



# Yukon Legislative Assembly

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33rd Legislature

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## HANSARD

Tuesday, May 24, 2016 — 1:00 p.m.

Speaker: The Honourable Patti McLeod

# YUKON LEGISLATIVE ASSEMBLY

**SPEAKER — Hon. Patti McLeod, MLA, Watson Lake**  
**DEPUTY SPEAKER — Darius Elias, MLA, Vuntut Gwitchin**

## CABINET MINISTERS

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

## GOVERNMENT PRIVATE MEMBERS

### Yukon Party

<b>Hon. Patti McLeod</b>	Watson Lake
<b>Darius Elias</b>	Vuntut Gwitchin

## OPPOSITION MEMBERS

### New Democratic Party

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

### Liberal Party

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

<b>David Laxton</b>	Porter Creek Centre
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## LEGISLATIVE STAFF

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

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, May 24, 2016 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Tributes.

## TRIBUTES

### In recognition of Air North, Yukon's airline

**Hon. Ms. Taylor:** Madam Speaker, I am very honoured to rise on behalf of all members of the Assembly here today to pay tribute to Air North, Yukon's airline.

Air North, Yukon's airline, was recently named the second most loved airline in the world and first in North America in a global airline passenger survey, surpassing some of the largest and most esteemed air carriers in the world. The world is recognizing what Yukoners have known all along — that Air North is truly an exceptional company with remarkable customer service.

For many of us, we associate Air North with its particular brand of northern hospitality, its friendly service, its willingness to go above and beyond for customers wherever and whenever possible, and, of course, its warm cookies. But Air North's contribution to Yukon extends far beyond its customer service. It exemplifies the positive impact that a local airline can have on the north.

Air North provides year-round service to and from Alberta, British Columbia, Northwest Territories and Ontario, as well as within Yukon. This is key for many of the citizens of Old Crow, Dawson and other communities for whom air transport is essential to their quality of life. Air access is very critical to the continued growth and success of Yukon's tourism industry. With an increasing number of routes and agreements with other airlines, Air North has been making Yukon easier to visit than ever before.

Air North is also the largest private sector employer in the Yukon, with around 300 employees in the territory alone. The airline is 100-percent owned by Yukoners, including almost 2,000 Yukon shareholders, as well as a 49-percent interest held by the Vuntut Gwitchin First Nation. Aside from Air North's direct economic impact as a local business and employer, the airline contributes to all sectors of our economy by facilitating the movement of goods and people between Whitehorse, northern communities and southern hubs.

In 2001, before Air North began jet service to Vancouver, travel was a luxury few could afford. Some of you — myself included — will remember paying well over \$1,000 for a round trip to Vancouver. When Air North launched its jet operation, it brought healthy competition to the Yukon airline

market. Ticket prices fell drastically and have remained affordable ever since.

Today, it's not uncommon for Yukoners to pop down to Vancouver or Calgary for a quick weekend getaway.

Just to give you an idea of the extent of Air North's impact on the local travel market, only 100,000 passengers travelled between Whitehorse and Vancouver in 2001. Last year, Air North alone transported 200,000 passengers on that route alone. This growth in traffic far exceeds population or GDP growth. It's one of the best illustrations of how Air North has improved the quality of life and the economy of our territory by making it possible for more people to travel and for people to travel more often.

It's a remarkable Yukon success story — how this company with one small, single-engine Cessna in 1977 evolved into the exceptional airline we know today. Air North's success has a lot to do with the strong connection between the airline and our community here in the Yukon. The airline is dedicated to giving back to the community through sponsorship and donations to a multitude of community causes and organizations — far too many to name, but a few examples include the Canadian Cancer Society, the Yukon Hospital Foundation and Whitehorse Cares.

As well, Air North recently recognized the special relationship it has with Yukoners by issuing a \$50 Yukon stakeholder dividend, which provided a \$50 credit to all Yukoners to put toward travel. These sorts of initiatives are unheard of among other airlines and exemplify what sets Air North apart. In a highly competitive industry, Air North's ranking in the international survey is a testament to its commitment to genuine customer satisfaction, but Air North's contribution to the Yukon extends far beyond its exceptional service — to the tremendous economic impact it has made as a Yukon business and an employer.

On behalf of all of us in the Government of Yukon and the opposition parties, I want to congratulate Air North, Yukon's airline, on this tremendous achievement and for all that you do and for all the service that you provide to the Yukon on our behalf.

Madam Speaker, I would like to introduce a number of individuals who have joined us here today in the gallery, and I would like to point some of them out, starting with: Joe Sparling himself, president of Air North; Deb Ryan, manager of strategic planning and alliances at Air North; and Rick Nielsen, the chief operating officer. We also have with us Bruce Demchuk, who is with the finance department for Air North; Sharon Miller, director of human resources; Nola Munro a manager of flight attendants. We also have Ed Peart, who has also joined us here today. We also have with us Alex Bourgeois, who is a safety officer, and, last but not least, we have Greg Charlie, who is the vice-president of Air North, and Ron Daub, who is the CEO of Vuntut Gwitchin Limited Partnership. Thank you for joining us and thanks for your contributions.

*Applause*

### In recognition of the Arctic Inspiration Prize

**Hon. Mr. Dixon:** Thank you very much, Madam Speaker. Today I rise on behalf of all members of the Legislature to pay tribute to the Arctic Inspiration Prize and a 2016 laureate from Yukon, the Recreation and Parks Association of the Yukon, or RPAY.

The Arctic Inspiration Prize is the largest annual prize in Canada and benefits the people of the Canadian Arctic. This prestigious prize was the brainchild of two immigrants, Arnold Witzig and Sima Sharifi. Their unusual story begins by Sima arriving in Canada as a political refugee from Iran in 1986 and pursuing her doctorate in linguistics.

Many years later in 1999 Arnold, an architect and business man, came from Switzerland and fell in love with our country and stayed. After meeting and marrying, Arnold and Sima travelled and had many adventures. They tried several charity projects in Nepal, Latin America and Africa. Then they decided they wanted to give back to Canada, and, in particular, the aboriginal people of the north.

Arnold took his idea to ArcticNet, a group of 145 researchers from 30 Canadian universities and, after much discussion, the Arctic Inspiration Prize was born. ArcticNet, by design, focused on Nunavut research so initially most of the project applications were from there. Arnold began to visit other regions across the north and encouraged applications. This year, at the Association of Yukon Communities, he made a presentation about the prize.

The prize has been called the “Nobel of the north” and is awarded to one to two diverse teams, which may consist of industry, communities, research groups, governments, northerners or southerners.

The team in the project will bring knowledge to action and be in one of the fields of education, human health, socio-cultural issues, the environment or the economy. To date, \$4.5 million has been awarded to 11 teams. In 2014, Yukon and Nunavut were included in the project known as FOXY, which was nominated by Premier McLeod. FOXY went on to win the entire \$1-million prize. This project was to bring self-awareness, self-esteem, and sex education to northern youth in a fun and safe environment.

In 2015, the tri-territorial recreation training project, nominated by Yukon’s own Olympian, Zach Bell and led by Anne Morgan, received \$600,000. Along with the recreation and parks associations of Nunavut and Northwest Territories, they will help develop a community recreation leadership training program for rural and remote communities. A huge thank you goes out to RPAY for their hard work and for leading this project. Recreation is one key to healthy, active lives and healthy communities. It can bring cultures together, battle isolation, create strong families, encourage community activity, create a sense of belonging and give youth a sense of well-being. The Government of Yukon is committed to improving opportunities for recreation and we recently released the *Yukon Sport Action Plan*. This will guide our direction, funding and focus for the next seven years in Yukon sport.

Also, the community recreation planning toolkit will help create recreation plans that meet each community’s unique need. Originally managed by ArcticNet, the Arctic Inspiration Prize has found a new home under the Rideau Hall Foundation. The Arctic Inspiration Prize has grown with many partners who provide additional funding to show their support and ambassadors who encourage, mentor and spread the word about the prize across Canada. For 2015 and 2016, the Government of Yukon has partnered with the Arctic Inspiration Prize with a contribution for a total of \$60,000. All partner involvement allows the founders’ endowment to remain the main funding. This January, the AIP charitable trust was formed and has a northern board of trustees. Yukon’s Patti Balsillie is the first and current chair of this prestigious group.

Under the Rideau Hall Foundation, the northern-owned trust has the complete support of the honorary chair, the Governor General of Canada. The Rideau Hall Foundation will be responsible for the management and operational costs associated with the AIP. With the O&M expenses covered, the selection committee were able to award \$1.5 million last year and the plan is to increase the prize to \$3 million per year as the fund grows.

I encourage all Yukoners to check out the website of the Arctic Inspiration Prize. Nominations are now open until September 30, 2016. The selection criteria, the ways to organize a team and find a nominator are all available on that website as well. The project passes through a pre-selection committee and then, if it makes the cut, the full selection committee decides which project and how much each should be awarded. Eva Aariak, Nellie Cournoyea, Peter Mansbridge, and Geraldine Van Bibber are just a few of the members of the selection committee. The awards ceremony, which is a cultural show as well, will be in Winnipeg, Manitoba in December of this year.

Madam Speaker, I would like to recognize and praise RPAY for their efforts to improve recreation access across the north. I would also like to recognize the wonderful work of the Arctic Inspiration Prize for their dedication to bettering the lives of people and communities of the Canadian Arctic.

Well done, and we look forward to seeing the positive results that will happen due to this innovative project as we work together to make Yukon an excellent place to live. Before I conclude, I should ask members to join me in welcoming a number of people who we have with us from the selection committee: Geraldine Van Bibber; Yukon’s representative on the board of trustees, Patti Balsillie; from RPAY, Anne Morgan and Caroline Sparks, who led the project on behalf of RPAY and the three northern recreation and parks associations, which won the prize recently.

I would ask the members to please join me in welcoming them to the gallery.

*Applause*

**Speaker:** Are there any visitors to be introduced?  
Are there any returns or documents for tabling?

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Nixon:** Thank you, Madam Speaker. I have for tabling a letter, dated March 17, 2016, to the MLA for Riverdale South, signed by me as Minister of Health and Social Services. There were some questions last week during Health and Social Services debate as to whether this letter was actually sent. This will clarify the record.

**Speaker:** Are there any reports of committees?  
Are there any petitions for presentation?  
Are there any bills to be introduced?  
Are there any notices of motions?

## NOTICES OF MOTIONS

**Mr. Elias:** Thank you, Madam Speaker. I rise to give notice of the following motion:

THAT this House urges the Yukon government to use the 2016-17 budget to invest \$250,000 for planning the replacement of the Old Crow Health Centre.

