emergency in Yukon**

**Hon. Mr. Mostyn:** Between Friday and Monday, the acting chief medical officer of health reported more than 80 cases of COVID-19. We now have more than 169 active cases in the Yukon. We also have widespread and untraceable community transmission in Whitehorse.

To respond to this deeply troubling COVID-19 surge — the Yukon's second wave — our government has declared a state of emergency under the *Civil Emergency Measures Act*. We took this action less than 20 hours after Cabinet received

the latest recommendations from the acting chief medical officer of health. If we have learned anything through the last 20 months of this pandemic, it is that we must listen to the best science from the public health professionals. We must put the health of the greater community before the self-interests of the few. None of us want to be here, but too many people are falling sick. Too many unvaccinated people are falling gravely ill.

Our medical system is being strained by this unprecedented spike in cases. Our territory is at risk, and we have to act quickly. Declaring a state of emergency allows our government to implement measures that have been recommended to decrease transmission and ensure that our health care system is not overwhelmed. These new measures include: mandatory masking; limits on personal gatherings, organized gatherings, seated ticketed events, and faith-based and cultural gatherings; and restrictions on restaurants, bars, nightclubs, gyms, fitness studios, and personal services. A more detailed list is online at yukon.ca.

All Yukoners should follow these new measures immediately. They will be enforced under the *Civil Emergency Measures Act* as of November 13, which is Saturday, and will be in place until at least December 3, 2021. The acting chief medical officer of health will actively assess the COVID-19 risk in the territory and adjust recommendations as necessary.

We are also fast-tracking the proof of vaccination requirements for designated settings to align with the new recommendations. As of Saturday, you will be required to prove that you are fully vaccinated — two shots, Mr. Speaker — to access a designated setting. The list of designated settings is being finalized and will be made public this week.

The acting chief medical officer of health recommends that schools remain open with students wearing masks in all areas of the school, including classrooms, and that activities between schools be suspended until further notice. The acting chief medical officer of health is also recommending that travel between communities in the Yukon be avoided until further notice.

We know that these new measures are broad and will have significant impacts on Yukoners. That is precisely the point. We need to take swift and decisive action to stop the spread of COVID-19 in our territory. This is not easy, but it is necessary to protect the health and well-being of all Yukoners and maintain the capacity of our health care system. It is necessary to protect our families, our friends, and our neighbours across the Yukon. Each and every Yukoner has a role to play in keeping our communities safe. We know what that means. We are well-practised in this already. Follow the “safe six”, mask up, and please get vaccinated. The vaccines are safe and tested in millions of people worldwide, and they save lives. These steps work, Mr. Speaker. By taking them, you protect your friends, families, and neighbours.

**Mr. Dixon:** I am pleased to rise on behalf of the Official Opposition to respond to the ministerial statement. We share in the concern and disappointment that the minister has expressed with the dramatic rise in COVID case numbers in the Yukon. We are particularly concerned about the rising case numbers

among students in Yukon schools and the impact that this is having on classes. As such, we recognize that the government needs to act, and we support the restoration of the state of emergency to allow for the installation of new public health measures.

Our thoughts are with all Yukoners who are ill and those who are dealing with exposure notices, especially our youth.

It is truly unfortunate that we are back where we are. We strongly urge all Yukoners to follow the guidelines as set out by the acting chief medical officer of health, including practising the “safe six” and wearing a mask whenever you are in an indoor public place.

We also urge the government to make all recommendations and advice from the CMOH public. We would like the government to share more information and data about our current caseloads with Yukoners, as well as provide more frequent updates about the capacity of our hospitals and, in particular, ICU beds.

As a result of this announcement, many Yukoners have raised a number of questions about what this means for them. Those include what supports are in place for parents who have to stay home with kids who are missing school and what supports are in place for small businesses affected by the restrictions that have been put in place. Many businesses have told us that they are waiting for direction about how the proof of vaccination process will work and what it means for their staff.

According to the minister, businesses will require proof of vaccination starting on Saturday, and we are wondering how the government plans to communicate this new verification process to businesses and to the public. We are also wondering how the government ensures that health information is protected. For example, how are businesses required to collect and record this information?

We also wonder why the Liberal government is unwilling to utilize rapid tests in our schools as several other jurisdictions across the country are doing. Rapid testing would provide a quicker direction to parents who are wondering if they should send their child to school or if they have to stay home.

As always, we encourage Yukoners to follow the guidelines and rules put in place, and, of course, as always, we encourage all Yukoners who are eligible to get vaccinated.

**Ms. White:** The Yukon NDP thanks the House for this opportunity to reflect on the state of emergency that was declared at 7:32 p.m. last night. This time reflects the e-mail that I and others received to the order-in-council notification of this change.

Let me start by saying that the Yukon NDP supports these new measures, but we, like many others, wish that we hadn't gotten to this point of needing to declare an emergency.

For weeks, the Yukon NDP have asked questions about why the Yukon was, at first, one of only two jurisdictions in Canada without a mask mandate. As you know, when Manitoba finally changed the rules, we were the outlier — the only jurisdiction in the country that did not require the use of masks in public places. We had heard various answers and

explanations from various ministers as to why masks weren't mandatory. We were told that they were following the science and the recommendations of the CMOH, and often we were told that we were wrong.

It makes a person wonder why the science in the Yukon was so different from the science across the rest of the country, until we sadly skyrocketed past the rest of the country with the highest rates of new cases per capita anywhere in the country. We are relieved to know that masking has now been brought back. The minister has said that they responded to the latest recommendations from the CMOH in less than 20 hours. Is he saying that, prior to that, she had not made any recommendations for mask mandates or other restrictions? The problem, of course, is that, other than asking the minister, there is no way for us to know. The CMOH's public health recommendations should be public. Yukoners deserve to know what their CMOH is saying, so will this government commit to making the CMOH's recommendations public?

Meanwhile, it is up to this government to communicate about how the measures are going to work. Many businesses have questions about how they are supposed to validate a person's vaccine status and where they land on the designated settings list. They have questions about resources, and now, I guess, with the shorter timeline, they will have questions about additional help — all valid questions.

We have heard from parents urging the government to make rapid testing available in schools. We hope that, in the coming days, they will do just that because, as a parent said this morning on CBC, the government has a responsibility to protect children, and until they bring rapid testing to schools, they aren't doing enough. So, will rapid testing be available in Yukon schools?

As recipients of Yukon government funding, will daycares be required to ensure that all their staff are fully vaccinated, including boosters as these are made available?

Folks have been reaching out, asking about sports for both children and adults: what is allowed and what isn't, and when will that be communicated with Yukoners?

In order to help Yukoners better understand our current situation, many have been asking that more detailed data be made publicly available on the yukon.ca website, because most jurisdictions in Canada are publishing this data online, so it would facilitate cross-jurisdictional comparisons and help inform the decisions that Yukoners are being asked to make.

Will the government commit to publishing data that includes hospitalizations, ICU admissions, by vaccination status and age?

For the last 20 months, there has been one critical lesson that I hope we have all learned, and that is the importance of clear, concise communication, which brings me to my final point. Why was this important decision shared in an online press release at 7:42 p.m. on a Monday night? Why wasn't there a press conference held where media could ask questions, ensuring that these points would be shared on the radio, in print form, and online last night and first thing this morning? Until the next Yukon government press conference when media can

ask these important questions, Yukoners will be trying to fully understand last night's press release.

Mr. Speaker, I look forward to hearing answers to these questions from the minister in his response.

**Hon. Mr. Mostyn:** Thank you very much, Mr. Speaker, and in response, I want to thank the Leader of the Official Opposition this afternoon for his support of the state of emergency. It comes as a welcome change. I have often heard them question the approach that we are taking, so to see him come on board and start to follow the science, I really do appreciate that. I have to say that it is a welcome change of tone. I thank him for that.

We have led the country in the last seven days in COVID-19 cases by population and that is not where we want to be. COVID-19 is surging through the territory, and we must take immediate action to protect the health and safety of Yukoners.

Our pandemic response — our Liberal government's pandemic response — has always been consistent. We have followed the science. When the chief medical officer of health's office has made recommendations, we have released them immediately so that Yukoners know what is coming, and then we have worked very hard to implement them, doing the research, the outreach, and the policy work necessary to make these recommendations successful.

We must increase vaccination rates in the territory to keep Yukoners healthy and safe, and that is what our government is doing. We care about Yukoners' health, and we follow the science, the medicine, and the medical leadership, and we have since day one in making the very tough decisions to guide the territory through this — it is not unprecedented, but it is a once-in-100-years event that we are experiencing, something that previous generations had never seen. We have adapted and, with the support of the Yukon public, we have succeeded, in many ways, better than a lot of other jurisdictions, but right now we are in another surge — surges that we have seen across the country.

When we received the evidence, the recommendations, and the notification from the chief medical officer of health on Sunday, this caucus worked very hard to start to understand what was asked of us and to take action. Within 20 hours, we decided, looking at all the options available to us, on the action that we needed to take to make Yukoners safe.

None of us wanted to be here. None of us wanted to implement another state of emergency, but that is a tool we have to make sure that these recommendations from the chief medical officer of health are instituted across the territory as quickly as possible. We came to that decision late last night and, to the Leader of the Third Party's point, immediately issued the news release to the public. We, of course, will answer to the media and Yukoners over the coming days. We will have the information that we need to present to the Yukon public over the coming days.

We ask all Yukoners to follow these recommendations — these 10 recommendations — immediately. As of Saturday, we



will have the enforcement tools that we need to make sure that this is followed.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: COVID-19 school protocols

**Mr. Dixon:** Yesterday, the Premier responded to questions about the government's unwillingness to implement a rapid-testing program in our schools. We know that the federal government has provided tens of thousands of rapid tests to Yukon, and we have yet to hear the government offer any explanation as to what they are doing with them. The Premier was clear yesterday that there is no plan in place to use those in the schools.

So, if the Premier is unwilling to create a plan to deploy those rapid tests in the schools, what is the government's plan for the stockpile of tens of thousands of rapid tests that are sitting on the shelf from the federal government?

**Hon. Ms. McPhee:** Science is the best guide when dealing with a pandemic. We continue to follow the recommendations of our public health experts, and this includes in relation to testing — all forms of testing. Our strong leadership has guided us through the pandemic and kept our economy growing. We certainly understand the concerns of parents and the concerns around cases in our schools, but as the chief medical officer of health said in public media this morning, that is not the place where cases are spreading.

We have heard from many constituents about this issue and have shared these concerns with the acting chief medical officer of health. We continue to work with our public health officials to adjust our response as necessary. We have a testing and a contact-tracing strategy that has been effective in dealing with the spread of COVID-19 in our territory, and I look forward to providing additional information to further questions.

**Mr. Dixon:** I don't think the minister answered my question, but I will move on.

In Alberta and Ontario, provincial governments have distributed their stockpile of rapid tests to schools. They are using them in a targeted way to focus on specific schools that are facing outbreaks.

Tests are distributed to staff and parents. They are voluntary and are to be done at home as a screening tool for students who are asymptomatic. According to the CMOH in Ontario, the intent of these programs is to detect cases in schools earlier and reduce the risk of outbreaks and closures.

Will the Yukon government create a similar rapid-testing program for schools here with the intent of reducing the risk of outbreaks and closures in our schools?

**Hon. Ms. McPhee:** I do think that it's important to be clear. I am certainly not speaking on behalf of the minister, but we currently do not have any schools closed here in the territory. We have a testing and contact-tracing strategy that has been effective in dealing with the spread of COVID-19 in our territory. The new measures brought in last night — we hope and have great confidence — will also stop the spread of COVID-19 and end our concerns going forward. We are

looking forward to the next two to three weeks with a close watch on how cases are moving through the territory.

The acting chief medical officer of health is not currently recommending the use of rapid tests at schools. We will continue to monitor and adjust as the situation develops and get new recommendations from the office of the acting chief medical officer of health as they come forward.