**Ms. White:** Thank you, Madam Speaker. I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to support the Yukon Research Centre to conduct hazard mapping in all Yukon's municipalities and communities to identify potential future risks associated with climate change.

**Ms. Moorcroft:** Thank you, Madam Speaker. I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to work with area residents of Golden Horn subdivision and the Golden Horn Volunteer Fire Department to:

- (1) develop a community emergency plan for the unincorporated community; and
- (2) to ensure the plan is published and distributed to residents.

**Speaker:** Is there a statement by a minister?  
This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Peel watershed land use plan

**Ms. Hanson:** Thank you, Madam Speaker. You know, when this version of the Yukon Party government was elected nearly five years ago, few Yukoners thought that they would still be waiting for a Peel watershed land use plan. Then again, most Yukoners didn't believe that a government would hide its real agenda from them. It was also before this government dragged Yukon through a series of as-yet-unending court battles with our First Nation government partners. The ideological stance taken on the Peel plan by this government has derailed the dialogue essential to reconciliation as envisioned in Yukon final agreements. This Yukon government says it supports reconciliation, but its efforts to undermine First Nation final agreements and Yukon's land use planning process says otherwise.

Can the Premier explain how his government's unilateral actions on the Peel have helped further reconciliation in Yukon?

**Hon. Mr. Pasloski:** Thank you, Madam Speaker. Certainly, I have had the opportunity many times during the 33<sup>rd</sup> Session of the Legislative Assembly to talk about the many, many things that the government does on a day-to-day basis working with First Nations across this territory.

As the Leader of the Official Opposition is aware, at this point, the First Nations and some other organizations have filed to seek leave with the Supreme Court of Canada. At this point, we are waiting for a response from the Supreme Court of Canada.

**Ms. Hanson:** Not only has this government's position on the Peel created a complete shutdown of the entire region for the foreseeable future, it has also stalled land use planning for the rest of Yukon. The Dawson regional land use plan is on hold and the remaining land use plans contemplated in the *Umbrella Final Agreement* are nowhere in sight. Land use planning in Yukon was intended to bring certainty. With completed land use plans, we all know what land is available for development and under what conditions. Failing to get their way with the Peel, this government put the brakes on land use planning territory-wide, creating uncertainty for investors.

Madam Speaker, does the Premier acknowledge that his refusal to respect the principles set out in the land use planning process in First Nation final agreements has a negative impact on Yukon's economy?

**Hon. Mr. Pasloski:** Thank you, Madam Speaker. As is usually the case, the Leader of the NDP is wrong. Certainly certainty is something that everyone looks forward to, and that is precisely why we have gone through this process and we are now waiting to see whether the Supreme Court will hear this case, or whether the decision will rest with the court of appeal.

As you are aware, Madam Speaker, this government values final agreements and is committed to their fair and effective implementation. We too support the request for a new approach when it comes to looking at land use planning and, as a result of the case that is before the courts now, we are optimistic that we are on that path.

**Ms. Hanson:** Madam Speaker, the fact of the matter is that next week, we all will be celebrating the 23<sup>rd</sup> anniversary of the signing of the first four final agreements, and in those 23 years — 14 of which were under this government — only one land use plan has been completed. The final recommended Peel watershed land use plan had the potential to signal a new commitment to land use planning in the Yukon and, with it, to Yukon's economy. Instead, we have a Yukon Party government that would not be up-front with Yukoners and with Yukon First Nation governments. The lack of openness and transparency has become the defining characteristic affecting every decision taken by this Yukon Party government since 2011. This Yukon Party government has broken trust with Yukoners and Yukon First Nation governments.

Under what basis can they be trusted with getting Yukon's land use planning process back on track?

**Hon. Mr. Pasloski:** Thank you, Madam Speaker. Of course, what the Leader of the NDP failed to recognize is that in those 23 years, the one land use plan that has actually gone forward is as a result of the Yukon Party government. The NDP failed to get a land use plan done and neither did the Liberal government of the time.

Certainly, for the record — to correct the assertions — yes, the Dawson land use plan is on hold, but that was because of an agreement of all the parties that were affected. Everybody agreed that what we're looking for is certainty, and that will come as a result of either the Supreme Court deciding to review this case or the Supreme Court deciding to leave it with the decision that was made by the court of appeal.

### Question re: High school graduation rates

**Mr. Tredger:** Thank you, Madam Speaker. Graduation from high school is one of the most important goals for young people who want to start life off on the right foot, but how much do we know about who is graduating and who isn't from Yukon secondary schools?

In 2009, the Auditor General panned the Yukon Party government's poor graduation rate analysis and results. Now, despite some improvements, the Yukon graduation rate is at 72 percent — still too low. Madam Speaker, this means that over one in four students who start grade 12 in September don't graduate as expected. This is unacceptable.

What has the Yukon Party government done to act on the Auditor General's recommendations and improve its Yukon high school graduation results?

**Hon. Mr. Graham:** Madam Speaker, one of the things the member opposite seems to not realize, or perhaps just simply didn't state, is that the graduation rates looked at by the Auditor General — the graduation rates the member opposite has just presented — are over a four-year period. More and more students in the Yukon high school system are completing high school in five years, or at least four years plus one semester, so our graduation rates after the five-year period or the four-plus-one period are much higher than the 72-percent rate indicated by the member opposite.

**Mr. Tredger:** It would be nice if the minister shared those results with us.

The Auditor General went even deeper and pointed out that the Yukon government should be looking more closely at subgroups and how they measure up to the overall graduation rate. Let's take Yukon First Nation students as an example. According to the government's most recent data, only 57 percent of First Nation students who start grade 12 end the year with a diploma. That's 15 percent lower than the Yukon-wide graduation rate.

Why has the Yukon Party government failed to set targets and close the graduation gap between First Nation and non-First Nation students?

**Hon. Mr. Graham:** Thank you, Madam Speaker. To say that we haven't set a target is ridiculous, quite frankly. Our eventual target — the target we would all like to reach —

is 100 percent. There is absolutely no doubt about that whatsoever.

Again what the member opposite fails to realize is all of the steps taken by this government in the last few years to not only improve those graduation rates but to keep students in school longer and to keep them interested. We only have to look at the tribute made to the REMs — not only for senior high school students in rural schools but also now beginning for junior high school students — in an attempt to keep students interested and attending school and completing high school in the rural communities.

We also have the independent learning centres. We have begun them in Old Crow and Teslin. We also have the blended learning model that has been introduced in many schools throughout the territory, and we're constantly making changes due to the things that we're hearing from students themselves about what will keep them in school and what will assist them to graduate.

Those are a few of the things that the Education department is doing and we will continue to do them.

**Mr. Tredger:** Thank you, Madam Speaker. Targets allow us to measure progress and put us on the path to success. The Yukon Party government has been in office for three terms, but while the Premier talks about a lofty new vision for our schools, he fails to set clear targets with a plan to meet them. Yukon's passionate and dedicated front-line teachers, administrators and support staff need more support to help our students graduate from high school.

Madam Speaker, our graduation numbers lack a comparison with other jurisdictions. There is a huge gap between First Nation grads and the rest of the Yukon. One in four students who start grade 12 in the fall won't graduate in the spring. How can the Yukon Party claim that they have kept a steady hand on our school system with such a dismal graduation result?

**Hon. Mr. Graham:** Madam Speaker, the first thing that comes to mind when I listen to the member opposite is: Have you read the annual plan that we put out? Obviously he has not, but I can go on and on about all of the new things that have been done in the last few years here, with this government.

As I have mentioned already, there are the rural experiential models and blended learning. We also have a sports school; a leadership program in schools in the territory. Not only that, we are concerned about those students in the communities — outside of Whitehorse especially — and that is why we are continuing to do so many things. We have signed education agreements with, I believe, six First Nations now that have only been done in the last few years.

We have funded the CYFN to have the FNEC, the First Nation education group that works constantly with the Department of Education. We have been recognized also for our changes in the social studies department in presenting the residential schools curriculum in our schools. We are cooperating with First Nations and with school councils throughout the territory on ongoing improvement. It's one of

the reasons we began “A New Vision” for education, Madam Speaker.

**Question re: Investment in infrastructure development**

**Mr. Silver:** Thank you, Madam Speaker. I would like to follow up on the question of infrastructure spending that I raised last week. While the Premier has been busy asking Ottawa to send more money, the Minister of Community Services has stated that he is worried too much money is on its way and the Yukon would not be able to keep up with its share. The government has known since last fall that a large influx of cash would be on the table from Ottawa and seems ill-prepared to take advantage of it.

Now, one option for the Government of Yukon to pursue would be to approach Yukon First Nation development corporations as a potential source of capital in order to take maximum advantage of the federal infrastructure dollars.

Madam Speaker, has the government even looked at this option?

**Hon. Mr. Dixon:** Thank you very much, Madam Speaker. We are in a fortunate position in this territory that we have the fiscal resources that we do. As a result of proper and responsible budgetary management over the last number of years, we have money in the bank and we have no net debt. That allows us to make investments into Yukon’s infrastructure as needed. We have done that in a number of ways over the past number of years, but, as I have noted before, with the soon-to-be new influx of cash from Ottawa for infrastructure — I noted at the AYC meeting that it would be prudent for us to be responsible about how we spend that money and ensure that we avoid, wherever possible, either getting into a deficit or, ultimately, into debt. It has been the position of this government for some time to avoid debt, and that is why we have not taken on any net debt in this territory. We are the last jurisdiction in the country to make that claim.

Now, when it comes to some sort of novel approach to infrastructure financing involving First Nation development corporations, that is something we haven’t considered to date because we haven’t needed to. We’ve had the cash in the bank and we’ve been able to access federal funding as needed and develop Yukon’s infrastructure throughout our Yukon communities.

**Mr. Silver:** Thank you, Madam Speaker. It’s interesting — the minister did admit last week that the Government of Yukon might have to leave some of this federal money on the table because it wouldn’t be able to come up with the 25 percent of its funding or had to look into options therein. We think that the approach of leaving that money on the table is wrong and we’re merely asking them what they have done to look past this. We think the government should be talking to the Yukon First Nation development corporations about accessing their capital for this money that is left on the table.

Another way to ensure that we take full advantage of the federal dollars is to concentrate on projects that fit the federal criteria instead of go-it-alone projects that don’t qualify for

federal funding. When you only have to come up with \$1 to access Ottawa’s \$3, it would make sense to prioritize spending in this way.

Madam Speaker, why hasn’t the government done that?

**Hon. Mr. Dixon:** Thank you, Madam Speaker. We have done that. We have prioritized our infrastructure projects. Starting last year, we consulted every Yukon municipality, First Nation and unincorporated community about the development of a Yukon infrastructure plan that would prioritize Yukon’s infrastructure projects for the coming 10 years. We released that plan in the fall of last year and have had significant discussions with Yukon municipalities and others since then. I can say with confidence now, having met with each and every mayor and council throughout this territory, that our priorities are very much aligned with theirs and that we will be deploying infrastructure over the next number of years in a way that is consistent with the priorities of Yukon municipalities.

We are planning for the development of our infrastructure projects in this territory. We are working closely with Yukon First Nations, municipalities and other communities throughout the Yukon to do that planning. We have a clear record of doing that over the past number of years, and we look forward to working with Yukon communities to deploy infrastructure throughout the Yukon, commensurate with the funding available from Ottawa.

**Mr. Silver:** Thank you, Madam Speaker. These are only 25-cent dollars and it would be foolish for us to leave them on the table because we can’t come up with our share of the capital funding. First Nation development corporations have money and have invested in Yukon infrastructure projects in the past, and I suspect that they would be willing to do it again — a great option for the minister to consider.

The Premier and the Minister of Community Services aren’t even on the same page when it comes to how much Ottawa should send — one wants more, one wants less. The government could issue a bond — the Yukon Development Corporation did so for the Mayo B project — or simply borrow from Yukon First Nation development corporations on a case-by-case basis. We believe that this is well-documented and it’s an opportunity that we could miss.

We’re just wondering, for the record: Is the minister closing the door to these opportunities?

**Hon. Mr. Dixon:** Thank you, Madam Speaker. We have not looked at borrowing money from any source for our infrastructure projects. That’s because, as a result of solid financial management over the past number of years, Yukon is in a net fiscal resource position. That means we have no net debt, we have money in the bank, and we’re able to invest that money in infrastructure projects as is needed.

We have a proven track record of investing in infrastructure over the last number of years through the old Building Canada fund. Now, starting this year, we will begin to develop projects under the New Building Canada fund. As well, we are in negotiations with the federal government to sign an agreement on what they call their “phase 1” of their

infrastructure funding that was tabled in March 22 of this year's budget.

So Madam Speaker, we'll continue to work with all Yukon communities to develop infrastructure priorities. We'll continue to work with Ottawa and the Government of Canada to ensure that we access the federal funding opportunities that are made available by them and we'll continue to invest in Yukon infrastructure for the betterment of our lifestyles in the communities as well as our economy.

**Question re: Grey Mountain Housing Society**

**Ms. White:** Thank you, Madam Speaker. Last week, residents in a row of Grey Mountain Housing units in Porter Creek were told that they have a year to vacate the rental units that are being put on the market and sold. This means more residents of affordable housing units, just like the mobile-homeowners in the Casa Loma park, are being told to pack up and go somewhere else. Unfortunately, that "somewhere else" is becoming harder and harder to find, thanks to the Yukon Party government's inaction on affordable housing. Under this government, we've seen no less than the eradication of a tent city, and both a mobile home park and now a low-income housing complex have announced that they'll close their doors, but the Yukon Party keeps pretending that there's no problem with the availability of affordable housing in Yukon. You can't argue that you're in control of a problem when you've had three mandates in government and the situation is only getting worse.

Madam Speaker, why hasn't affordable housing been a priority for the Yukon Party government during the 14 years that it has been in power?

**Hon. Mr. Hassard:** Thank you very much, Madam Speaker. Of course, affordable housing has been front and centre for this government over the past few years. We've continued to make investments in housing all across the housing continuum, Madam Speaker. We continue to do the work that needs to be done to provide housing for as many Yukoners as we can. We've tried different systems. We've tried to be innovative about it. We've been working with the Ta'an Kwäch'än Council, for example, with their housing project that they're working on in Whistle Bend.

So we have done work on affordable housing here in the Yukon and we will continue to do that work.

**Ms. White:** Thank you, Madam Speaker. Again, we see election-year commitments and those are going to be easier said than done. Let's not forget that this is the same Yukon Party government that backtracked on Lot 262. They said that was the answer to private market, affordable housing in Yukon and they cancelled that in 2012 and then again, in 2014, they cancelled 75 affordable units in Whitehorse at the 11<sup>th</sup> hour. The bottom line is clear: this government has cancelled more affordable housing units than they have actually facilitated in building. Now affordable housing spaces like the Casa Loma park and Grey Mountain Housing units are shutting their doors. So where will these Yukoners go?

Madam Speaker, why should Yukoners believe the Yukon Party's election-year promises when this government

has a long track record of cancelled affordable housing projects?

**Hon. Mr. Hassard:** Thank you, Madam Speaker. It's a little bit baffling I guess to look at all of the projects that we have done and we are moving forward with and to still be criticized for it.

We have seen, just in the past weeks, the program through the investment in affordable housing for units here in Whitehorse as well as units in Dawson City — \$450,000 in Dawson; \$500,000 here in Whitehorse. This government has invested somewhere in the range of \$150 million over the past 10 or 15 years; 88 new units in the Yukon since 2014.

Madam Speaker, for the member opposite to insinuate that this government isn't concerned or isn't working hard for investments in housing all across the housing continuum is just mind-boggling.

**Ms. White:** Thank you, Madam Speaker. I would like to remind the government that this is the same government that turned their back on a proposal that would have seen 100 affordable rental units in the market for the private market cancelled when they didn't accept a bid at Lot 262. It took four years and three ministers, but last fall, the current minister responsible for Yukon Housing Corporation finally admitted something that his peers refused to say — that he doesn't think that access to housing is a human right.

Madam Speaker, if the minister spoke to Yukoners who are having trouble paying rent or any number of other groups that support anti-poverty action, he would hear a different story. Affordable and stable housing is a requirement for people who are trying to break out of the poverty cycle. Instead, the government has stood on the sidelines and done little to help Yukoners looking for affordable housing.

Madam Speaker, why would Yukoners who pay 30 to 40 percent or more of their income have any faith in Yukon Party promises when after 14 years in power they haven't made the situation any better for them?

**Hon. Mr. Hassard:** Thank you, Madam Speaker. I'm very proud of the work that this government has done and continues to do. I'm not going to stand here and say that we have solved all of the issues and that housing is no longer an issue here in the Yukon. It will always be an issue — but Madam Speaker, I'm proud of the fact that I have seen the work that this government has done and as I said before, continues to do. That's very important that we understand that.

We continue to provide programming to help homeowners invest in their own homes and to create housing opportunities here in the Yukon — not only to create housing, but to create employment and help the economy of the Yukon.

Madam Speaker, we don't have a single track on this; we have tried to be very innovative, tried to look at the big picture on this and do things in the best possible way for Yukoners.

We will continue to do that work and I look forward to seeing the Yukon move forward in this regard.

**Question re: Budget estimates and spending**

**Ms. Moorcroft:** Madam Speaker, this Yukon Party government has a poor track record when it comes to managing projects. This government still refuses to provide Yukoners with the actual costs for operating the new Whistle Bend continuing care facility. Instead, they have used an estimate based on a very different facility.

Whitehorse Correctional Centre was overbudget and delivered late. The LNG facility was at least \$6 million overbudget. The F.H. Collins project, despite a pre-election photo op in 2011, ended up delivered late and with an ever-increasing tab. The government's poor track record when it comes to contracting speaks for itself. Yukoners deserve better.

Why should Yukoners trust this government after years of project mismanagement?

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. Of course, our government has made significant strides when it comes to procurement and project management. One only needs to look at the F.H. Collins Secondary School. It did come in underbudget for construction. The original bids were \$48 million. We went out to redesign and retender and came in with a design/build project that was delivered underbudget.

When you look at projects like many of the housing projects that have been delivered around town — again, similar success for us. Those projects have come in on time and on budget. When it comes to Whistle Bend, we enlisted the support of Partnerships BC to help us with the procurement process.

They are a very experienced body in these types of projects. Again, we look for their assistance in helping us to deliver on that project. It's moving ahead very well. It has come in slightly underbudget so far, but work continues on that site. We have seen a number of local people engaged in all of these projects. I have tabled documents in this House showing that 14 of the last 15 major capital projects on the building side were delivered by local Yukon companies. That is not to say there is not more work to be done. We continue that work, and we will continue that work on behalf of all Yukoners.

**Ms. Moorcroft:** Madam Speaker, this government says it's looking out for Yukoners. Let me give a couple of examples of how this government has looked out for Yukoners. A demolition contract for the old Whitehorse Correctional Centre was originally awarded for \$991,000. That contract had five change orders and the total project cost was \$1.6 million. A design and construction contract for F.H. Collins had three change orders, and the final price tag was an increase of over 25 percent more than the initial contract amount. Those numbers don't lie.

Why has this government failed to look out for the Yukon public when it comes to controlling project costs and the number of change orders?

**Hon. Mr. Kent:** Thank you very much, Madam Speaker. Again, I will reiterate that we are very proud of our success when it comes to having local companies involved in

building local projects. Even some of the larger projects that have gone to Outside general contractors provide opportunities for local subcontractors as well as local labour.

I will reference a press release that was dated January 28, 2016, put out by the United Brotherhood of Carpenters and Joiners of America, a local union here, and the title of it speaks for itself. It says: "Whistle Bend Continuing Care Facility Goes Local". That is a testament to the work of the general contractor, PCL, not only on the Whistle Bend continuing care facility, but also on the hospital project that is managed by the Yukon Hospital Corporation. We continue to see local opportunities provided through our procurement. I have mentioned time and time again that 14 of the last 15 major construction projects have been awarded to local companies. They are doing a great job. One only has to drive around the City of Whitehorse right now and take a look at the projects underway, such as the Salvation Army, Sarah Steele — to name a few — the recently completed 48-unit seniors housing project on the waterfront, the Carcross fire hall, the Mendenhall water treatment centre and Tagish's water treatment centre — all delivered by local Yukon general contractors. We are proud of that, but we do recognize there is more work to be done and we will continue that hard work.

**Question re: Continuing care facilities**

**Ms. Stick:** Thank you, Madam Speaker. Madam Speaker, there are currently three intermediate care facilities for residents of the Yukon. One of these, Macaulay Lodge, currently meets the intermediate care needs of 43 residents. Despite there being only two intermediate care facilities located in Whitehorse, there have been discussions with the residents and their families of the future closing of Macaulay Lodge due to its age. This leaves us wondering about this government's planning for the future care of these residents.