The most important thing is that our testing capacity is available currently to address our immediate public health needs, including symptomatic individuals — encourage them to go to the testing facility here in Whitehorse or to their community health centres to request that support — and there will be a new drive-through starting tomorrow.

**Mr. Dixon:** I think that the minister is a bit out of touch because there are several classes around the territory that are shut down. In fact, as of yesterday, almost half of Whitehorse Elementary — that is Whitehorse's biggest elementary school — was shut down. The classes were sent home and parents had to stay home with their kids. Parents are growing concerned as the number of classes close, and more and more parents are having to stay home with their kids. This means that parents are having to miss work to stay home.

Other jurisdictions have taken the rapid tests and used them in the schools to reduce the number of outbreaks and closures. Here in Yukon, this would mean that fewer parents would need to stay home with their kids, and those who do could have their isolation times shortened. Parents have taken to writing a mass letter, petitions, and some have even gone to the media to ask why a rapid-testing program, like the ones being used successfully in other provinces, isn't being implemented here in Yukon.

Will the government develop a rapid-testing program here in Yukon that will be targeted at schools and aimed at reducing outbreaks and closures?

**Hon. Mr. Silver:** Mr. Speaker, just to correct the record, the minister has said "schools" — not "classes" — just so the member opposite heard correctly — and we are aware that there are certain classes where we have seen some situations, but here is the salient point —

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

**Hon. Mr. Silver:** As the members opposite speak off-mic —

**Speaker:** Order, please. The member has the floor.

**Hon. Mr. Silver:** We have been very consistent, Mr. Speaker. We will follow the advice from the chief medical officer of health. We have had conversations with First Nation governments, municipal governments, and school communities. As far as testing goes, we are focused in on making sure that we implement the recommendations from the chief medical officer of health who is very cognizant of a lot of conversations coming from concerned parents and is also looking at the epidemiology in other areas.

We heard the member opposite say just this morning that they strongly urge the public to follow the recommendations of the chief medical officer of health. I hope that this applies with the Yukon Party when it comes to testing. I hope that it actually also applies when it comes to mandatory vaccinations as well.

We will continue to work with the chief medical officer of health.

Now, lots of new technologies are coming on board when it comes to testing — and also lots of exciting conversations with First Nation communities as well as far as the support. So, we will continue to implement the guidelines and the recommendations by following the science.

**Question re: COVID-19 pandemic business relief funding**

**Mr. Dixon:** Contrary to what the Premier is suggesting by downplaying the impact on our schools, the growing outbreak of COVID in our schools is starting to cause real hardship for families. As more and more children are told to self-isolate and stay home, this will result in parents having to take time off work. Many parents, particularly the single parents, will find this has serious negative financial impacts on them.

Obviously, everyone wants to do the right thing, but forcing a parent into a situation of deciding whether to stay home with their young child or to take weeks off work without pay is a lose-lose situation.

What is the government's plan to support families and single parents who are forced to take time off work as a result of the significant number of classes that are now shut down in our schools?

**Hon. Mr. Silver:** I will ask my colleague, the Minister of Education, to answer some supplementary questions here as well, but again, to assume that the chief medical officer of health's recommendations to this government are in any way putting schools or students in harm's way — I would ask the members opposite to reconsider that as a narrative.

We are following the science. We are following the guidelines that the chief medical officer of health, through consultation locally, nationally, and internationally, has for best practices. We have heard concerns in other jurisdictions about asymptomatic tests clogging up systems and not helping the overall epidemiology or strain on the medical systems. We are going to rely on the chief medical officer of health's research — again, on the national, international, and local level — considering all factors when it comes to all of the mechanisms that she and her team are putting in place as recommendations for us.

The members opposite can cherry-pick one or two of these things and say that, in isolation, these are concerning. We are looking at the full spectrum. We also completely agree that we want to make sure that the parents and the students are well-protected and safe and that we are hearing their concerns. I will definitely, on the floor of the Legislative Assembly, say today that this is happening. Those conversations are happening in earnest every time we meet together with the chief medical officer of health and her team.

**Mr. Dixon:** Unfortunately, the Premier disregarded my question altogether. What I asked was: What are they doing to help parents deal with the fact that they have to stay home with their children? What sort of financial supports can they expect from this government?

With the new restrictions in place for bars and restaurants, many of these businesses will start to see significant and negative financial impacts for their businesses. These businesses all want to do their part to help protect the community, but many of them clawed and scraped just to survive the last round of restrictions. There is a very real possibility that, without proper supports in place, this next round will result in the permanent closure of a number of small businesses and restaurants.

What new supports is the government bringing into place to help bars, restaurants, and other affected businesses survive this new round of restrictions?

**Hon. Mr. Pillai:** I think what is important for Yukoners to be aware of — and certainly the private sector. First of all, we have information that's forthcoming over the next couple of days which will define which organizations are essential services and which organizations will be affected more by our protocols concerning vaccination.

What I have asked the departments of Economic Development and of Tourism and Culture to do is — due to the decisions and the announcements last night — let's first monitor what is happening with organizations that have to cancel events. There are a number of things in front of us. We want to make sure that we have a very good understanding of what those impacts are.

As well, as we move into the latter part of the week, we will have that opportunity to work directly with our chambers and the business sectors once information rolls out on our protocols to ensure that we can either augment programs that are in place right now or look at specific programs that can support our private sector.

That information is going to be out in the next couple of days. I think that our departments are well-poised to be able to support. We have done that from the start. You have heard my colleagues say that. We have been there to support both the workers and the businesses, and that is not going to change.

**Mr. Dixon:** For the minister's information, these restrictions are coming into effect in a matter of days, so I hope that these announcements will come forth very quickly and that programs will roll out expeditiously.

He did mention, though, the anticipated cancellation or change of scope for a number of major events this fall or winter. Organizations that have already spent a lot of money preparing are worried. Again, these groups want to do their part to protect their community, but they also want to financially survive. Earlier in the pandemic, the government had a cancelled events relief fund to reimburse events that were cancelled as a result of government restrictions.

Will the government be bringing back the cancelled events fund during this new round of restrictions?

**Hon. Mr. Pillai:** The communications started with the private sector at about 7:20 a.m. this morning directly with different leaders who are running events. Last night, as soon as we were in a position to roll out the decisions concerning a state of emergency, I spoke to multiple deputy ministers, and we really focused at that particular time on ensuring that we could be in a position to look at the programs that we have and if we

could augment them, as stated, just to make sure. What I have said to date is that the sponsorship packages or funding agreements, or funding through transfer payment agreements, would stay solid. We are not going to touch that. It is the same thing that happened at the start of this pandemic. We know right now that folks have reached out, of course, to the legion. Some organizations have looked at different plans, but certainly the Yukon Arts Centre, Mothers Against Drunk Driving, YuKonstruct, Yukon Hospital Foundation — I had conversations this morning with geoscience — again, Spruce Bog is coming up. That's a lot of gig economy — I asked the department last night to take that into consideration. What are some things that we can do to be creative? It's very important to many of those artisans and individuals who make a lot of money from Christmas. Again, we are very focused on coming up with solutions, and we will be there to support the private sector as well as these NGOs in this very tough time.

### Question re: Midwifery legislation

**Ms. Blake:** Mr. Speaker, midwifery has been a long-outstanding issue in the Yukon. The NDP has been asking questions about this for decades. Now in 2021, the issue is still not solved. In fact, since midwifery regulations came into effect this year, midwives who had private practices in Yukon had to put a stop to their services, leaving many families without the care and support of a midwife. This means that there have been no midwives practising in the Yukon since this past spring. Despite the government's news releases and talking points on the subject, there are currently no midwives practising in the entire territory.

When will Yukon families have access to regulated and funded midwifery services?

**Hon. Ms. McPhee:** I am very pleased to rise to respond to the midwifery question because it is incredibly important to our government. We remain committed to moving forward with the integration of funded and regulated midwifery services into Yukon's health care system. As a matter of fact, I had a meeting about this yesterday. This work, including recruitment, is taking more time, unfortunately, than we had anticipated. We had anticipated that by the end of November this would be completed, but we are now looking at very early 2022 to launch midwifery services here in the Yukon.

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

**Hon. Ms. McPhee:** I will stop, as others decided to speak about it, and I am happy to answer further questions.

**Ms. Blake:** Mr. Speaker, earlier today, we tabled a letter from the Yukon Association for Birth Choices advocating for pay equity for midwives in the Yukon. The association is concerned that what is being advertised in job postings will not encourage midwives to come to the Yukon and will result in high turnover for midwives leaving for better paying and better regulated jurisdictions.

Last week the minister said that, to ensure recruitment, doctors in the Yukon are paid 30 percent more than physicians in other jurisdictions. That is great, Mr. Speaker, but when it comes to licensed midwives in the Yukon, they are being

offered less pay when compared to other jurisdictions. The midwifery rollout is edging on failure.

When will the minister start considering midwives as an integral part of professional health supports and start offering the fair pay that they deserve?

**Hon. Ms. McPhee:** Again, as the member opposite has noted — she tabled the letter today from Birth Choices. I would have very much appreciated if she had provided me with a copy of that letter. I will obtain it through the regular process of tabled documents, but I have not seen it. Asking me about it at this point I think is unfair, and I would be keen to read it and to answer — if that letter is directed to my office or to the members of the opposition, I'm not sure which — I would be happy to provide information for that. I absolutely support pay equity with respect to everyone in the Yukon Territory, but frankly, with respect to the midwifery program, it is an important aspect of that.

I will speak to members of the officials in the Department of Health and Social Services as well as those in the Public Service Commission to determine what the current situation is and how we can encourage midwives to come to the territory to provide the services that our Yukon families want and deserve. I look forward to that happening very early in 2022.

**Ms. Blake:** Birth Choices said that they actually sent a copy of today's letter that was tabled to the minister on Sunday.

The regulations that came into effect are also an issue. Since the regulations came into effect, the local midwives have to be registered for at least one year in another Canadian jurisdiction. This means that they have to start — or in some cases restart — their practice somewhere else, and we have to hope that they will be ready to come back in a year, only to accept a lower pay scale.

Last spring, only one midwife was left in the territory. She applied for the job and she was denied. The government blames recruitment issues, but they are the ones that created this mess.

How is this minister going to fix this failed midwifery rollout?

**Hon. Ms. McPhee:** I noted that this is not only top of mind for the files that I am working on immediately, but also that I met and had some discussions with respect to this midwifery file yesterday. There is a great deal of work underway right now, not only by our internal implementation team, but also with the support of a number of physicians, nurses, midwives, First Nation representatives, and individuals with lived experience. We are working closely with the Yukon Hospital Corporation to ensure that, whether registered midwives are providing services in a home or in the hospital, they are able to work with their full scope of practice.

Right now, Yukoners can access a midwife in another province or territory. That is not satisfactory to our long-term planning. Our regulations with respect to midwifery and the importance of the services they provide are in alignment with other jurisdictions in Canada. They are supported by midwives who have been working on our implementation committee and work continues as we speak to introduce our midwifery program to provide services to Yukoners as soon as possible.

**Question re: Resource Gateway project**

**Mr. Kent:** Mr. Speaker, yesterday the Yukon government announced the first project awarded under the Resource Gateway program, which, of course, is the Carmacks bypass. We know that the Liberal government originally announced this program in 2017, and at the time, they told the federal government that construction would start in June 2018. The project is over three years late. That said, when this funding was originally announced, it was supposed to be a public/private partnership. This means that some of the money was to come from Canada, some from the Yukon, and some from the private sector.

Of the \$29.6 million announced yesterday for the Carmacks bypass, how much will come from each of the three partners? Who is the private sector partner on this particular project?

**Hon. Mr. Clarke:** In the spring of 2019, a project agreement for the Carmacks bypass component was signed with Little Salmon Carmacks First Nation. The project includes construction of a new road and bridge which will allow industrial vehicles to bypass the community of Carmacks and create an enhanced and safer flow of traffic for residents. It will also improve access to mining activities while enabling the Little Salmon Carmacks First Nation to benefit from contracting education and training benefits associated with the project.