Can this government confirm the closure of Macaulay Lodge and, if so, tell Yukoners where the current residents will be moved to?

**Hon. Mr. Nixon:** Thank you, Madam Speaker, and I thank the member opposite for her question. It's certainly a little concerning with the fiction-peddling from the member, but what we are focused on, on this side of the House, is providing that level of care to seniors at a point in time when they need it. That is why we have made the investments in Birch Lodge; that is why we are making the investment in the Whistle Bend continuing care facility, which will have expanded services with dementia, with palliative care and with mental health.

This government will continue to put its money where its mouth is and make these investments for those seniors at a point in time in their life when they deserve it.

**Ms. Stick:** Thank you, Madam Speaker. I don't know about fiction-peddling — I am a book dealer and that could be what he is referring to — but, in fact, these are from minutes that were ATIPP'd from Macaulay Lodge — on meetings with their residents and the families about the possible closure of Macaulay when discussing Whistle Bend. So this was

information that was brought to the residents and their families, and those documents exist.

Madam Speaker, the minister spoke about Whistle Bend and its expanded scope, but we have heard that these are for individuals requiring a higher level of extended care than those at Macaulay Lodge. At Macaulay, the residents are able to come and go, and lead relatively active lifestyles in the community. They are a familiar sight in our neighbourhoods. We see them on their scooters, we see them out walking, and we see them heading downtown.

Again, with the possible closure of Macaulay Lodge, where will the residents of Yukon needing intermediate care

**Speaker:** Order, please.

**Hon. Mr. Nixon:** Thank you, Madam Speaker. What we on this side of the House are focused on is ensuring that those individuals — seniors and people with severe disabilities — have a place to call home. What we on this side of the House are focused on is to ensure that those individuals who are experiencing mental health issues, issues around dementia and palliative care issues have a place to call home and have the supports and services that they need.

We have heard from the members opposite — in particular, the Liberal member — is that if they are elected, they will go ahead and cancel this project. Now, the stark contrast to the Yukon Party stepping up to the plate for seniors at a time in their lives where they can no longer care for themselves — that is what this Yukon Party believes in, and those are the investments we will continue to make.

**Ms. Stick:** Thank you, Madam Speaker. What we should be focusing on, and what this government needs to focus on, is the whole continuum of care that we now know has gaps — some, hopefully, to be addressed through the Whistle Bend — but what I am talking about are the intermediate care needs.

Madam Speaker, in the government's own 2014 *New Whitehorse Continuing Care Facility Business Case Analysis*, there is talk about the future of the Thomson Centre. The Thomson Centre currently accommodates individuals requiring intermediate and extended care. In this report, numerous problems are discussed, including space requirements. Space once part of that continuing care facility has been taken over by the Hospital Corporation, which owns the building.

Madam Speaker, can the minister tell this House what the plans are for the Thomson Centre? Will the government consider bringing the number of beds and space back up to accommodate the 46 clients it was originally —

**Speaker:** Order, please.

**Hon. Mr. Nixon:** Thank you, Madam Speaker. Madam Speaker, this Yukon Party government has done its homework and I would encourage the members opposite to do the same. Now, despite what the members opposite are telling people, we are moving forward to develop this project based on input, feedback from residents, feedback from clients, families, First Nations, staff of long-term care facilities and key stakeholders. In fact, the new Yukon Medical Association

chair said that she's looking forward to the new facility in Whistle Bend, but we've also heard that the members opposite would consider cancelling this project.

We are very proud of the investments that we've made since this Yukon Party has come into office pertaining to services at the Thomson Centre; pertaining to services at Macaulay Lodge, Copper Ridge Place, McDonald Lodge, the Birch Lodge here in Whitehorse and we'll continue to make those investments for our senior population at a point in time in their life when they need us.

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

## INTRODUCTION OF VISITORS

**Ms. Moorcroft:** Thank you, Madam Speaker. I would like to like to invite all members to join me in recognizing some guests in the gallery. We have Jessica Lott-Thompson and Lynn Pigage from the Yukon Human Rights Commission, and Ms. Geneviève Chabot who is here for business we'll be debating after this. Thank you. Please welcome our guests. *Applause*

## Notice of government private members' business

**Hon. Mr. Cathers:** Madam Speaker, pursuant to Standing Order 14.2(7), I would like to identify the item standing in the name of the government private member to be called for debate on Wednesday, May 25, 2016. It is Motion No. 1196, standing in the name of the Member for Vuntut Gwitchin. As a courtesy to members, I would note that if we conclude private members' business, we'll be calling government motion No. 1209, standing in the name of the Member for Lake Laberge.

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

## ORDERS OF THE DAY

### GOVERNMENT MOTIONS

#### Motion No. 1214

**Clerk:** Motion No. 1214, standing in the name of the Hon. Mr. Cathers.

**Speaker:** It is moved by the Government House Leader:

THAT the Yukon Legislative Assembly, pursuant to subsection 17(2) of the *Human Rights Act*, does remove Al Hubleby and Jennifer Cunningham as members of the Yukon Human Rights Commission, effective immediately.

**Hon. Mr. Cathers:** Thank you, Madam Speaker. Just for anyone who is listening to this or reading Hansard — just to provide clarification that both of these members submitted their resignations and I would like to thank them both for their service on the Human Rights Commission.

I would also at this point like to welcome some of the guests who have joined us here for debate on the motions: Ms. Geneviève Chabot, whom the Member for Copperbelt

South recognized; as well as her family, Dave Borgeson and her lovely daughter Charlotte.

As well, we have Jessica Lott-Thompson and Lynn Pigage here from the Human Rights Commission. I would like to thank them all for joining us here today.

With that, I will conclude my remarks on this motion.

**Ms. Moorcroft:** Thank you, Madam Speaker. I rise on behalf of the Yukon NDP Official Opposition in support of Motion No. 1214.

I would like to thank Mr. Hubley and Ms. Cunningham for their contributions as members of the Yukon Human Rights Commission.

*Motion No. 1214 agreed to*

### Motion No. 1215

**Clerk:** Motion 1215, standing in the name of the Hon. Mr. Cathers.

**Speaker:** It has been moved by the Government House Leader:

THAT the Yukon Legislative Assembly, pursuant to subsection 17(1) of the *Human Rights Act*, does appoint Karen Moir and Geneviève Chabot as members of the Yukon Human Rights Commission for a term of three years, effective immediately.

**Hon. Mr. Cathers:** Again, I will be quite brief in introducing this motion. I will just reference the resumé of the two members who are being proposed for appointment by this motion, as well as noting for the record, as most members of the House will be aware, that the Human Rights Commission, being one of the bodies that is subject to review by the Standing Committee on Appointments to Major Boards and Committees — that all-party committee has recommended these individuals for appointment as members of the Human Rights Commission.

Ms. Geneviève Chabot is a member of the Law Society of Yukon. She works as legal counsel for the federal Department of Justice, which began in 2013 and continues to this date. Other highlights from her resumé include serving as a part-time professor at the University of Ottawa Faculty of Law and Civil Law from 2012 to 2013 and serving as a volunteer of the Canadian Bar Association from 2005 to 2012. Ms. Chabot has a master of laws degree from Harvard Law School and, from the University of Ottawa, a Juris Doctor designation. As well, she has previously served as an associate at Osler, Hoskin and Harcourt in Montreal, Quebec and she is currently a member of the board of directors of the Yukon Legal Services Society.

Karen Moir is an intergovernmental affairs officer for Aboriginal Affairs and Northern Development Canada and a research fellow at the United Nations Research Institute for Social Development in Geneva, Switzerland. She served in that capacity from 2014 to 2015. She has a master of international human rights law degree from the University of Essex and a bachelor of social sciences in international development from the University of Ottawa.

With that, I would like to thank both of them for putting their names forward and being willing to serve the territory in its capacity and thank Ms. Chabot again for taking the time to join us here, along with her family, in the Legislative Assembly.

**Ms. Moorcroft:** I rise on behalf of the Yukon NDP Official Opposition in support of this motion.

The Yukon Human Rights Commission plays an important role in the community. Recently, the commission was involved in a public event that brought the community together to consider how we can all respond to the Truth and Reconciliation Commission's calls to action and support reconciliation in Yukon. The Yukon Human Rights Commission ensures that the laws promoting dignity and equality for all residents of Yukon are respected across the territory.

I would like to thank Ms. Chabot and Ms. Moir for putting their names forward. We appreciate the knowledge and the experience that they will bring to the commission and look forward to their contributions.

*Motion No. 1215 agreed to*

### GOVERNMENT BILLS

**Hon. Mr. Dixon:** Pursuant to Standing Order 14.3, I request the unanimous consent of the House to move that Bill No. 203, entitled *Child and Youth Advocate Staff Benefits Amendments Act*, be now read a second time.

#### Unanimous consent re second reading of Bill No. 203, *Child and Youth Advocate Staff Benefits Amendments Act*

**Speaker:** The minister responsible for the Public Service Commission has requested the unanimous consent of the House, pursuant to Standing Order 14.3, to move that Bill No. 203, entitled *Child and Youth Advocate Staff Benefits Amendments Act*, be now read a second time.

Is there unanimous consent?

**All Hon. Members:** Agreed.

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

#### Bill No. 203: *Child and Youth Advocate Staff Benefits Amendments Act* — Second Reading

**Clerk:** Second reading, Bill No. 203, standing in the name of the Hon. Mr. Dixon.

**Hon. Mr. Dixon:** Madam Speaker, I move that Bill No. 203, entitled *Child and Youth Advocate Staff Benefits Amendments Act*, be now read a second time.

**Speaker:** It has been moved by the minister responsible for the Public Service Commission that Bill No. 203, entitled *Child and Youth Advocate Staff Benefits Amendments Act*, be now read a second time.

**Hon. Mr. Dixon:** I will be very brief in speaking to this bill at second reading. I should note that it is the product of work done by the Members' Services Board in reviewing this issue and was passed unanimously by that board which, as members know, is an all-party board with representatives

from all three parties attending. It is a standing committee of the Yukon Legislative Assembly.

With regard to the matter at hand, currently the staff of the Child and Youth Advocate office is paid eight percent in lieu of group insurance benefits. Providing access to the group insurance benefit plan for the staff of the Child and Youth Advocate office will be consistent with the benefits provided to the staff of the Office of the Ombudsman. The Members' Services Board unanimously agreed to amendments at its April 4, 2016 meeting. Approving the amendments will afford the staff of the Child and Youth Advocate office to commence receiving benefit coverage as of November 1 of this year. Participation in the group insurance benefit plan will result in cost-savings to government. As well, I am told that the staff of the Child and Youth Advocate office is pleased with this initiative.

I will thank my colleagues on the Members' Services Board for their efforts in bringing forward this bill and for providing unanimous consent to bring the bill forward for debate. As well, I should thank officials with the Department of Justice who have actually done the drafting on this bill and officials and staff of the Yukon Legislative Assembly office who have aided the Members' Services Board in advancing this particular issue. With that, I will conclude and commend this bill to the House today.

**Ms. Hanson:** I would just like to echo the minister's comments with respect to the *Child and Youth Advocate Staff Benefits Amendments Act*. The Official Opposition is fully in support.

As indicated by the minister, this was a matter that was dealt with by Members' Services Board and did receive the consent of the Members' Services Board.

It's important to recognize that, as it currently stands, the employees of the Child and Youth Advocate office do not currently enjoy the rights and benefits of employees who are covered by the *Public Service Act*, and it also makes sure that employees are eligible for benefits provided under the *Public Service Group Insurance Benefit Plan Act*.

This is important because, as we look to ensuring that we can both recruit and retain good, qualified people in this very important arm's-length office — this office of the Child and Youth Advocate created by this Legislative Assembly not that many years ago. It plays an important role in our community and so, by extending these benefits, we are in a way extending recognition of the importance of that role.

I echo the minister's thanks to the Department of Justice, and I would go one step further with respect to the due diligence and the great work that we've come to expect over the years from the Legislative Assembly Office. I would like to extend a particular thanks to Helen Fitzsimmons, who, as the director of administration for the Legislative Assembly Office — and whom I've come to see over the last few years as a tireless advocate for us as legislators doing the right thing — also provides the interface between us as members of the Legislative Assembly and those arm's-length entities — those offices like the Child and Youth Advocate, the Ombudsman,

the Privacy Commissioner. I think it's really to her credit that she brought this matter — the need to address this equitable treatment for staff of the Child and Youth Advocate Office — to the Members' Services Board and, I would say, worked tirelessly to expedite the matter so that we're able to address it here today and to provide unanimous consent, which I anticipate we will provide.

**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. Pasloski:** Agree.

**Hon. Mr. Cathers:** Agree.

**Hon. Ms. Taylor:** Agree.

**Hon. Mr. Graham:** Agree.

**Hon. Mr. Kent:** Agree.

**Hon. Mr. Istchenko:** Agree.

**Hon. Mr. Dixon:** Agree.

**Hon. Mr. Hassard:** Agree.

**Hon. Mr. Nixon:** Agree.

**Ms. Hanson:** Agree.

**Ms. Stick:** Agree.

**Ms. Moorcroft:** Agree.

**Ms. White:** Agree.

**Mr. Tredger:** Agree.

**Mr. Silver:** Agree.

**Mr. Laxton:** Agree.

**Clerk:** Madam Speaker, the results are 16 yeas, nil nays.

**Speaker:** The yeas have it. I declare the motion carried.

*Motion for second reading of Bill No. 203 agreed to*

**Hon. Mr. Cathers:** 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's statement re Acting Chair of Committee of the Whole

**Speaker:** Standing Order 5(3) says: "If the Chair and Deputy Chair are absent, the Speaker shall, before leaving the Chair upon the Assembly resolving into Committee of the Whole, appoint a member to be acting Chair."

As the Chair of Committee of the Whole is absent, and there is no Deputy Chair of Committee of the Whole, the Chair appoints the Member for Copperbelt South as Acting Chair of Committee of the Whole.

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Acting Chair (Ms. Moorcroft):** Committee of the Whole will now come to order.

**Hon. Mr. Dixon:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to proceed with consideration of Bill No. 203, entitled *Child and Youth Advocate Staff Benefits Amendments Act*.

### Unanimous consent re proceeding with Committee of the Whole consideration of Bill No. 203

**Acting Chair:** Mr. Dixon has requested the unanimous consent of Committee of the Whole, pursuant to Standing Order 14.3, to proceed with consideration of Bill No. 203, entitled *Child and Youth Advocate Staff Benefits Amendments Act*.

Is there unanimous consent?

**All Hon. Members:** Agreed.

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

**Acting Chair:** The matter before the Committee is general debate on Bill No. 203, entitled *Child and Youth Advocate Staff Benefits Amendments Act*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### Bill No. 203: *Child and Youth Advocate Staff Benefits Amendments Act*

**Acting Chair:** The matter before the Committee is general debate on Bill No. 203, *Child and Youth Advocate Staff Benefits Amendments Act*. Is there any general debate?

We will move to clause-by-clause debate.

*On Clause 1*

**Hon. Mr. Dixon:** The Members' Services Board met on April 4, 2016 and recommended that action be taken to provide access to the group insurance benefit plan for the staff of the Child and Youth Advocate Office. Providing access to the group insurance benefit for the staff of the Child and Youth Advocate will enable a fairer, more up-to-date approach to benefits for these staff that will be consistent with what is happening across the rest of Canada. The amendments are recommended by the MSB for acceptance and that is the subsection we're dealing with right now.

*Clause 1 agreed to*

*On Clause 2*

*Clause 2 agreed to*

*On Clause 3*

*Clause 3 agreed to*

*On Title*

*Title agreed to*

**Hon. Mr. Dixon:** Madam Chair, I move that you report Bill No. 203, entitled *Child and Youth Advocate Staff Benefits Amendments Act*, without amendment.

**Acting Chair:** It has been moved by Mr. Dixon that the Chair report Bill No. 203, entitled *Child and Youth Advocate Staff Benefits Amendments Act*, without amendment.

*Motion agreed to*

**Acting Chair:** The matter before the Committee is general debate on Vote 52, Department of Environment, in Bill No. 23, *First Appropriation Act, 2016-17*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### Bill No.23: *First Appropriation Act, 2016-17* — continued

**Chair:** The matter before the Committee is general debate on Vote 52, Department of Environment, in Bill No. 23, entitled *First Appropriation Act, 2016-17*.

The Chair recognizes the Hon. Mr. Istchenko. Member for Kluane, you have 20 minutes.

#### Department of Environment

**Hon. Mr. Istchenko:** Thank you, Mr. Chair. I rise today to set out some of the Department of Environment's plans for their fiscal 2016-17 plans set out in the main estimates document before you.

First, however, I would like to note my appreciation for the department staff who, day in and day out, are committed to supporting the healthy, sustainable and prosperous Yukon. I would like to introduce Deputy Minister Joe MacGillivray, who is here with us today, and I thank him for being here.

It is a sincere honour to serve as the Minister of Environment. I am proud of the numerous accomplishments undertaken and completed in the previous year, and I look forward to the promising achievements by the department in the years to come.

Following the completion of four major projects — like construction of our Conrad campground — the appropriation that the department seeks today reflects a modest decrease from last year. Today we are seeking total appropriations of \$37.109 million — \$4.05 million below the figure we sought in 2015-16 — which will allow the Department of Environment to continue to be a recognized leader and a trusted partner in environmental stewardship.

This year's budget is a \$4-million decrease primarily due to the fact that the planned assessment and remediation at government-owned sites will cost less this year. With respect to Vote 1, operation and maintenance, the department is proposing expenditures totaling \$35.921 million.

This is a nine-percent decrease over last year's estimates or, to be specific, a difference of \$3.48 million. I will briefly note the major operation and maintenance changes by area.

First, in the general management area, there is an increase of \$77,000. This reflects changes in salary levels for staff in this area and allows the department to provide the strategic direction required to successfully meet its goals. Next, in the corporate services area, we see a modest decrease of five percent — a total of \$8.64 million. Corporate Services include Policy, Planning and Aboriginal Affairs, Communications, Information Management and Technology, Client Services and finance and human resources functions. Aside from Client Services, these areas are often less visible to the public, but every bit as responsible for ensuring that Environment Yukon is able to provide the services Yukoners have come to expect.

This decrease is largely a result of the end to a four-year funding agreement with Aboriginal Affairs and Northern Development Canada. This \$500,000 agreement ended in 2015-16 and allowed us to undertake several important projects. These projects included documenting ecosystem changes, better mapping, flood risks, examining the impact of thawing permafrost on agriculture on the north Alaska Highway, as well as several others. We are optimistic that further funding will come available through the federal government later this fiscal year.

The third area, environmental sustainability, is primarily operational in nature, with a wide range of responsibilities. Environmental sustainability accounts for over 60 percent of the department's O&M expenditures. It encompasses the Conservation Officer Services branch, Yukon Parks, Environmental Programs, Water Resources branch, the Animal Health Unit and the Fish and Wildlife branch. This area includes responsibilities ranging from fish and wildlife management to compliance with Yukon's laws and regulations outlined in the *Wildlife Act*, the *Environment Act*, the *Animal Health Act* and the *Parks and Land Certainty Act* and their regulations.

Funds spent in this area of the department will help support well-established programs for Yukoners, which we have benefitted from for many years. For example, in 2015, the Yukon government celebrated 25 years of environmental youth programs through initiatives like the CAT program — the Conservation Action Team — and Y2C2, the Yukon Youth Conservation Corps. It also helped support items like free workshops for Yukoners who raise, or intend to raise, livestock in the territory. The department has held several such workshops in the past few years, including workshops for swine and the recently hosted cattle health workshop.

Last year, the department's wildlife viewing program released three new publications about Yukon wildlife. The *Yukon Ungulates* guide adds to the ever-popular pocket guide series and will provide extensive information about Yukon's hoofed animals. The *Yukon Wildlife Activity Book* provides interactive games and exercises to teach children about Yukon biodiversity.

The wildlife in the Watson Lake area offers an introduction to the wildlife viewing opportunities in

southeastern Yukon, while encouraging visitors to spend more time visiting the area.

In 2015, the Yukon government also installed two new air quality monitors in the Whitehorse air pollution surveillance station, which improved the reliability of data provided to Environment Canada and will give us a better understanding of the air quality throughout Whitehorse.

We are seeking a total of \$22.662 million for the 2016-17 fiscal year — an increase of \$125,000 over last year. This includes \$1.5 million in funds for the implementation of the *Yukon Water Strategy and Action Plan*. This will be used to expand Yukon's water monitoring network and to help ensure we will have water for nature and for people. The implementation of the *Yukon Water Strategy and Action Plan* will result in the creation of a groundwater management program, expansion of Yukon's water monitoring networks and improve access to safe drinking water, which would result in a better sharing of water information resulting in increased collaboration with other water managers.