As the member opposite indicated, on November 8, 2021, Pelly Construction was awarded the \$29.6-million contract to ensure the new road and bridge. This project is a key component under the Yukon Resource Gateway program and a collaborative effort between the Yukon and the Little Salmon Carmacks First Nation.

I can advise, Mr. Speaker, that the right-of-way clearing began in 2020 and the project is anticipated to be completed in 2024. In addition, the application by YESAB for the geotechnical assessment component of the Carmacks bypass project was approved in 2019 and is now complete. The geotechnical assessments supported an application for the full project which was submitted to YESAB in May 2020 and the decision document was completed in December 2020.

I look to provide further details in subsequent questions.

**Mr. Kent:** Just a reminder for the minister that my question originally was: How much of the \$29.6 million was being contributed by Canada, how much from the Yukon, how much from the private sector, and who is that private sector partner?

Mr. Speaker, I'll move on. On May 27 of this year, the minister told us there was \$15.5 million allocated to the program in this fiscal year. He stated that this money was to fund seven projects.

So, given that this is the first project awarded, can the minister tell us how much of the \$15.5 million allocated to the program has been spent so far this fiscal year?

**Hon. Mr. Pillai:** Mr. Speaker, I think it's important to clarify to clear the record.

First, concerning the Carmacks bypass, I think the first press release regarding that project was actually released in

June of 2016, before there was a project agreement in place. That is one thing we on the other side found curious, because there wasn't an agreement in place, which was what was needed to build it.

Secondly, I think the member opposite actually negotiated and signed the agreement, so he would remember that — I believe he signed the agreement, but he definitely was party to the structure and was an architect of the agreement. The private sector partner doesn't come in until the last section. What we are seeing right now, that partner would be Western Copper. We saw an announcement, I believe, where Rio Tinto is now looking at that particular project. I think there are a lot of steps that still have to come, although I know Western Copper is happy to see the work that is being undertaken.

Again, pretty much in all those agreements, you didn't have a private sector partner until the very last segment of road. Of course, many of those projects that were in the agreement now seem not to be coming to fruition. This is part of the challenge with the way that this overall funding program was built.

Again, I am just wanting to clear the record and make sure that Yukoners were aware of the facts here.

**Mr. Kent:** My second question was about how much of the \$15.5 million that the Minister of Highways and Public Works said was going to be spent this year has actually been spent. No answer from the Minister of Economic Development, but not a surprise.

Again, Mr. Speaker, back on May 27, the minister told us that the total budget for the Carmacks bypass was \$26.75 million and included construction of a new road and bridge. Yesterday's news release indicated that the project had gone significantly overbudget, and the new cost is now \$29.6 million. At the time, the Minister of Highways and Public Works also mentioned that he expected the work to commence in late July or early August. Once again, we have a major infrastructure project mismanaged by the Liberals. It's late and it's overbudget.

Why is this project almost \$3 million overbudget? Why is it late, and when will it be completed?

**Hon. Mr. Clarke:** Mr. Speaker, our strong leadership has guided us through the pandemic and kept our economy growing. We are working to make sure Yukoners benefit from our territory's economic growth. We are building a brighter future for our territory by working in partnership with First Nation industry to upgrade resource infrastructure while providing benefits to Yukon communities. We have seen the unbalanced approach of the Yukon Party that led to court cases and uncertainty for the mining sector with a breakdown in trust

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

**Speaker:** Order, please. The member has the floor.

**Hon. Mr. Clarke:** — with First Nations. We are working to bring together Yukon First Nations and the mineral sector for the benefit of all Yukoners.

The Yukon Party has raised concerns about our left-wing government. Under our leadership, the industry is thriving and we have three mines in production. We have seen record placer

gold production in recent years. Beyond 2021, the outlook for mineral production value is forecast to exceed \$1 billion in all years out to 2025. That is more than the right-wing Yukon Party can say.

We now have six agreements under the Yukon Resource Gateway project. We have deals with the Ross River Dena Council, the Liard First Nation, the First Nation of Na-Cho Nyäk Dun, and the Little Salmon Carmacks First Nation. We have worked with the Government of Canada to find flexibility so that we can advance these projects in partnership with Yukon First Nations in a way that benefits all Yukoners. The Yukon Resource Gateway project will see hundreds of millions of dollars invested to improve access to resources in our territory, and we are proud to be making progress on this project.

#### **Question re: Wildlife harvest allocations**

**Mr. Istchenko:** Last week, the government announced to the hunting community that they are changing the approach to wildlife harvest allocations. This includes a review of the guidelines to establish outfitter quotas that have historically been used to establish moose, caribou, and sheep harvest quotas. While we understand the interest in reviewing outfitter quotas, we are concerned about what may be coming next for resident hunters.

Will the minister please explain whether or not the government is considering overhauling the system of wildlife harvest allocations for resident hunters as well?

**Hon. Mr. Clarke:** The short answer to the Member for Kluane's question is that there are no plans, to my knowledge, of changing the quota for resident hunters, barring any additional information that is received by my officials and our office with respect to things like the funding that we have provided for aerial moose harvest and number surveys in various areas. I will be guided by data from my specialists and from input from regional resources councils, from First Nation governments, and various other stakeholders whom I have had the pleasure of working with this summer, as well as interaction with the Yukon Fish and Game Association, and I have spoken to outfitters as well. So, I will always be guided by as accurate data as we possibly can be provided with — whether we have the balance between conservation. I have also heard from stakeholders saying that we have an abundance in some species, so certainly, I will receive all that information and make the balanced, science-driven decision.

**Mr. Istchenko:** The announcement to the hunting community that the government is changing its approach to wildlife harvest allocations also included a commitment to the establishment of quotas for moose and caribou for outfitters in every single outfitting concession. In the past, the department only established quotas where there were conservation concerns that were supported by population data and wildlife studies. There is a growing concern in the hunting community that the government is moving toward wildlife management that is based on political considerations rather than the science.

Can the minister confirm that there is scientific data and wildlife population studies to justify the need for these quotas for moose and caribou in every single outfitting concession?

**Hon. Mr. Clarke:** As the member opposite will well know, moose are the most harvested species by Yukon hunters and are an important species culturally. In some areas, the combined licensed and subsistence harvest of moose is at or above sustainable levels, especially in areas that are easy to access. It is important that our management approach keeps harvests within sustainable limits and respects First Nation final agreements.

At a community's request, the Government of Yukon has committed to supporting moose management planning at the regional and territorial levels. This future planning can result in collaborative recommendations for harvest restrictions and additional, more flexible, and responsive moose management tools. Harvest restrictions help to ensure long-term viable moose populations and continued licensed harvest opportunities. For example, as proposed by the Mayo District Renewable Resources Council, the Government of Yukon has committed to implementing a moose threshold hunt in the Mayo area and establishing permit hunt authorizations in the South Canol and Sifton-Miners Range moose management units for the 2022-23 hunting season.

Always guided by the best available scientific data, conducting targeted moose surveys supports our commitment to increasing data collection when and where possible, ensuring that the most up-to-date information is available for decision-making.

**Mr. Istchenko:** I actually asked the minister to confirm that there is scientific data and wildlife population studies to justify the need for these quotas.

Mr. Speaker, having wildlife population data and scientific backing for allocation decisions is very, very important. It's a very important aspect of wildlife management here in the Yukon.

We are hoping that the government will reconsider making allocation decisions without having the scientific data to back those decisions. It was notable to many that the government is establishing outfitting quotas in every single concession for moose and caribou but not for other species. In some concessions, species like Dall sheep can be a greater conservation concern than moose or caribou. So, why is the minister taking a uniform approach without scientific backing to his brand new system? Why is he applying quotas to all outfitters for moose and caribou when we have yet to see population studies to justify that, while also ignoring other species?

**Hon. Mr. Clarke:** Thank you for the input from the Member for Kluane, and I certainly have no intention of ignoring other species that may be at risk and where there may be conservation concerns. I certainly will do my homework over the course of the winter to ensure that we have appropriate data, not just for moose and caribou.

Weather dependent, the Department of Environment intends to conduct four moose surveys this fall. Three of the planned moose surveys will be in the lower Stewart River, the Teslin River moose management unit, and the Sifton-Miners Range Moose Management Unit. For the fourth survey, the department plans to survey moose in the Whitehorse south area,

which includes Fish Lake, Wheaton River, and Mount Lorne moose management units, in partnership with the Carcross/Tagish Renewable Resources Council. We are also looking for opportunities for additional surveys, including the Nisutlin River, Quiet Lake and South Canol moose management units.

The department staff prioritized which moose management units to survey based on a combination of factors, which include harvest levels, access, community concerns, land use planning needs, how long it has been since an area was last surveyed, and human activity occurring in the area.

Mr. Speaker, in conclusion, I will be governed by the best available scientific data, but I certainly welcome the input from the Member for Kluane.

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

### Notice of opposition private members' business

**Ms. Tredger:** 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, November 10, 2021. It is Motion No. 200, standing in the name of the Member for Takini-Kopper King.

**Mr. Kent:** The Official Opposition will not be calling any private members' business on Wednesday, November 10, 2021 so that we can expedite debate and focus on important legislation and departments, such as Education and Health and Social Services.

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

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### Bill No. 10: *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)* — Second Reading

**Clerk:** Second reading, Bill No. 10, standing in the name of the Hon. Ms. McPhee.

**Hon. Ms. McPhee:** Mr. Speaker, I move that Bill No. 10, entitled *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 10, entitled *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)*, be now read a second time.

**Hon. Ms. McPhee:** Mr. Speaker, I won't take a lot of time today, but it's important to point out the amendments to the *Territorial Court Judiciary Pension Plan Act* being presented in Bill No. 10.

The government is pleased to bring forward the *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)* for second reading. The *Territorial Court Act* sets out the process for a Judicial Compensation Commission to be struck every three years in order to review and provide recommendations to government on the remuneration of Territorial Court Judges and Justices of the Peace.

The 2016 Judicial Compensation Commission's final report was approved in 2019. As a result of the accepted recommendations from that report of the 2016 Judicial Compensation Commission, amendments to the *Territorial Court Judiciary Pension Plan Act* are necessary and have been brought forward here in Bill No. 10.

The proposed amendments can be broken down into three parts: First, the amendments clarify and expand the scheme for how reductions are applied to pension benefit amounts in the event that a member elects to commence receipt of their pension benefits prior to the earliest unreduced retirement date. Second, the amendments clarify that a five-year guarantee applies to all pensions payable, including joint and survivor pensions for a judge with a spouse. Finally, the proposed amendments clarify that the child benefits in terms of pension amounts are payable under both the registered and the supplemental pension plans by codifying the scheme for disbursement of pension amounts to judges' children in schedule 3. These are clearly technical-type amendments contained in Bill No. 10 for the purposes of giving life to the accepted recommendations from the Judicial Compensation Commission that I have noted.

The proposed amendments seek to ensure that the 2016 Judicial Compensation Commission recommendations are implemented across the whole of the statute using consistent language and provisions where possible. The concept is aimed at harmonizing schedule 1 and schedule 3 of the act.

During an opposition briefing on the contents of Bill No. 10, a question was asked as to whether the financial considerations of the amendment have been incorporated as part of the budget mains or supplemental. I can confirm that the judicial salary and benefits considerations resulting from the proposed amendments from Bill No. 10 were in fact realized and reflected in the budget of 2019-20 in the mains. The Department of Justice can also confirm, and has done so with the Public Service Commission, that the financial considerations for the child benefits stemming from the proposed amendments are accepted along with the changes to the judicial remuneration in 2019.

Mr. Speaker, the items highlighted and the proposed amendments contained in Bill No. 10 are ones that our government is pleased to bring forward. I urge all members of the House to support Bill No. 10 and its amendments to the *Territorial Court Judiciary Pension Plan Act*. I appreciate the opportunity to present this at second reading.