New initiatives that contribute to this net increase include \$57,000 for park attendants and officers needed to support 22 additional campsites at existing campgrounds and at the Conrad campground — ever-so-popular, I am to understand. These sites will ensure that Yukoners have access to pristine camping opportunities during the camping season. Ten of these campgrounds were open to the public on May 13, 2016, ahead of the traditional Victoria Day opening, and will have full services until September 30. Also, \$50,000 will also be directed toward the second year of a three-year funding agreement with Champagne and Aishihik First Nations to stabilize and recover moose populations in the Alsek area.

In the fourth and last area — environmental liabilities and remediation — we are seeking \$4.170 million, a decrease from last year. Through the Site Assessment and Remediation unit, we have identified the priority sites for this year and the order in which we deal with them, with a higher priority given to those sites that pose a risk to human and environmental health, as well as to those where construction or redevelopment work is planned: \$1.8 million will be spent to target remediation work at six government-owned contaminated sites — contamination typically is from spilled petroleum products and road salt; just under \$1 million will be budgeted for assessment work at up to 15 Yukon government-owned properties around the territory; \$801,000 will be spent on permit-related groundwater monitoring or monitoring well installation at 23 Yukon government solid-waste management facilities and for abandoned dumps; and \$300,000 will be identified for remediation planning work at the Marwell tar pit. This project is in year eight of a planned 11-year project. Contracts for remediation construction were planned to be tendered late this fall for construction work next year. By decreasing the budget in this area, we are creating an opportunity for industry to finalize the testing of remedial techniques to determine whether their approach is viable for the environment and circumstances of the north. This ensures that we get things right with respect to the clean-up.

Mr. Chair, assessment and remediation projects usually take many years to complete. Since 2008, the government has spent millions of dollars on cleaning up sites with four properties fully remediated and with several others nearing completion. Remediation will help protect the environment from contaminants at the site and safeguard the health and safety of people. Yukon's regulatory regime including permits and inspections — along with an effective spill response system — help to minimize the risks of spills and impacts on human and environmental health.

With respect to our capital vote, the department is proposing expenditures totalling \$1.188 million. This is a slight decrease compared to last year's spending estimate. I will briefly note the major capital expenditures by area. First, in the Corporate Services area, we are seeking \$471,000. Capital projects for the upcoming year include: \$120,000 for systematic upgrading or replacing computer workstations, improving connectivity between departments and the government's network overall; \$200,000 for systems development work on our e-services — our online access for angling licences and campground permits will be made more widely available in community locations, and work will begin to make hunting licences and seals an online product in the upcoming years.

For replacing operational equipment in accordance with the department's five-year plan, there is a total of \$81,000. There are repairs and maintenance upgrades to departmental facilities in Whitehorse and Haines Junction for a total of \$70,000. Second and lastly in the environmental sustainability area, the department seeks approval for \$717,000 to be spent on several projects. This area of the budget supports a number of initiatives that help to promote items that help improve the quality of life of those living in the territory. This year, the largest capital project ask is \$350,000 to develop new campsites and improve facilities at Yukon government campgrounds. This includes universally accessible campsites and the replacement of aging infrastructure in order to provide safe, clean and enjoyable facilities for Yukoners and visitors to our territory.

Between 2008 and 2015, the number of people camping in Yukon has increased by 29 percent. Occupancy has increased by 56 percent and, on average, more than twice as many non-residents use government-owned campgrounds as residents. In 2015, the Tombstone Interpretive Centre received a record number of visitors during that year: 15,000 visitors passed through the centre, a 25-percent increase from 2014. In the same period, camping fees have remained the same. Funds in the area will go a long way, as we expect to see continued growth in this area. There is also \$367,000 that will be used as part of the *Yukon Water Strategy and Action Plan*. This is to purchase and install the equipment needed to expand both hydrometric and water quality monitoring networks. These networks provide real-time information that is used to predict, as well as monitor, breakups of floods and events.

In our revenues section with respect to that — for the revenues planned for the fiscal year — we anticipate a slight increase of one percent over last year, totalling \$4.463 million.

Building on the success of the recently introduced e-services option, \$1.053 million is expected from licence and permit sales, a slight increase over 2015-16. This also reflects campground permits that we expect will be purchased as a result of extended seasons at 10 locations. The additional campground sites at Conrad, Wolf Creek, Twin Lakes and Marsh Lake will allow more outdoor enthusiasts to take advantage of our outdoors. There will be \$3.156 million recovered from the Government of Canada, mostly from two major activities: implementing government obligations under the *Inuvialuit Final Agreement*, and remediating the Marwell tar pit.

For transfer payments, the department is seeking approval to spend \$1.974 million — a seven-percent increase over last year. That is a change of \$136,000. We are increasing our annual support to several organizations reflecting their rising costs — for example: the core funding for the Yukon Wildlife Preserve will rise to \$686,000, an increase called for in our five-year funding agreement; \$225,000 for the Wildlife Management Advisory Board for the North Slope includes a \$4,000 increase; \$50,000 to Champagne and Aishihik First Nations to improve the moose populations in the Alsek area; and \$38,000 for several agreements stemming from the animal protection program, which assists with responding to reports on neglected, abused or dangerous roaming livestock or pets.

We are also providing \$236,000 to the Water Survey of Canada to install real-time hydrometric water stations on larger water bodies. Enhanced monitoring is called for in our *Yukon Water Strategy and Action Plan* that we have created.

In closing remarks — and then I can let the members opposite ask some questions — I do want to conclude my remarks on the main estimates by noting a few emerging initiatives that this budget will support. One that will continue to improve satisfaction for a number of Yukon residents is the continued support of our e-services within the Department of Environment.

Last year, thousands of Yukoners enjoyed simple and improved permitting and licensing options. By rolling this service out to territorial agents and businesses, we will continue to meet the expectation of Yukoners for easy access to our government services.

I would also like to note work that was recently completed to offer special guide licences through a lottery process. This year, 125 licences, up from 100, now also allow for special guiding for bison. The Department of Environment is committed to promoting Yukon's unique way of life through participation in hunting and the sustainable use of wildlife resources. These amendments will offer more hunting opportunities and result in a fairer process for eligible Yukon hunters.

I would also like to acknowledge the good work of the Yukon Fish and Wildlife Management Board and our local renewable resources councils for providing recommendations and information to the department. I had the pleasure to speak with them not long ago, and I think they were very, very happy with the comments I had and I look forward to working with them in the future.

Lastly, the Government of Yukon continues to work toward the goals set out in the *Climate Change Action Plan*. Six years into the plan, 33 government actions are either completed or ongoing, and the department's Climate Change Secretariat continues to help steer efforts toward reducing Yukon's environmental footprint through efforts like the new ride-sharing program launched this spring.

Mr. Chair, in closing, I would like to note that the Department of Environment works in big ways and small to achieve its vision of being a recognized leader and a trusted partner in environmental stewardship. Each day, staff work to foster informed, inclusive decision-making. They generate and share knowledge and they guide others to act responsively and respectfully in their interactions with the environment. Their actions support the safeguard of ecosystems for current and future generations.

I do just want to put a plug in for those who work in the department. There are quite a few in diverse jobs that they do, but any Yukoner who was out this week would have run across some of our staff who were out there at the front for services, and I only hear positive comments about our staff. I do really appreciate that and I would just like to thank them for that.

I look to discussing many of these positive activities and discussing our main estimates in general debate.

**Ms. White:** I thank the minister for his opening comments. It's always a pleasure to see the official here in the Assembly and I look forward to an afternoon of enthralling questions and answers.

I'm going to start with some topics that maybe haven't been discussed at great length during Environment debates previously. It has to do with waste disposal and different wastes that get disposed of in the Yukon. What I want to first raise is the issue of radioactivity and the possible radioactivity that is a by-product of the oil and gas industry.

The production of oil and gas brings radioactive materials to the surface. Most radioactive particles are found in the shale layers deeper than 1,000 metres, and during the drilling process, produced water and drill cuttings are brought to the surface. This is fact; this is how oil and gas works with the drilling. Part of this material can be radioactive and should not be stored anywhere on the surface. If it is left in sump on the surface, it can enter water sources and the surrounding soil over time. Animals — and if we take north Yukon for example, we could say “caribou” and then we could talk about their food sources, so, in the case of the caribou, we could say “lichens” — are able to absorb radioactive particles. These particles can cause changes in the DNA of the animals, as well as in their food source, and it can also cause cancer in people who eat the meat. An example is when radioactive particles can be absorbed into the bones.

Radiation from sources like uranium and thorium will produce radiation for many thousands of years. It is not possible anywhere in the world to store this material in a safe way above ground and we have seen cases of leaks and what can happen with radioactive materials through media reports

and even through environment reports from different governments.

Concerns have been raised internationally that no sump will be stable enough to contain the increasing radiation over an infinite amount of time. Radiation does not disappear when mixed with water or soil. It is understood that in normal life, we are exposed to radiation every day, but this type of radiation is called “background radiation”, or “gamma radiation”, and it cannot be absorbed by the body. However, there are two types of radiation that can be absorbed by plants, animals and people, and those are alpha and beta radiations. In nature, particles that produce alpha and beta radiation stay under the soil in the shale layers that are deep down within the earth's crust.

The use of horizontal drilling to access the deeper shale layers to release oil and gas — and it is through the use of horizontal drilling to access this deeper shale layer that we can see when radiating particles are buried and then released. The drill cuttings and produced water from these areas are more radioactive than any other form of any other layer from that point. In other jurisdictions like the United States, radiation in water and soil caused by the oil and gas industry has become problematic, and we have seen that in, again, news releases and the like.

When I look to the Department of Environment for how we deal with hazardous waste — or special waste — we can get the handy-dandy Environmental Programs special waste regulation sheet that highlights six contaminants on the back — it talks about arsenic, cadmium, chromium, lead, total organic halogens and PCBs — but that is about all it talks about. Understanding that the Department of Environment is responsible for hazardous waste regulations and special waste regulations, within the definition section of the *Environment Act*, we have a definition for hazardous substance — and this is straight from the act itself, so I am quoting: “‘hazardous substance’ means any product, substance or organism that has been prescribed or is included by its nature in one of the following classes”. Then, quoting from the subclasses, we have: “(g) Class 7: radioactive materials”. Radioactivity is mentioned in the act, but that is the one place where I can find radioactivity and there are no concentration limits or any territorial regulations on how we are supposed to deal with it.