**Mr. Cathers:** Mr. Speaker, as the Official Opposition Justice critic, I will be very brief in my remarks. I understand from both reading the legislation itself and the briefing provided by officials that this is something that the Yukon government is bound to do in following the Judicial Compensation Commission requirements which are binding on government. I was advised by officials that the cost implications are quite negligible, so we will be supporting the legislation. It is somewhat a matter of housekeeping.

**Ms. Blake:** Thank you to the officials for their briefing. We understand that these amendments are necessary to clarify the current practice and we are in support of these changes.

**Speaker:** If the member now speaks, she will close debate.

Does any other member wish to be heard?

**Hon. Ms. McPhee:** Mr. Speaker, I am pleased to rise with respect to either of my responsibilities here in the Legislative Assembly and to be recognized today. Thank you so much. Thank you to the members opposite for their indicated support and for their consideration of these technical amendments that we have brought forward here in Bill No. 10.

I too would like to thank the officials from the Department of Justice who gave the briefings to the members of the opposition and who have worked so diligently on having this matter before the Legislative Assembly during this session. I appreciate that it looks like small technical changes, but I can assure all members, as they may know, that the detail and the work that goes into these kinds of amendments is just as extensive, often, as other kinds of legislation that come here before the House. I very much appreciate the work done by those officials at the Department of Justice and I want to thank them here publicly today and for those who have done the technical briefings, as mentioned by both members opposite, who have had the effect of allowing those members to have their questions answered and completely understand and then ultimately support this legislation.

I appreciate the opportunity to reply and I thank the members opposite for their support.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

### Division

**Speaker:** Division has been called.

### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 16 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for second reading of Bill No. 10 agreed to*

**Hon. Mr. Streicker:** 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. Blake):** I will now call Committee of the Whole to order.

#### **Bill No. 202: Second Appropriation Act 2021-22 — continued**

**Chair:** The matter before the Committee is continuing general debate on Vote 18, Yukon Housing Corporation, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

#### **Yukon Housing Corporation — continued**

**Chair:** Is there any further general debate?

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

**Ms. Tredger:** Madam Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 18, Yukon Housing Corporation, cleared or carried as required.

#### **Unanimous consent re deeming all lines in Vote 18, Yukon Housing Corporation, cleared or carried**

**Chair:** The Member for Whitehorse Centre has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 18, Yukon Housing Corporation, cleared or carried as required.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

*On Operation and Maintenance Expenditures*

*Total Operation and Maintenance Expenditures in the amount of nil agreed to*

*On Capital Expenditures*

*Total Capital Expenditures in the amount of \$3,795,000 agreed to*

*Total Expenditures in the amount of \$3,795,000 agreed to*

*Yukon Housing Corporation agreed to*

**Chair:** The matter now before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

The matter now before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

**Department of Highways and Public Works — continued**

**Hon. Mr. Clarke:** Thank you, Madam Chair, for the opportunity to speak in Committee of the Whole on behalf of the Department of Highways and Public Works. Once again, I would like to introduce my officials, Sherri Young to my left, and Paul McConnell, Deputy Minister of Highways and Public Works, to my right.

A question arose at the very end of the day yesterday from the Member for Copperbelt South about a climate risk assessment for transportation infrastructure projects arising from my mandate letter of July 5, 2021. I have a bit of a response to that question.

One of the actions outlined in *Our Clean Future* is to conduct climate risk assessments of all major transportation infrastructure projects above \$10 million. Climate change impacts can cover a range of scenarios from flooding to fire to increased temperature fluctuations and precipitation events. In all cases, the point of the climate risk assessment is to be more resilient to possible climate change impacts of the future.

Indeed, we are constantly adapting our infrastructure development processes so that our assets are resilient to climate change. This is important to us, and the action item in *Our Clean Future* reflects our commitment to climate risk adaptation. As you may know, the purpose of a climate risk assessment is to determine the infrastructure's vulnerability to climate change and to incorporate climate change adaptation measures into the design to mitigate climate change impacts. For example, a climate change risk assessment may focus on determining site and project variables for permafrost, fire, flood, and other risks. The department then undertakes a qualitative and quantitative assessment of the risks and vulnerabilities. This framework addresses the probability of an identified negative event occurring and the severity of the consequences of that event on the infrastructure element.

The general approach to evaluating and incorporating climate risk in infrastructure projects is to: (1) determine the project scope and climate impact assessment study parameters; (2) determine the variables to consider including infrastructure elements, such as signage, bridges, culverts, building foundations, and road surface materials; (3) identify climate parameters that could cause degradation or failure of the infrastructure or affect its use; (4) determine specific management strategies that could be employed to reduce this

risk; and (5) determine the probability of a negative event occurring and what the severity of consequences could be.

The department analyzes questions like: What can happen? How likely is it to occur? What are the consequences to the infrastructure element? — and so on. The climate risk assessment recommendations from the analysis are then incorporated so that the final design takes into account possible climate change impacts. The result is infrastructure that is resilient to climate change.

Specific to the Carmacks bypass, recently we awarded the major construction component of the Carmacks bypass project to Pelly Construction. The company will be building the bridge and bypass road for this project. It is good news and I am happy to share it, but I also want to mention how this project is considering future climate impacts.

The design of the bridge was developed to consider specific climate and exposure considerations. Significant analysis was done to ensure that the design incorporated: (1) a change in the water flow and river levels that could occur due to climate change; (2) erosive forces that could impact the foundational elements of the bridge; (3) the range of possible future temperature fluctuations that could occur; and (4) drainage on the bridge itself to enable the effective drainage of additional water due to increased precipitation events. Highways and Public Works did a number of analyses on these components to ensure that future variation and possible climate impacts were accounted for in the project's design. In addition, to ensure that there were no permafrost considerations that needed to be considered, a geotechnical investigation was conducted that confirmed that no permafrost is present.

The design of the new bypass road has also incorporated the potential for larger runoff events by increasing the diameter of culverts from 600 millimetres to 800 millimetres. Lastly, organic materials will be spread over the slopes near the road, and once the project is finished, the affected areas will be hydroseeded to encourage growth and minimize the risk of slides and erosion.

While we are on the topic of the Yukon Resource Gateway project, I also want to discuss how road ecology considerations are part of this work. In 2020, Highways and Public Works designated a road ecologist to review and incorporate road ecology considerations into our work with the Yukon Resource Gateway program. This approach to road ecology will be integrated in all of the Resource Gateway projects regardless of whether the project is over \$10 million or not. For example, bridge designs incorporate higher river flows and increased ice jamming considerations linked to climate change. Road designs also consider any possible drainage changes that could affect foundation conditions, including permafrost change and other increased risks of geohazards linked to climate change. Road ecology and climate impacts are intertwined in so many ways, so I'm happy to see this dedicated resource in place.

Climate risk assessments for buildings and Yukon green infrastructure standards — I would also like to make one other point on climate risk assessments that I think is important. Another action in *Our Clean Future* is to conduct climate risk assessments on all major building projects over \$10 million.



We are also changing the way we do planning and monitoring for building infrastructure to include climate impacts. For example, to be more resilient to the risks of permafrost thaw, we're developing and implementing a plan by 2024 to conduct routine monitoring of the structural condition of Government of Yukon buildings located on permafrost. Madam Chair, this is true for all of our major projects including the Yukon Resource Gateway program, the Dempster fibre project, and others.

One example that I want to highlight in particular is the work that has gone into planning and designing the Old Crow health and wellness centre where Highways and Public Works has worked closely with the Vuntut Gwitchin government to address some unique challenges. The building is designed to a post-disaster occupancy standard and is also designed to serve the community in a remote area with changing permafrost conditions. The building design has needed to consider the long-term effects of changes to the local permafrost to ensure that the facility is sustainable and serves the community for the long term. Highways and Public Works continues to work with local firms and northern building and climate experts to finalize the design and to proceed to construction in 2022.

One final thing that I want to emphasize in regard to our government's action to ensure that infrastructure will withstand the effects of climate change is that we are also setting new requirements that must be met. For example, the design requirements and technical standards manual provides guidelines for property development projects across the territory. Guidance on adaptation requirements and resiliency analysis is being updated in this document.

The department is also developing an energy and sustainability lens that will provide quantitative tools to assess climate risk impacts for future infrastructure projects. I am extremely proud of the work that our government is doing to address the defining issue of our era — climate change.

There is no issue more pressing than tackling climate change. Climate change is affecting the Yukon in multiple ways. We are seeing permafrost thaw wreak havoc on our roadways and buildings. Extreme weather events disrupt our transportation routes, and changes to our growing seasons impact local food production. This is no longer an issue of the future; this is impacting our daily lives now.

We just need to look at last winter and our record snowfall to see how a change in climate impacts us, including frequent washouts and floods, as well as increased road-clearing needs. In fact, the Yukon and the north are experiencing climate change in a faster and more urgent way.

Between 1948 and 2016, the Yukon experienced warming at close to three times the rate at which global temperatures are rising. This is having a myriad of effects across our territory, affecting ecosystems, weather patterns, communities, and infrastructure. The window for meaningful action is short, but the Government of Yukon is doing our part in tackling this crisis. *Our Clean Future* and the updated target to reduce Yukon's emissions by 45 percent by 2030 is the Government of Yukon's answer to the climate emergency. We are working in partnership with Yukon First Nations, transboundary

indigenous groups, and Yukon communities to implement the strategy.

Highways and Public Works is committed to the goals outlined in *Our Clean Future* that will improve energy efficiency, reduce greenhouse gas emissions, and strengthen our resilience to the ongoing impacts of climate change. Climate risk assessments and ensuring that the infrastructure that we build today will be resilient in the face of a changing climate is only one of the ways that the Department of Highways and Public Works is contributing to *Our Clean Future*. I would be happy to discuss the many other actions that we are taking, should the opportunity arise.

**Mr. Kent:** I thank the minister for that response to the question I raised yesterday. I would also like to take the opportunity to welcome his officials here today who provide support to the minister as we go through debate on Highways and Public Works.

I just want to step back to the Carmacks bypass, given that the project was announced yesterday in a government press release. Earlier on today in Question Period, I asked the minister: Of the \$29.6 million that was awarded yesterday for the Carmacks bypass, how much will come from each of the three partners? The three partners are Canada, the Yukon, and then some from the private sector. The minister's colleague, the Minister of Economic Development, interjected on one of the questions and said that Western Copper would be the private sector partner on this particular project. However, they wouldn't be contributing at this point; they would be contributing later on.

I know in the spring, in May, the minister mentioned on the floor of the House that he was advised that at least \$108 million is potentially set aside for industry or private sector contribution. If the minister can tell us how much he's expecting from Western Copper for this particular aspect of the overall funding envelope of the Resource Gateway program — how much is he expecting from Western Copper? Again, the Minister of Economic Development mentioned earlier that they are expecting that contribution sometime in the future. Does the minister have any idea when it's due and how much they are expecting with respect to this specific aspect of the Resource Gateway program?

**Hon. Mr. Clarke:** Thank you, Madam Chair, and thank you for the question from the Member for Copperbelt South.

Specific to the Carmacks bypass project, I can advise that the division of funding there is \$22.2 million federal and \$7.4 million territorial. There certainly are opportunities that are potentially provided for future projects. The Minister of Economic Development — perhaps harkening back to days gone by, perhaps when he was on some of these files — in my view was perhaps conjecturing that there could be some private partnership on future projects that are part of this program. But as the Member for Copperbelt South will know, with respect to the way that this program is profiled or the way it is set up, it is not mandatory that every project has to have a federal, a territorial, and a private contribution. Certainly, we are encouraging there to be private participation, but to the

member's specific question with respect to the Carmacks bypass project, there is no private participation.

**Mr. Kent:** Perhaps the minister can explain, then, what the Minister of Economic Development was speaking of in Question Period earlier today when he said that Western Copper would be the private sector partner for this particular project; if he could explain that, it would be helpful. Perhaps it is not the Carmacks bypass, as the minister has identified \$22.2 million from Canada and \$7.4 million from the Yukon government, which is the full budget. Perhaps the minister can tell me what exactly the Minister of Economic Development was talking about in Question Period when he talked about Western Copper, and I believe he also name-dropped Rio Tinto as a potential private sector partner.

**Hon. Mr. Clarke:** I would just once again confirm that, specifically with respect to the Carmacks bypass project, it is a federal and territorial co-funded project that does not have private participation. The member opposite will know that at least some of the potential Resource Gateway components include: Goldfield, Hunker and Sulphur; Goldfield, Indian River and Coffee; Casino gold; Freegold; South McQueen; the Silver Trail to Robert Campbell improvements; the North Canol; and the Nahanni Range Road. The Member for Copperbelt South will also know that there certainly is significant mineralization as you go due south of Dawson City and northwest of Carmacks.

The Minister of Economic Development will certainly encourage private participation as we go forward in the Yukon Resource Gateway project, which now, I believe, goes out to at least fiscal year 2029-30, so stay tuned. We certainly hope that there will be private industry participation, perhaps even including Western Copper or Rio Tinto, but I can confirm that they are not part of this project.

**Mr. Kent:** With due respect to the Minister of Highways and Public Works, his colleague in Question Period today stepped in and answered a question with respect to the private sector component, saying that it would be backloaded — not his words, but mine — and that the funding from the private sector would be backloaded here, and it would be Western Copper. I will check the Blues. I believe he mentioned Rio Tinto as well.

Can the minister just clarify, then, when exactly this money from Western Copper and Rio Tinto would be flowing? He is a lot less definitive here this afternoon than his colleague was when he spoke in Question Period earlier today.

**Hon. Mr. Clarke:** To confirm for the Member for Copperbelt South, Western Copper and Rio Tinto are not involved in the Carmacks bypass, but certainly, as indicated, the Yukon Resource Gateway project is actually eligible to be accessed until, I believe, the spring of 2031. On the map, you can see that some of these projects would connect to the Carmacks bypass project. I understand that the Member for Copperbelt South may review the Blues on this, but it may well be — and I can't speak for my colleague — that he was excited to conjecture about future prospects for private miners and for private companies that might become involved, because, right now, there is \$108 million of the Yukon Resource Gateway

program funding that is still available over the course of, still, almost 10 years.

This is the first full sign-off project and we hope that there will be many more with private participation. That is the information that I have, as the Minister of Highways and Public Works, with respect to the Carmacks bypass, but I can certainly see where the Member for Porter Creek South, the Minister of Economic Development, could have perhaps been conjecturing about future participation of private miners.

**Mr. Kent:** I want to move on. I will take the minister back to May 27 where he mentioned that the overall Resource Gateway program was scheduled to receive \$15.5 million in this fiscal year. That was the allocation that was made for that particular program. Then I received a legislative return to a written question. I think it's dated October 27, 2021. The question that I had was: Where has the money been spent so far? How much has been spent and where has it been spent? The answer to how much was \$12,154,000 and it was spent on a number of different projects.

Again, as I mentioned in Question Period earlier today, when we first talked about this, the minister suggested at the time that work on the Carmacks bypass would begin in late July or early August. Obviously, the award was made just yesterday, on November 8. I am assuming that the government will not be expending the entire amount suggested in this fiscal year.

Can the minister update us on how much of the \$15.5 million that was originally allocated in the main budget for the overall Resource Gateway program has been spent so far this year? How much does he anticipate being spent by the end of the fiscal year?

**Hon. Mr. Clarke:** In that the contract has just been awarded, the process now will be to discuss with the contractor what is reasonable to expend this year. I can see that it is likely a little later than anticipated, but we will certainly be in a position to answer the member opposite's questions once we get closer to the end of the year.

There has been clearing and right-of-way work that has occurred. There could be some more which will occur. I would say to the member opposite that we will be in a better position to provide an accounting of the expenditures with respect to the entire project or the entire program by the spring.

**Mr. Kent:** When we spoke about this on Thursday, May 27, that \$15.5 million — according to the minister at the time — broke down as follows: \$7.5 million for the Carmacks bypass. The minister has recognized, obviously, that the award was later than he had initially anticipated, so that budget will no doubt be adjusted for this fiscal year. The \$8 million remaining, which was supposed to be spent this fiscal year, was for: the Campbell Highway reconstruction, which is kilometre 335 to 414, and that was \$4 million; Campbell Highway reconstruction from kilometre 114 to 171 amounted to \$1.54 million; Nahanni Range Road, \$1.5 million; North Canol Road, \$500,000; Silver Trail, \$310,000; and then the Freegold Road, approximately \$150,000.

Taking the Carmacks bypass out of that equation for now, can the minister tell us if these other expenditures were made

with respect to the other projects identified in the Resource Gateway program?

**Hon. Mr. Clarke:** With respect to all of the remaining projects, I am advised that work is ongoing, but I would have a similar response as I had with respect to the Carmacks bypass, but there are still processes of assessments, permits, and baseline data gathering.

What, of course, is important for all of these agreements is that, although the preliminary agreements were signed some time ago — they were signed in 2016 and 2017 — the devil ultimately was in the details because you ended up having to have transfer payment agreements or community development agreements with the impacted First Nations, and those discussions are, in fact, ongoing with various First Nations so that those governments can have meaningful participation and meaningful benefits to their governments and to their beneficiaries.

During the course of the summer of 2021, technicians and professionals from the Department of Highways and Public Works engaged in those discussions with the government of Little Salmon Carmacks First Nation in order to enter into an acceptable project agreement, and that is hard, challenging but rewarding work, and ultimately that agreement was reached.

With respect to the remaining projects, in addition to the clearing, the environmental assessment, and the baseline data gathering, there is also engagement with the First Nations in order to agree to and enter into project agreements.

We are certainly optimistic that some of these other projects will come to fruition, and we can report back to the House and to the member opposite on other projects in the Yukon Resource Gateway program proceeding in subsequent years. But without the community development agreements and without meaningful participation from the impacted First Nations, these projects as they were signed in 2016 or 2017 aren't, in my six months of overseeing this department, going anywhere without an acceptable project agreement.

That is a bit of a long-winded answer to say that funds are being expended, and I will certainly be in a position — we have a budget, the current budget. We aren't asking for any additional funds for this year, and I will be in a position to report back to the House as to how all of this work will have unfolded in the Spring Sitting next year.

**Mr. Kent:** That takes me to the supplementary budget. I have a question for the minister, if he can perhaps explain it to members of the House. When we look at the operation and maintenance vote for Highways and Public Works, there was an increase of \$8.776 million, but when we look at the capital vote, there was zero increase, or net zero, so there was no decrease of capital and no increase of capital.

How confident is the minister in these numbers, given changes that we see just on \$15.5 million in projects — talking around the Yukon Resource Gateway program — and why are there no reductions or potential increases shown just given that some of the projects are going overbudget? If he could explain that to the House, that would be great.

**Hon. Mr. Clarke:** Thank you for the question from the Member for Copperbelt South. The member — in his previous

capacity as a minister, perhaps in this department at some point years ago — will know that these estimates occur based on the budgeting work that the department is doing for April, May, June, and July of the fiscal year 2020-21, also known as period 4 variances. Speaking to my officials, I have a high degree of confidence that the numbers, as reflected in the period 4 variances, are accurate — or that they are a good estimation of the needs and the expenses and the additional legislative authority that is being sought by Highways and Public Works at that point in time.

The member opposite will know that there are future reviews of the financial situation of this ministry and all ministries. We are coming close to period 7 variances where the circumstances will be reviewed. I take the member opposite's point that — with the vagaries of COVID spending and perhaps some additional spending, but some of that is accounted for, that may be required — there could be lapses or there could be requests to come to the House for additional spending authority.

I think, to answer the member opposite's specific question, we are confident in the numbers presented for the time period in question that is being questioned and scrutinized by the Assembly in this session.

**Mr. Kent:** I appreciate that from the minister. Again, earlier today in Question Period, we talked a little bit about the Carmacks bypass project itself. On May 27 of this year, the minister told us that the total budget for the bypass was \$26.75 million and it included the construction of a new road and bridge. Yesterday's news release indicated that the new cost of the project is \$29.6 million. Then again, in May, the minister — as I mentioned earlier in debate here today — said that he expected the work to commence in late July or early August. Obviously, that time frame has slipped as well, so we're just curious if the minister can tell us: What were the contributing factors to this project going almost \$3 million overbudget, and what are the contributing factors to it being a number of months late in starting?

**Hon. Mr. Clarke:** The answer to the first question — and I will ask my officials and perhaps I can provide additional detail to the member opposite, perhaps even in a legislative return. But broadly — as we have seen over the last six or seven months on a number of the major contracts — and it is something that the members opposite will certainly be familiar with — there have been global supply chain issues with respect to, among other things, the price of steel.

There is a bridge component to the Carmacks bypass, which is certainly going to impact the price. Probably a global issue — but certainly a pan-Canadian issue is labour cost escalation. For a period of time as well, lumber completely spiked. The board-foot cost of lumber has since returned to a relatively normal price, and, of course, lumber is likely not a significant component of this Carmacks bypass project. So, given both the territorial economic drivers and economic challenges and the Canadian and global issues with respect to the supply chain and the provision of raw materials — which have impacted a number of projects since the spring of 2021 — and this project was very similar as far as the slight inflationary impact to it.

The other question that the Member for Copperbelt South had is with respect to — I would say in the general context — the slight delay that occurred over the course of 2021. I would just note, similar to the response that I provided before, that the Government of Yukon has taken a number of steps to ensure that Little Salmon Carmacks First Nation and the community benefit from the project. We signed a new project agreement with Little Salmon Carmacks First Nation in August of 2021. The agreement enables the Little Salmon Carmacks First Nation to access potential contracting, education, and training benefits associated with the project. The project also provides funding so that the First Nation can participate effectively in the planning, design, assessment, and regulatory processes for the proposed project. In May of 2021, we hosted a speed networking event that provided local businesses with an opportunity to meet qualified contractors to pitch their goods and services.

As I said in a previous response, Highways and Public Works has met with both the Little Salmon Carmacks First Nation chief and council as well as the Village of Carmacks to share the project and draft design.

As I said, we hosted this networking event in May, and a local contractor engagement plan was a critical piece in the procurement process. This was one of the first value-driven RFPs under the new First Nation procurement policy. A First Nation participation plan was part of the project.

Over the course of the summer, there were challenges, but as I said in a prior response, the only way that these projects are going to proceed is with acceptable, innovative, and progressive project agreements with the impacted First Nations. That is what has happened. To answer the member opposite's question as well, I believe that the projected completion date is now in the summer of 2024.

**Mr. Kent:** When the predecessor to the yukon.ca website was operating, it was easy enough to find which projects were part of the ten \$1-million exceptions or exemptions to the Canada free trade act. I haven't been able to find that on yukon.ca. Can the minister give us a sense for this fiscal year what projects have been identified for those ten \$1-million exemptions?

**Hon. Mr. Clarke:** The Yukon government is helping to boost economic development across the territory through the use of trade agreement exceptions. The exceptions allow us to restrict procurement competitions exclusively to qualified Yukon businesses 10 times per year in order to keep the government dollars in the territory and support local businesses.

Since 2018, Yukon businesses have competed for and secured 42 Yukon-exclusive contracts worth \$20.4 million. So far in this fiscal year, trade agreement exceptions have been used to award three projects to Yukon businesses, totalling \$1.7 million. In addition to these projects, one is pending award and another four are approved for tender in the upcoming months.

Selection criteria include how much of the money spent on the project will create economic opportunities in the Yukon and whether the project supports the territory's industries and

suppliers. This year's projects include tenders for bridge replacements and upgrades, HVAC upgrades, oil-water separators, sump modifications, heating, boiler, and fuel tank replacements, infill developments, and utility installations.