Radioactive materials are different from other hazardous materials like hydrocarbons, for example, because they will not disintegrate over time and they cannot just be covered or diluted to store them. They require special facilities and special management. How will the Department of Environment mitigate the handling of radioactive materials if we do go ahead with an oil and gas industry?

**Hon. Mr. Istchenko:** A lot of that information read to me is quite technical in nature. I understand some of it, but not a lot of it. The member opposite spoke a little bit about the *Environment Act*, but we also have the *Waters Act* and we have inspections. What else we have is a permitting system. We have YESAB, which industry has to go through. Through that permitting process, a lot of that is captured in there.

When it comes to radioactive materials, some of them are naturally occurring. There was a question from the Member for Mayo-Tatchun, I believe, last year and we looked into it in-depth because, of course, when it's technical in nature, it's a little tough to get back when standing on your feet. You have to look into it a little bit.

What the member opposite had brought to our attention was actually a naturally occurring thing but, when the waste came out, it was transported to a proper facility in Whitehorse. We have inspectors on-site. The other thing is that there were 21 recommendations when it came to oil and gas. We have committed to accepting all of them — the Yukon government. I know the member opposite was part of that select committee. With that, there is a lot of baseline data that we are gathering and a lot of other stuff that we are gathering. Like we have said, the government has committed to oil and gas in a very small portion of the Yukon — in the Liard Basin. We have put a lot of time, effort and work into it. I guess, to answer the question, most of it is captured in the permitting process and the phases through permitting. We have the inspection people who inspect things that are related to the *Waters Act* and the *Environment Act*. Some of this radioactive material is naturally occurring, and I think I can honestly say I am confident in the processes that we have in place and that they will work.

**Ms. White:** I appreciate the kick at the can that I just got from the minister. What I am highlighting is that, within the *Environment Act*, we highlight the term “radioactive” and we talk about how that is a responsibility and that is going to be part of a disposal issue. Part 7 is “waste management” and it talks about the disposal of these things. My concern is that we mention “radioactive” in the definitions, but nowhere else in the act does it say how we are going to deal with it or what it is identified in. It doesn't exist in regulations. It doesn't exist in any tables or any measures, so we put the word in, but we haven't expanded on it or said, “Well, as Yukon, this is how we are going to deal with it.” Can the minister expand on his answer, please?

**Hon. Mr. Istchenko:** I can say that this is a very small industry that we're discussing here, and it's very sector-specific. It's identified in the *Environment Act* but it's captured under the permitting, through the inspections, and exactly what I was referring to earlier — a question that came in the House last year. If radioactive materials were found, then they have to be transported to an approved site and disposed of correctly.

This is an emerging issue, but that's why we're gathering baseline data. That is why the select committee came up with 21 recommendations and we're following through with those recommendations to do our homework and work up-front with this.

I think that's about all I can say on that.

**Ms. White:** I also appreciate that answer, but I think the minister is missing the point right now. Within his own act — within the Department of Environment and under the *Environment Act* — it talks about the responsibility of the Department of Environment as far as identifying and the

disposal of these items. Right now, I'm asking because, within the hazardous waste regulations and the special waste regulations, we don't highlight the substances. It's important to know that I'm not talking about the radiation that we face every day. I'm not talking about the gamma radiation. What I'm referring to is the alpha and beta radiation, and, yes, those are naturally occurring, but they're naturally occurring deep down within the earth.

What I want to know is: How is the Department of Environment going to deal with beta and alpha radiating particles when they've been brought to the surface? This is something that I think, if we're looking at romancing this industry, needs to be put within regulations — more so than just a mention in the definition site.

I'm asking the minister again if his department has plans on dealing with regulations around radioactive particulates, radioactivity — and, really, what it will be is the by-product of an oil and gas industry. Right now, it does lie within the Department of Environment.

**Hon. Mr. Istchenko:** I understand. I'm getting what the member opposite is asking. It's not in there right now, but we're doing research, and research to date is showing very low levels. The concentration of norms that could occur in drill waste, for example, from the Northern Cross (Yukon) operation is far below the threshold that would pose any risk to humans or the environment.

On that note, it's an emerging industry in the Yukon, and the Department of Environment — through the 21 recommendations of the all-party select committee, members from all parties — is moving forward on gathering more baseline data and looking into regulatory processes that need to be fixed, changed or updated. We're cognizant of that and I know the department is working diligently on it.

**Ms. White:** Thank you, Mr. Chair. I will leave it out there that I believe at this point in time, it's important for the Department of Environment to be looking to other jurisdictions for the creation of regulations and the ability to measure these things as well.

The Canadian Council of Ministers of the Environment released a 2014 progress report, entitled *Canada-Wide Standards for Petroleum Hydrocarbons in Soil*, so this is an easy-to-find document if we just search it and it is two paragraphs.

So in the introduction it says: “PHC contamination is one of the most common forms of soil and groundwater contamination in Canada. When released to the environment petroleum hydrocarbons (PHC) can pose significant risks, including fire/explosion hazard, human and environmental toxicity, movement through soil to air or water, odour, and impairment of soil processes such as water retention and nutrient cycling. The large number of sites and the extent of contamination make this a multibillion dollar problem in Canada. Proper management is needed to protect human health and environment while controlling costs. The *Canada-wide Standards for Petroleum Hydrocarbons in Soils* (PHC CWS) provides regulators and the public with a science-based management tool that supports a consistent approach across

jurisdictions while providing flexibility to accommodate regional differences in contaminated site management policies.”

So that’s just taken from the first paragraph of the introduction. I can tell the minister that I have read and re-read the report about a million times so I appreciate that it’s wordy and that it has big concepts, but when we look to the sections within the jurisdictions, I’m going to read what it said about Yukon — and I’m quoting again from the report: “Yukon has not yet implemented the PHC CWS. Adoption of these standards into the Yukon Contaminated Sites Regulation has been delayed pending proposed amendments to the Yukon *Environment Act*. Timing for adoption of the PHC CWS through an amendment of the Yukon Contaminated Sites Regulation will be established following completion of the *Environment Act* amendment process in 2014.

“When implemented, it is estimated that the PHC CWS will apply to some 180-plus contaminated sites within the Yukon that have not yet been fully assessed and/or remediated. Additionally, Canada applies the PHC CWS to some 200-plus sites that are the subject of assessment and/or remediation under the Yukon Devolution Transfer Agreement.”

So my question is: What has been done to adopt the Canada-wide standards for petroleum hydrocarbons in soils in Yukon to date?

**Hon. Mr. Istchenko:** The Canadian Council of Ministers of the Environment, or CCME, is a minister-led intergovernmental forum for collective action on environmental issues of national and international concern. The most recent meeting was held June 22 and 23 in Winnipeg. Some of the highlights include: strengthening the collaboration and continued action change and establishing a climate change committee under CCME; renewed commitment for taking action on waste management in support of extended producer responsibilities; and identification of policy options to guide a jurisdiction if it chooses to develop a water pricing framework.

The Department of Environment, in this process of making regulatory amendments to the beverage container regulations and the designated materials regulations, is part of the CCME commitment. The government was involved in nine CCME subcommittees. There was the newly established climate change committee, the spill scoping group, the air management committee, the water management committee, the waste management task group, the cumulative effects working group, the mobile source working group, a municipal waste water coordinating committee and the soil quality guidelines task group.

The *Environment Act* and the regulations provide the legislative framework — because the member opposite was speaking to that — of the territory’s land, water and air, and the Department of Environment is in the process of updating and improving the act and five regulations under the act. The *Environment Act* was amended, as the member opposite said, on May 14. Updates include: establishing a new process to transfer liability of contaminated sites; establishing a new

authority to ban hazardous substances; establishing an industry-led recycling program; and enabling the government to deal with certain responsibilities with greater discretion. There are three regulations under the act that have been or are in the process of being amended — one of them being the permit term fee and technical review amendment regulations. This update includes removing the nominal fee requirement for permit applications under the act and allowing government to change technical review fees for review of complex documents associated with an application and extending the maximum length of permit duration for three years up to 10 years.

Another one is regulatory amendments to the beverage container regulations — and this one we just finished here. The proposed amendments include the addition of a surcharge and fund on containers for milk, milk substitutions charged to the size categories.

The designated materials regulation — the proposed amendments include expansion of tire categories included in amendments in the regulation from the current single-tire category of a rim size less than 24.5 inches, and it also added electronic and electrical items as designated materials where a fee is collected on the sale of the product to recover the costs of recycling for the product at the end of life.

There are two more regulations that require future amendments, one of them being what the member opposite was asking about — the contaminated site regulations. These proposed amendments include: updates to the process of designation for a contaminated site, updates to the standards to define “contamination”, and changes to the internal government process for permitting movement of contaminated materials. These amendments are linked to a series of amendments in the *Environment Act* and are not yet in force. Once these regulation amendments are complete, the act amendments will come into force.

In the spills regulation also — proposed amendments include changes to reportable quantities for spills and some updates to government procedures.

Mr. Chair, it’s not like we’re not doing anything. The government has invested up to \$3.9 million in assessment and remediation work at a number of properties around the territory, reducing the risks to human health and environment. The Marwell tar site is an ongoing project. We continue to provide input on YESAA project reviews — approximately 150 per year that lead Yukon’s government into the water licensing reviews. We’re constantly implementing a risk-based approach to the *Environment Act* and to the *Waters Act*. There’s a lot that the government is doing when it comes to contaminated sites and there is a lot more that we can be doing.

**Ms. White:** I thank the minister for responses to other things that are being done in the changes to the *Environment Act*, but I wasn’t referencing beverage containers and I wasn’t referencing the DSM expansion. What I was asking was when Yukon was expected to adopt the Canada-wide standards for petroleum hydrocarbon in the soils. Again, it is science-based, it is used in other jurisdictions, and it allows jurisdictions to

compare while providing flexibility to accommodate regional differences in contaminated site management policies. With that, I am asking: When can we expect the adaptation of that in Yukon?

**Hon. Mr. Istchenko:** Like I said, that will have to be dealt with in a future amendment, and I don't have an actual time frame for that at this moment.

**Ms. White:** I guess that means that this will be something that another government will do in the future.

The Government of Prince Edward Island has within their *Environmental Protection Act* the petroleum hydrocarbon remediation regulations. Unlike Yukon, these regulations set out tables with measurable amounts of different chemical compounds for what is and is not acceptable in the province. They include things like risk-based screening for groundwater, pathway-specific screening levels for soil, pathway-specific screening for groundwater, and others. The important thing about this is that it is listed in the regulations, and it has what the acceptable levels are. It has all sorts of things. It talks about the acceptable levels in agriculture. It talks about the acceptable levels in construction. It talks about potable and non-potable water in agriculture. It talks about the same things in residential, commercial and industrial uses. The reason I bring these up is that it is about having the clear measures and the clear regulations. When can Yukon expect to see similar hydrocarbon regulations that have clear and concise levels listed and that are easy to find within our regulations?