Over the past five years, manufacturing, construction, and consulting contracts have been awarded for work in communities across the Yukon. I am advised that there are three projects that have been awarded, and one is closed, pending award. So, four projects have been tendered in the 2021-22 fiscal year so far, and the ones that have been awarded include: the access road/bridge replacement No. 4 at the Ketza River mine, awarded to Boreal Engineering Ltd.; HVAC system and paint booth ventilation system replacement at the parks building in Whitehorse, awarded to Hvactech Systems Inc.; and surface works and underground utilities for the Logan residential lots in Whitehorse, awarded to Castle Rock Enterprises Ltd. Once awarded, I can provide the member opposite with additional award information, and I can also ask where, if at all, on the website this information is or where it perhaps ought to be.

**Mr. Kent:** I look forward to hoping that the information does reappear on the website or if it is there — if the minister can direct us to where exactly it is.

I'm curious; in the minister's mandate letter, one of the bullets was to begin the process of relocating the grader station in the Marwell area, working with the Kwanlin Dün First Nation. Can the minister update us on any work that has been done in that regard so far?

**Hon. Mr. Clarke:** The Whitehorse grader station is no longer meeting the needs of the department and must be replaced or relocated. Highways and Public Works is looking at options for relocating the grader station that is currently located in the Marwell area of Whitehorse.

In 2014, several sites were identified for a new grader station as part of a business case and functional plan. At its current location, the grader station sits on riverfront land that may be more suitable for other types of development or usage.

Under the *Kwanlin Dün First Nation Final Agreement*, Kwanlin Dün First Nation has the first right of refusal on the existing site. The infrastructure at the Whitehorse grader station is 50 years old, and the current buildings have high energy use and maintenance costs. Replacing the station is the most economical option. New, more efficient buildings at the station would help contribute to the Yukon government's greenhouse gas emission reduction targets.

I can further advise the member opposite that a functional plan has been updated. I can also advise that I have met with Chief Bill of Kwanlin Dün First Nation on this topic and have had preliminary discussions. I have also been briefed on this topic. As the member opposite can likely appreciate, this is a complex and significant project and will likely be quite costly, although it is something that should occur for a lot of the reasons that I have set out. I think that the building is beyond economic and it is a significant energy sink as well. That's what I have so far.

**Mr. Dixon:** I have a number of questions regarding procurement for the minister, so I will leap right into them

because I am fairly limited in my time. First of all, I wanted to ask about the First Nation procurement policy. I have a number of questions here. I will just start with digging right into the policy.

In a certain section of the policy, the commitment is made that the government will work toward awarding 15 percent or higher of all government procurements measured by number and value to Yukon First Nation businesses. So, that is a commitment that was made throughout the negotiations for this policy and has been raised by a number of businesses that questioned it.

Can the minister tell us what level of percentage of government procurements have gone to Yukon First Nation businesses in the previous year — so from the last year until the First Nation procurement policy came into effect?

**Hon. Mr. Clarke:** I guess, in this job, one ought not to speculate, but I would say that I have seen the data, and it was single digits — it was seven or eight percent — but I will get back to the member opposite. I can confirm that the number that we are seeking — that this policy seeks to get to — is 15 percent.

I suppose, as an answer to this as well, there will be an indicator that this program is actually fulfilling its mandate or doing what it ought to do. The member opposite will have heard about the Monitor and Review Committee. The Monitor and Review Committee is made up of four Yukon First Nation representatives, four industry representatives, and three YG representatives. The Monitor and Review Committee will be tasked with evaluating the effectiveness of the policy and making recommendations to the Yukon government on areas of improvement. The committee will meet monthly and will produce an annual report, reviewing the Yukon First Nation procurement policy, with recommendations to government on how to improve the policy and its implementation.

Up until now, we have not been able to definitively know if a business is Yukon First Nation-owned or not. With the verified business registry, this is something Yukon will now be able to track. With the full implementation of the policy in effect, success over the long term will include having an increasing proportion of government contracts awarded to Yukon First Nation-owned businesses, as well as increased subcontracting opportunities to Yukon First Nation businesses.

Ideally, we should also see an increase in employment opportunities for Yukon First Nation peoples. We will be tracking this.

Success will also be demonstrated with the negotiation of community development agreements — as I have talked about — in the Resource Gateway program with Yukon First Nation governments for large projects that are happening in their traditional territory. These agreements will ensure that benefits from these large projects will stay in their communities, whether through training opportunities, apprenticeships, or businesses.

The Yukon First Nation procurement policy is unique to the Yukon. The development of procurement policies that strive to increase indigenous participation in government procurement is happening across the country, as we speak. For

example, Canada recently announced they were working toward the target of five percent of all federal contracts being awarded to indigenous businesses.

To answer the member opposite's question, I believe the prior year was single-digit percent — maybe I have it; yes, it is basically what I thought — it is estimated between seven and eight percent, with an overall objective of 15 percent.

**Mr. Dixon:** In his prepared remarks, he noted that up until this policy came into force, there was no way to verify whether a business is First Nation-owned or not. That is what he just said. So, if that's the case, how are they able to arrive at a number if they don't know whether a business is First Nation-owned or not? How can they draw a conclusion as to a percentage of the contracts that go to First Nation businesses when they don't know if businesses are First Nation or not?

**Hon. Mr. Clarke:** That's a fair question from the member opposite. I'm advised that the estimated data we had received was from the Yukon Bureau of Statistics, indicating Yukon First Nation participation in the private sector, but I certainly take the member opposite's point that now, pursuant to the Yukon First Nation procurement policy, we should be in a position to demonstrably and hopefully accurately verify Yukon First Nation businesses so that we have good data.

The member opposite will likely know that the Yukon First Nation Chamber of Commerce will now be managing the business registry and verification process. It is essential that all businesses on the registry be verified to ensure that the benefits of the policy are going to the correct people — the right people. For Yukon First Nation businesses to be added to this registry and earn bid-value reductions, they will need to be verified. For a Yukon First Nation business to be verified, they will need to submit the appropriate documentation to verify that they meet the definition of a "Yukon First Nation business" under that policy.

The Yukon First Nation Chamber of Commerce already works to support and represent Yukon First Nation-owned businesses; therefore, it was a good fit for them to be part of the verification process.

It is essential that all businesses on the registry meet the definition of a Yukon First Nation business under that policy. By having only verified businesses on the registry, everyone can feel confident that all businesses meet the requirements of the policy when accessing the registry. Verification allows us to ensure that bid-value reductions related to ownership and business location are only applied to verified Yukon First Nation businesses. Depending on the complexity of the ownership structure, it will take up to 15 business days, recognizing in the initial month that there may be a large volume of applicants who could be impacted by verification timelines.

The member opposite will likely know that a Yukon First Nation business meets one of the following criteria: one, a corporation or not-for-profit corporation where one or more Yukon First Nations is the direct or beneficial owner of 100 percent of the shares of the corporation; two, a sole proprietorship owned by a Yukon First Nation person; a partnership or limited partnership where at least 50 percent of

the partnership is owned by a Yukon First Nation or organization described in number one or two; a corporation with at least 51 percent of the corporation's voting shares owned by a Yukon First Nation person or organization described in number one or two; or a not-for-profit organization in good standing under the *Societies Act* with at least 51 percent of its membership comprised of Yukon First Nation persons.

A sole proprietorship owned by a non-Yukon First Nation person which supports a Yukon First Nation spouse or common-law partner and/or a Yukon First Nation family may qualify as well as a Yukon First Nation business.

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

**All Hon. Members:** Agreed.

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

*Recess*

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

The matter now before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any further general debate?

**Ms. Tredger:** I want to extend my thanks to the officials for their time today, as well as the briefing they gave us earlier; it was very helpful.

I would like to start by following up on some of my colleague's questions. There was some discussion of the climate risk assessment that is to be done for projects over \$10 million, and in *Our Clean Future*, it says: "... climate risk assessments ... such as through the federal Climate Lens assessment..." I have looked up the federal climate lens assessment that is used federally, and it has two components: a greenhouse gas mitigation assessment, as well as a climate change resilience assessment. I have heard lots of talk about climate change resiliency — like how these projects will adapt to future change. I haven't heard as much talk about the greenhouse gas mitigation piece of the assessment, and I am wondering: Is there a greenhouse gas mitigation assessment being done for all projects over \$10 million?

**Hon. Mr. Clarke:** Thank you for the question — to the Member for Whitehorse Centre. One of the ways we are making progress is by making our government buildings operate more efficiently and use less energy. We are committed to retrofitting Government of Yukon buildings to contribute to a 45-percent reduction of greenhouse gas emissions by 2030.

Highways and Public Works has a new program focused on this, called the green infrastructure fund program. It is a multi-year capital investment fund dedicated to implementing renewable energy systems, building retrofits, and sustainability projects. This year, the department has budgeted \$13 million for building energy projects. These include \$10 million for completing 20 building energy retrofit projects and \$3 million for energy assessments and conceptual designs for renewable energy systems.

Two significant building retrofits we are currently working on include replacement of the Yukon University roof and replacement of the youth justice centre skylight — actually, I think that is the courthouse and replacement of the Youth Criminal Justice Court skylight. Actually, I think that is the courthouse, the Andrew Philipsen Law Centre skylight, and I can anecdotally say that I have been there when the buckets were put out for the rains to come down from the heavens — the skylights — so, that has been 25 years in the making.

These projects may sound straightforward, but they will do a lot to improve the energy efficiency of both buildings, helping us to advance *Our Clean Future* commitments.

The Yukon University roof project is planned to start next year. By improving the thermal efficiency of the roof, we estimate that the project will reduce the building's greenhouse gas emissions by about 10 percent. Likewise, the replacement of the skylight at the courthouse will improve insulation and will reduce our greenhouse gas emissions by about 11 tonnes per year. The skylight project is currently in the design phase, with construction work expected to start next summer.

As we upgrade and retrofit government buildings, we are also ensuring that low carbon renewable energy, such as biomass, is used for heating our buildings whenever possible and that our heating systems are as efficient as possible. This year alone, we have issued tenders for two renewable energy projects. One is an expansion of the district heating biomass system at the Whitehorse Correctional Centre and associated buildings; the second is the installation of a biomass system at Elijah Smith Elementary School in Whitehorse. We anticipate that construction will begin on these projects next year.

We are also planning to install renewable energy generation systems in five off-grid government communities by 2025 in order to reduce our reliance on diesel-generated electricity. Beyond efficiency, we are investing in systems that capture and recover heat so that it isn't wasted. An example of this in action is a secondary school in Watson Lake which is now connected to a waste-heat recovery system. The system saved \$45,000 last year in heating costs and reduced our greenhouse gas emissions by 40 percent at that location.

Madam Chair, as we move forward with the implementation of *Our Clean Future*, we need to know where to focus our attention on, what will have the biggest impact on reducing emissions. To this end, the department has completed certified energy audits on 52 high-emission Yukon government buildings in Whitehorse. This has given us a good understanding of the state of our buildings and what retrofit work needs to be done to make them more energy efficient. We are continuing to assess Yukon government buildings across the territory to ensure that we are implementing the most important retrofits in the right places.

Two large feasibility studies are currently underway that will evaluate biomass, solar, geothermal, and other renewable energy options at over 50 sites across the territory. These feasibility studies will inform future renewable energy construction projects over the next several years.

Moving forward, we will continue to require that all new government buildings use 35 percent less energy than the

targets in the *National Energy Code of Canada for Buildings*. Recognizing that energy use is also affected by our habits, how much we heat our buildings, whether we leave lights on, and so on, we will implement an education campaign for Yukon government buildings to encourage more energy-efficient behaviours by occupants and visitors. Overall, these measures will help us to save money and reduce emissions.

Madam Chair, I will leave it at that. I have more good news, but I will leave it at that for now.

**Ms. Tredger:** There was a lot of interesting information in that answer that I would like to follow up on, but for now I would like to go back to my question. To be more specific, *Our Clean Future* action T28 states: “Continue to conduct climate risk assessments of all major transportation infrastructure projects above \$10 million, such as through the federal Climate Lens assessment.”

I have heard the member opposite talk about the climate risk piece — like how these projects will do in a changing climate — but I haven’t heard any discussion of whether there was any assessment of greenhouse gas mitigation, which is required in the federal climate lens assessment.

My question is this: Is there a requirement for major transportation infrastructure projects to do a greenhouse gas mitigation assessment, and was that done? In particular, I am interested in the bypass project.

**Hon. Mr. Clarke:** The relatively quick answer for the Member for Whitehorse Centre is that most of the substantive decisions made with respect to the Carmacks bypass predated my mandate letter.

Obviously, issues of climate risk assessment — and I anticipate that the follow-up from the member opposite will be that it’s not new. I certainly accept that.

From my officials, I have heard that, specific to employees at the Department of Highways and Public Works, there are actually training sessions now occurring to inform our employees of the necessity to employ a climate lens as mandated by the federal government. I am also advised by my officials that, with respect to the ongoing national trade corridor funding — which is primarily the north Klondike — it is mandated that there be a climate lens.

The member opposite will also have heard this before, but broadly, by improving our road infrastructure in the Yukon from, in some places, gravel and, in other places, bituminous surface treatment-1 or bituminous surface treatment-2 to put it to bituminous surface treatment-3, then you can run heavier loads for more parts of the year. If you can run heavier loads, you will be running fewer truckloads. That is certainly part of our assessment with respect to transportation resilience and transportation infrastructure, combatting the issues of intermittent permafrost, which is in the mid-Yukon and certain between here and Dawson.

It is pretty straightforward math, I suppose, but if you are running trucks at 50-percent load or 60- or 70-percent load, then you just have to run that many more trucks to provide groceries, oil, wood, or whatever you are providing to the communities or providing to Whitehorse.

It’s a slightly long-winded way of saying that — committed to the climate lens, certainly, on projects. I have buy-in from my department and, of course, buy-in from the Department of Environment as we move to accelerate the benchmarks and the deliverables that exist in *Our Clean Future*.

**Ms. Tredger:** So, I’m just trying to sort through that answer a little bit. I’ll tell the House my understanding and perhaps the member opposite can correct me if I’m wrong. It sounds to me like there was no greenhouse gas mitigation assessment of the Carmacks bypass because — I assume because — it happened before they started doing that. They are in the process of training employees to employ a climate lens.

The piece I really want to get clarity on is: When we talk about a climate lens, there are these two sides. One is the adaptation. How are we going to deal with an inevitably changing climate going forward?

But then the other piece is the prevention: How is this project going to impact our greenhouse gas emissions?

I would really like to get clarity on whether that piece is happening right now within the department around transportation infrastructure. Perhaps the member opposite can tell me: Has his department done any greenhouse gas mitigation assessments for any transportation projects that are currently happening or planned for the future?

**Hon. Mr. Clarke:** I suppose I would repeat the answer that I provided, which is that, on a go-forward basis in the territory, the national transportation corridors fund, which is providing \$350 million to \$400 million in road infrastructure funding in the next eight years or so — there is a mandatory climate lens with respect to that project, but also, with respect to our territorial infrastructure and road projects, all future projects have a mandated climate change lens as well.

The member opposite will be well aware of some of the other initiatives. Our government is advocating for active transportation where at all possible, and, of course, while a significant part of the Yukon’s emissions come from our buildings — 21 percent to be precise — the biggest source of Yukon’s emissions is actually from the transportation sector. Roughly 54 percent of the Yukon’s total emissions come from road transportation and seven percent come from aviation.

To lead the transition away from fossil-fuel driven cars to electric vehicles, Highways and Public Works is ensuring that at least 50 percent of all new light-duty cars purchased for the government fleet are zero-emissions vehicles. I will push — and my officials have certainly heard me — on that. The time is now for that transition if the stock is available.

We will also modernize our heavy-duty vehicle fleet by 2030 to further reduce emissions and fuel costs. The department purchased two EVs earlier this year and is planning to tender for 12 further vehicles this fiscal year. When able, and when the supply exists, the department plans to tender for not only electric cars, but also for electric trucks, vans, and SUVs.

It is certainly an exciting time. It is an exciting time in western Europe and it is an exciting time in North America. Ford and GM are onside with respect to their light- and intermediate-sized delivery vans, which will be, in my view,

completely optimal for our Yukon communities. We certainly want to lead by example.

Of course, electric vehicles also need charging stations. The Yukon government is committed to making all road-accessible communities reachable by electric vehicles by 2027. I would certainly like to accelerate that and I know that my department has heard me on that before, but I will push. To do this, a series of electric charging stations will be built along our highway network. All electric charging stations will be designed and constructed to ensure the safety of the travelling public. To start this important work, Highways and Public Works, in partnership with Energy, Mines and Resources, is installing six new public charging stations by next year in communities outside of Whitehorse.

Madam Chair, this year the department will also update the government's design requirements and technical standard manual to require five percent of all parking spots in new or renovated parking lots in Yukon government-owned buildings to be electric-vehicle-charging ready. As stated, with the teeter-totter coming to a tipping point, I am sure that technology and available supply will even outstrip that number sooner rather than later.

Making sure that vehicles are more efficient is an important goal; however, we also want to strive for fewer vehicles on the road and smarter travel decisions overall. The global pandemic has taught us that we can be much more efficient in how and when we travel. To that end, we will work on a system to coordinate carpooling for Yukon government staff travelling by vehicle to work in the territory to help reduce congestion and air pollution. We will also expand our video and teleconferencing systems and require employees to consider these options. After more than a year of employees working remotely, we know that it is possible to be productive and maintain positive working relationships with tools like Zoom and Microsoft Teams.

Lastly, when we design highways and other transportation infrastructure, we will continue to incorporate active transportation, ensuring that Yukoners have safe options to walk, bike, or kicksled.

Madam Chair, I think I have answered some of the member opposite's questions. I am sure she has more, which is great, but I think that the summary is that, pursuant to the federal national trade corridors fund and all of our transportation infrastructure logistics, projects going forward will have a climate lens. I welcome further questions.

**Ms. Tredger:** I really want to divide this climate lens conversation into two pieces: one is the adaptation piece. How will things be affected going forward? The other is the impact that the projects are going to have on climate change itself. What will be the greenhouse gas emissions effect of doing this project?

What I understood from that answer was that there is a plan to do that, going forward. To date, there has not been a single assessment for any transportation project on what the greenhouse gas emissions net effect of the project will be. Can the minister confirm that?

**Hon. Mr. Clarke:** So, if the member opposite is asking, among other things, what the GHG impact is of these projects, I don't think we have that — fair point — I don't think we have that information, but we certainly will be — it will be part of the assessment going forward.

The member opposite will also note from *Our Clean Future*, and as I stated this afternoon, that in order to meet our goals, a combination of transportation and heating is approximately 70-something percent — approaching 75 percent — in the *Our Clean Future* document, and in fact, road transportation is 54 percent. So, that is why, among other reasons — one of the motivating reasons — the Minister of Energy, Mines and Resources and I, in my capacity as the Minister of Highways and Public Works and the Minister of Environment, are focused on this.

If the proposition being put forward is that there has to be an assessment of whether it makes sense to create resilient infrastructure, we will do that analysis, but I think it is probably — it is ultimately — likely a resounding “yes”, that we should be creating a resilient infrastructure in the Yukon.

As I said before, if you have more robust roads, you have safer roads, first of all, but also, they have greater load tolerances. So, on the GHG emissions — the oil B-trains, the grocery trucks, and all the other trucks that are coming up the highway can come up relatively fully loaded, and sure, there is a climate lens assessment when we build our more robust charging stations that hopefully are — I hope that they are — solar-powered, and we have electrified the Yukon highway system. Of course, as a consequence of that, we will have fewer GHGs being emitted and a more robust infrastructure.

I have some comments on permafrost, which is part of creating greater resiliency in our infrastructure. Permafrost thaw is damaging buildings and roads, changing landscapes, and affecting ecosystems. As permafrost thaw continues, maintenance costs for buildings and roads will increase. To be more resilient to these risks, we are developing and implementing a plan by 2024 to conduct routine monitoring of the structural condition of Government of Yukon buildings and roads located on permafrost. With our partners at Community Services, we are conducting climate risk assessments of all major buildings that we fund over \$10 million. Innovation is key to our approach to climate adaptation. For example, we are working with the Government of Canada to support the stabilization of permafrost with technologies like thermosiphons. I think there was a picture in the media today of the thermosiphons that have been installed around Beaver Creek.

One of our climate adaptation projects involves the design and construction of thermosiphons at Dry Creek, along the Alaska Highway. These may stabilize permafrost thaw by running cool air beneath the surface of the road. If proven successful for road applications, the use of thermosiphons will reduce road maintenance costs and prolong the surface life of Yukon highways. Innovative approaches such as this will ensure the Yukon continues to be a leader in climate adaptation and mitigation.



Drawing upon the expertise of Yukon University climate scientists, we are setting up a research project to develop a guideline document for climate change adaptation practices. This means that we take into account flood, wildland fire, permafrost, and other natural phenomena resulting from climate change into our infrastructure design. We are collaborating with the Yukon Conservation Society and Yukon University to pilot a commercial-scale electrothermal storage system. This system will store excess electricity during off-peak hours and use it during peak hours to balance our energy load.

I know that the Yukon Conservation Society also has the contract for this electrothermal storage program in residences as well. I think they have confirmed close to 45 installations, so that is very exciting.

While I am proud of the work the government is doing to reduce emissions and implement *Our Clean Future*, the climate emergency demands that we do better. This is why I have directed the department to accelerate the climate actions that we are taking as a government and actively work to achieve greater emission reductions on a quicker timeline than originally planned, wherever possible.

Highways and Public Works is now undertaking additional projects to help reduce emissions, doing everything they can to complete existing projects faster, and redefining green infrastructure requirements, with a more aggressive energy-efficiency target. This will help get the Yukon on a path toward carbon neutrality.

The department has also put together an *Our Clean Future* acceleration team to focus on developing and incorporating an energy efficiency and environmental sustainability lens into the decision-making processes for major government projects, policies, and programs. Having this lens will ensure that greenhouse gas emissions and climate change resilience are considered on a regular basis when capital decisions are made across government.

We do want to be leaders in sustainable infrastructure — not just in Canada, but around the world. This means ensuring not only that our infrastructure is planned, designed, constructed, and operated in a way that reduces emissions, but also that it is resilient enough to adapt to the challenges that climate change poses for our territory.

I believe that I am meeting with the acceleration team at the end of this week, and I certainly look forward to their progress report. I think that these are challenging, but I think that they are exciting, times for the Yukon.

**Ms. Tredger:** So, in response to a petition that was tabled in the last Sitting — the response to the petition came recently, and it said — it was about climate change — and it said that the Yukon government is already incorporating a climate lens into their decisions. I take it this doesn't apply to Highways and Public Works, because to date, as far as I can tell from the member opposite's answers, there hasn't been a single greenhouse gas emissions assessment of any of their transportation infrastructure projects, which is what I thought "using a climate lens" meant — but I do want to leave that for now.

I do have an additional question about the Carmacks bypass. Yesterday, in his closing comments, the minister said that it will improve access to mining activities, and I am wondering if he can specify which mines it will improve access to.

**Hon. Mr. Clarke:** With respect to the Carmacks bypass project, as I indicated during the course of my comments this afternoon, there is an abundance of potential significantly mineralized deposits in the Carmacks area on the Freegold Road and in the Mount Nansen area, but I will certainly ask Energy, Mines and Resources and I can get back to the member opposite as to what projects they would be, but this is creating the preliminary transportation infrastructure and there would have to be connectors at some point.

Just to be clear because I have said it a few times now, there is an assertion and the member opposite is saying that there is no climate lens yet. There is, but first of all, yes, with everything going forward currently, yes, and also with respect to the national trade corridors funds, there is a mandatory climate lens. Those projects are occurring now, so it's not accurate for the member opposite to say that this climate lens assessment is not occurring. It is occurring with respect to the national trade corridors funds, and it will be occurring with respect to all projects going forward.

I will leave it at that.

**Ms. Tredger:** So, I have a broad question about building roads for the purposes of mines and when that responsibility lies with the mines and when the government takes it on, because this is a nearly \$30-million project. I know that a lot of that comes from Canada, but I believe that over \$7 million is coming from the Yukon to support private businesses and private mines. I know that this particular decision was made years ago, but I'm wondering what the approach is to decide which roads the government is going to take on responsibility for building for the purposes of mining.

**Hon. Mr. Clarke:** Yes, the Carmacks bypass will potentially provide access to mining properties in the future, but initially it is actually a bypass, so the Little Salmon Carmacks First Nation expressed an interest in this project, and ultimately, going forward in the mid to long term, it will improve safety to their community by not having industrial-scale trucking and trucking activity through their community.

I don't disagree with the member opposite that the overall Resource Gateway program is ultimately a federal policy choice. There is access to resources. The Yukon itself, of course, is supportive of the critical minerals strategy, which will certainly be a part of the global solution with respect to greenhouse gas emission reductions when we are building a lot more batteries, massive wind turbines — whether the wind turbines are on big islands in the North Sea — or grid-scale battery projects, like the one that we are clearing land for at the top of the south access, because storage will be incredibly important. Development in storage will be important because we will have strong access to solar and wind, but we will have to be able to store it. The roundabout answer to the member's question is that the Yukon has the opportunity to be part of the solution. It won't be a large part of the global solution, but it

will be part of the solution. Canada has a critical minerals strategy, and Yukon has some of those critical minerals.

I am also advised that the Carmacks bypass accesses areas in and around Carmacks where there is also mine remediation, so that is important too from an environmental perspective. Is it a choice? Yes, it's a choice. The Minister of Energy, Mines and Resources and I certainly want there to be responsible, well-funded mining projects going forward.

There have been some suboptimal projects in the past that Yukoners and Canada will be cleaning up for a long, long time. But there is a policy choice for Yukon to be part of the solution going forward. A number of the minerals that are abundant or available — even lowly copper is important on a global market — cobalt and other minerals —

The answer, I suppose, is that, yes, it's a policy decision to support mines. Would we want to have more private participation in the Resource Gateway program going forward over the course of the next eight, nine, and 10 years? The answer is a resounding yes, and we look forward to those negotiations continuing. I believe that the primary on that is Energy, Mines and Resources. We are the implementors or the contractor/builders.

I'm not sure if that entirely answers your question, but I think that, yes, obviously it is a policy decision. In 2017, the federal government determined that this Yukon Resource Gateway program had benefit to the territory. We will certainly make ongoing efforts to have this program actualized in the most environmentally responsible, progressive, and state-of-the-art manner possible.

**Ms. Tredger:** I'm going to switch gears completely, actually, and go back to a question that I asked in Question Period on November 3. I asked a question about water delivery in Old Crow, and I received an answer from the Minister of Community Services. My understanding is that water delivery is a service provided by Highways and Public Works employees in Old Crow. My colleague, the Member for Vuntut Gwitchin, did write a letter to the Minister of Highways and Public Works about this in August. In the reply, she was told that the Department of Highways and Public Works would work with local citizens to make training opportunities available to local people. Can the minister give us an update on that work?

**Hon. Mr. Clarke:** I understand that it is currently Highways and Public Works staff who are subcontracted by Community Services, using Vuntut Gwitchin equipment. Anyway, that is kind of unimportant to your question, but what I can say is that the deputy ministers of both departments are in discussion on this matter. I have also been told that our department has reached out to the Vuntut Gwitchin government and has offered training opportunities. I don't know whether those training opportunities have been taken up, but they have also been advised that, when there are gaps in service in Old Crow, from time to time, staff have been flown in from Dawson to assist.

The correspondence that you are referring to — I have e-mails here, and it looks like we responded on August 4 to the Leader of the Third Party and to the Member for Vuntut

Gwitchin. The most up-to-date information that I have is that the Deputy Minister of Highways and Public Works and the Deputy Minister of Community Services are talking and that Highways and Public Works has reached out to the Vuntut Gwitchin government to discuss the possibility of training opportunities, and finally, when there have been gaps in service for water delivery, fly-in staff have been provided from time to time from Dawson.

**Ms. Tredger:** Thank you for that answer; I found it really helpful.

I am going to jump around a bit, because I just want to fit in what I can before the end of our day. One of the commitments that the member opposite referenced in one of his answers was that all new Government of Yukon buildings be designed to use 35 percent less energy than the targets in the National Energy Code for Buildings — I believe that is how that is worded — and I am wondering if the new Whistle Bend school meets that criterion. I also wonder if there are any other new buildings planned and whether they meet that criterion.

**Hon. Mr. Clarke:** The answer I have been provided is yes, and the proposed Burwash school will meet those standards as well. If I receive any information subsequent to my appearance here this afternoon, I can certainly provide an update to the member opposite.

I have one final comment. I note, as well, even as recently as the completed — give credit where credit is due, I suppose, with respect to the Official Opposition — the new F.H. Collins Secondary School — although a little smaller than we would have liked — actually exceeded energy efficiency than its previous build. It went from a bronze LEED to a silver LEED to a gold LEED building, primarily because it is a two-storey structure, and it is relatively efficient. I think the newish F.H. Collins is quite energy efficient. It may not meet these standards, however.

**Ms. Tredger:** That's great to hear. That is really good news.

Another thing the member opposite mentioned, as well as was mentioned in the annual report for *Our Clean Future*, is that 23 Government of Yukon buildings were retrofitted in 2020. This is to help us get to our goal of all Government of Yukon building emissions going down by 30 percent by 2030. I am wondering how that number of 23 fits in with the overall plan. Are we on track to meet that 30-percent reduction? Do we know how many more buildings have to be retrofitted to get to that 30-percent reduction?

**Hon. Mr. Clarke:** A shortish answer is that *Our Clean Future* provided an objective of a reduction of 30 percent of greenhouse gases by 2030, measured at 2010 levels. Subsequent to — in the last six months or so, those objectives have been — those goals have been increased to 45 percent below 2010 levels by 2030. So, in the *Our Clean Future* document, you have the documents with respect to retrofits and the electric vehicle purchases and other metrics.

What I would say, and in similar comments I made previously with respect to our acceleration team — and we have acceleration teams in various departments — we will not reach

the goals and objectives in 2030 if we don't get off to a strong start.

It's exciting that we have this inventory of 52 buildings. My department will provide me with guidance for the next year as to what the best three or four big candidates are for retrofits, but we have heard about the college, and we have heard about the skylight at the courthouse in Whitehorse, but there is more to come. If we don't do well, if we don't have a good start in 2022 or 2023 or 2024, then there is not really a strong likelihood that we will reach our goals in 2030.

Like I said, exciting times. We are also looking for prudent use of government funds, but we will have to move more quickly than *Our Clean Future* indicates, based on the revised commitments that we have made. We have committed to reporting on an annual basis, and we will do so. I'm checking in with both of my departments on a monthly basis, if not sooner, as to where we are going.

The only way to get to where you want to get to in 2030 is to, as I said, make reasonable, strong, and credible strides in the first two or three years of our commitments.

**Ms. Tredger:** I absolutely agree that we need to make a strong start; I am just unclear as to whether 23 buildings is a strong start or not. What I am wondering about is where we are en route to that 30-percent reduction. I understand that this is probably going to have to change, now that we have revised the targets, but I just wanted to know what percentage reduction, I suppose, 23 buildings represents or how we are doing in terms of pace.

I will leave that, because time is short.

One of the other things in *Our Clean Future* is a call for a sustainable procurement strategy. That was supposed to come in 2020. I will fully admit that this has been a busy, busy time in lots of ways, so I understand that the draft is being worked on now. I am wondering if the minister could give us an update on where that sustainable procurement strategy draft is.

**Hon. Mr. Clarke:** We have committed to exploring new and innovative procurement methods to support sustainability. Sustainable procurement practices consider the social, economic, and environmental factors in the procurement process. With the state of our climate, our government is focusing on ways we can consider the environmental impacts of our procurement choices. Within our climate change strategy — *Our Clean Future* — we outlined several actions related to sustainable procurement. Some of these include updating our policies and standards to support sustainable and local procurement and to support local food producers. We are already addressing these actions through the Yukon First Nation procurement policy and the regional economic development exceptions.

However, the climate crisis requires us to take a step further. Yukon government is creating a sustainable procurement strategy that provides procurement authorities with different tools to support them in making sustainable choices. Our strategy is based on the experiences of the Canadian Collaboration for Sustainable Procurement, which is a working group of municipalities and organizations across

Canada. Acquisition services and planning is currently piloting this program to test out some of the tools and practices.

All of the tools are designed to help procurement authorities make informed choices when purchasing goods and services. The tools include: a questionnaire for suppliers to fill out that informs the government of their sustainability practices; a list of certified eco-labels for goods; a checklist for procurement authorities that will help them make more sustainable choices; evaluating the total cost of an item through its life cycle by including expenses such as maintenance and disposal; and lastly, performing a risk and opportunity assessment that will help procurement authorities identify any sustainability risks and ways to mitigate them. These tools are ways that we can meet our goals under *Our Clean Future* and continue to address the climate crisis. Once the pilot project is complete, we will continue to expand the program.

I also have a note here about a plan to have some conferences. Conferences are an excellent way to generate new ideas about procurement and build relationships between government and industry. Each year, the Procurement Support Centre hosts an industry conference and the reverse trade show. These events allow businesses, associations, and governments to gather, connect, and learn about public procurement. In 2019, we had 155 vendors attend the reverse trade show and over 130 people register for the industry conference. Over the last year and a half, we have had to adjust, of course, how we offer events during COVID, but we certainly look forward to having these trade shows again in the future, when able. The Procurement Support Centre has been offering virtual options for some of these events.

So, answering the member opposite's questions, yes, there are the beginnings of a sustainable procurement policy and consideration in relation to our sustainability goals and practices.

**Ms. Tredger:** I thank the member for that answer.

Another element to *Our Clean Future* calls for coordinated carpooling and new guidelines for fleet rentals to help reduce emissions, and in particular, T21 says: "Develop guidelines for the Government of Yukon Fleet Vehicle Agency's fleet by 2021 to ensure appropriate vehicles are used for the task at hand."

Could the minister give us an update on that policy?

**Hon. Mr. Clarke:** I agree with the member opposite that active transportation and carpooling is certainly an objective that we should be looking at. I have heard that some preliminary plans are afoot for combining schedules in various departments. We certainly want to strive for fewer vehicles on the road and see smarter travel decisions made overall. We will work on a system to coordinate carpooling for Yukon government staff travelling by vehicle for work in the territory to help reduce congestion and air pollution.

We also talked about video and teleconferencing systems and remote work arrangements earlier this afternoon.

But certainly, behaviour change is important. Positive behaviour change is important if it can be gently nudged along. I have just been advised that Highways and Public Works is working to develop software to be ready when COVID

restrictions are lessened. I guess that software is with respect to scheduling and carpooling.

Thank you, Madam Chair. Thank you for the opportunity to provide an update on the projects that Highways and Public Works is working on this year and going forward.

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

**Chair:** It has been moved by the Member for Riverdale North that the Chair report progress.

*Motion agreed to*

**Hon. Mr. Streicker:** I move that the Speaker do now resume the chair.

**Chair:** It has been moved by the Member for Mount Lorne-Southern Lakes 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. Blake:** Mr. Speaker, Committee of the Whole has considered Bill No. 202, entitled *Second Appropriation Act 2021-22*, 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.

**Hon. Mr. Streicker:** I move that the House do now adjourn.

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

*Motion agreed to*

**Speaker:** This House now stands adjourned until 1:00 p.m. tomorrow.

*The House adjourned at 5:28 p.m.*

#### **Additional signatures were tabled November 9, 2021 regarding the following petition:**

Petition No. 5

Re: Mandatory COVID-19 vaccinations (McLeod)