**Hon. Mr. Istchenko:** This is kind of an emerging industry. The government monitors groundwater and surface water quality through long-term trend networks, baseline study programs and targeted research projects, partnerships, building and innovation enhancements to improve our understanding of the water resources.

We have a *Yukon Water Strategy and Action Plan* that we're implementing and the government is expanding and improving partnerships formed through the development of the water strategy and the plan — leveraging funding sources, enhancing innovative research, improving data collection and management, and the design of effective baseline study programs to target critical needs. Examples of projects that have evolved from partnership building and innovation enhancement include the extension of the Yukon waste-water operators training program, baseline studies and research in Yukon's oil and gas basin, expansion of the groundwater database and there is some applied climate change research in improving flood forecast methods and information.

Over the next year, the government will continue to collaborate to advance innovative approaches and we look at other jurisdictions also in the areas of water data management, community monitoring and source water protection, just to name a few. We have the groundwater stations, hydrometric stations and water quality stations. It's an emerging industry, but we're working with all the partners involved in it and collecting baseline data and new innovative approaches. I think that's about all I can say.

**Ms. White:** Again, I appreciate the answers the minister has given me when he was referring to water, but

what I am referencing is an entire system of classification that doesn't just deal with water. It deals with soil — it deals with coarse and then fine — and it describes what a coarse grain is and what a fine grain is. It talks about the risk-based screening levels of soil. It talks about different soils involved, and then with water. It talks about what is acceptable for coarse-grained and fine-grained in both potable and non-potable situations for agriculture, for residential and for commercial — and we're not talking about within water. We're talking about hazardous substances as pollutants within soil itself.

In Prince Edward Island, it doesn't just expand on soil. It does go into the acceptable level of pollutants in water and it talks about the different uses of those waters, so an agricultural use will have a different level, for example, from say, residential.

I would just like to highlight — and the minister doesn't need to answer this right now — that I think it would bear noting right here that, looking toward Prince Edward Island's hydrocarbon regulations, it might be something to look at into the future because it's clear. It lays out what the acceptable levels are and then it talks about the different uses and essentially the by-products of these contaminants. It is a concise document and the reason why I'm highlighting it is that, compared to the regulations that I could find within Yukon government, it's a lot more comprehensive. It really broadens the scope; it doesn't just talk about "informed". In the document I was referencing from the Yukon government, the only table I could find was about incineration of waste oil, and that was the six substances it had, but the document from Prince Edward Island expands on that and is not just talking about one use.

So I would just like to point out that, I think, when we are looking at developing regulations for an emerging industry, the Atlantic provinces make sure that it is cross-jurisdictional so that they can compare — from one to another, it is comparable. I will leave that out in the Hansard world right now.

I became really interested in aquaponics. There was a CBC article published on November 28, 2015 that talked about how "NutraPonics wants to build aquaponics test facility in Yukon". I was totally curious as to what that meant, and so I started looking into aquaponics a bit more. In case anyone is wondering, aquaponics is the marriage of aquaculture — raising fish — and hydroponics — so the soil is growing plants. You essentially grow fish and plants together in an integrated system. The fish waste provides an organic food source for the growing plants, and the plants provide a natural filter for the water that the fish live in. It is a really interesting idea because it is a closed system, and this is where it becomes really important. When I started looking at aquaponics, I looked toward the Northwest Territories, because they are looking at actually giving it a shot — with aquaponics. They are looking at developing policy and legislation that would allow them to do it. Then, of course, I became more interested when, recently, a small company said that they would like to look at aquaponics for food security purposes in the territory, and then it just kind of expands and

you start looking into it. Then what I learned by more reading is that currently, I believe, there is a moratorium on the growing of fish for agriculture purposes.

What I would like to ask the minister is: Is there, indeed, a moratorium right now on fish farming, or the raising of fish for consumption? If he can tell me a bit more about what the moratorium is and how we are going to address the idea of aquaponics in the territory?

**Hon. Mr. Istchenko:** I thank the member opposite for the question, because when the proponents came, I read the media on it and the department had met with them about aquaponics. We do not have a policy in place right now. They do not really have a project yet either, I don't think, but there was a discussion there with the department.

We do have a moratorium on the stocking of pothole lakes for aquaponics right now. It's an old policy and it comes out of a lot of work from the Yukon Fish and Wildlife Management Board through engagement with First Nations and key stakeholders. Now, it's an old policy that has been out there for quite a while. Nothing says that, with renewed interest, it couldn't be renewed and looked at.

**Ms. White:** My understanding — the most recent article that we would have seen in the newspaper about a company that was interested in a partnership doing aquaponics in the territory — is, at this point, having to look toward the Northwest Territories for a concern that we do not have the policies or the legislation in place to allow for this closed system form of fish farming.

The minister just referred to the stocking of pothole lakes, but this is an above-ground, contained system where the water circulates from the fish tanks and it goes up to feed the plants. Is the minister aware right now of any legislation or regulations that would not allow for that to happen, or is this something that maybe has been miscommunicated to the proponent of this aquaponics project?

**Hon. Mr. Istchenko:** The member is correct; we don't have a policy on aquaponics. The department is looking at ways through regulation and legislation — because it doesn't really fall under the stocking of pothole lakes because we understand that it's a system on its own.

There hasn't been an actual project brought forward yet. It was a discussion with the proponent. It's something that we can look into — absolutely. I think it's a very interesting, new, emerging — I keep using the word “emerging” — thing in the world, and for food security, anything that we can do to help would be great. Yes, I think it's pretty new to us right now. I know the department is looking at the legislation and looking through regulations to see where it would fit or if it didn't fit or if changes need to happen.

I think I will just leave it at that.

**Ms. White:** I appreciate that the minister is going to leave it there, but I am not. I have more questions about it.

From my understanding, when the meeting happened or even just from having conversations with the business person who would like to bring this forward — and we're talking very much from the point of view of food security. So far,

there is a business relationship with the company in Alberta so there are the payments going to Alberta.

Nearly as soon as there is a go-ahead, there is the ability to have a contract with a tilapia person to buy the fish in San Francisco because it's a fish that is well regarded there — although we have our own fish up here. Would the department be willing to have further conversations with the proponent and discuss the possibility of a memorandum of understanding so that this person could then take the government's commitment to working toward the policy changes that were required so that this person could move ahead on their business plan?

**Hon. Mr. Istchenko:** The briefing that I got from the department awhile back on this issue — it's starting to come back to me now and I thank my deputy minister for the information here too.

Right now, we're trying to determine whether the moratorium applies to this, but with this, many questions are outstanding. We know that our regime wouldn't allow for tilapia to be revised; it's a fish from out there — but we think natural species might be able to, such as char, so we are actually looking into it and we're more than willing to work with the proponent moving forward. I think the best suggestion if the member is in contact with the proponent and maybe our folks — our fish folks or our policy folks — is to re-engage and we can maybe ask a few questions and let him know what's not allowed but what could be allowed too.

**Ms. White:** In conversation, I think I understood that to allow tilapia, for example, in the territory, would be through the Department of Fisheries and Oceans because it is viewed as an invasive species. The other part, though, is that, unlike the fact that in the pothole — well, it's not a pothole per se because it has a water source that goes into it. There is a hidden lake in Porter Creek behind my mom and dad's house and now I can go fishing for Arctic char because Icy Waters had a breach at one point in time and Icy Waters has a pool of water that has a culvert that goes into the McIntyre marsh. So there was a breach at one point in time and Arctic char left the facility and now we can fish for them in behind my parents' house in Porter Creek. It went from being a lake that had no fish to having small Arctic char, so that was kind of an exciting bypass of something that wasn't so good.

In this case here, the reason why it's that invasive species — it is; the tilapia is an invasive species. It's quick-growing. It takes over areas. It's not something that we would want to put in a pond, but the other thing with this fish is that it is a near-tropical fish. It requires water that is warm as swimming pool water in the summertime. It's not a cold-water fish — not that it could because we're talking about contained systems — but it wouldn't survive in Yukon. It couldn't survive in Yukon; it's not designed for our climate.

So the proponent recognizes that there is special permission required through the Department of Fisheries and Oceans and has looked at that, but the concern is that after the initial meeting, there was concern that there wasn't an interest to move forward toward making the regulation or policy changes that would be required to allow this. I think that the

territory has done so much to advance food security in recent years that the idea of being able to have an all-year facility that would grow vegetables as well as fish as both the products would be fantastic.

On top of that, there is the economic benefit of having this kind of facility in the territory. I would like to get the minister's confirmation that there is room for more conversation with the department officials and that maybe, together with the proponent, they can work toward the common goal of reaching that point where we have an operating aquaponics facility in the territory for the economics of it, for the food security issue and for what that could do for our very small economy. Could the minister please talk about that?

**Hon. Mr. Istchenko:** We definitely also see the benefits of this. We have an aquaculture agreement with the Department of Fisheries and Oceans, and there is a list of species that we have. Of course, tilapia is not on it.

Working with the proponent a little bit, I think the discussion about Arctic char and maybe being able to work in colder waters was a discussion we had with them. Understanding that it is a closed system and it could be on pavement somewhere where, if it — I get the member opposite's point. We are more than willing to engage again and see if we can't — but we do have an aquaculture agreement with the federal government, so we would have to look at that and work with the federal government on this too. We can definitely re-engage with the proponent and see what we can do. Maybe it might be something that we can work with on a pan-territorial basis in the north. Because of the science base behind it — I think science is pretty cool — we could maybe actually do something in the north and create a bit of an economy. That would be great.

**Ms. White:** I thank the minister for that. I can imagine the greenhouse system because it's essentially a greenhouse in the middle of a paved parking lot. I can't imagine that we would have fish that would grow legs and be able to walk away, but I appreciate where the minister is coming from. It's not often that I can't wait to send someone Hansard, but I cannot wait to forward Hansard, and I will look forward to the department having more conversations. I hope that we can come to a place where, in a couple years' time, we do have this facility.

There is a phenomenon that we in the north understand, which is how, after a forest fire, a forest isn't dead. The trees might be gone, but it starts to rejuvenate right away. One of the things that we see with that is mushroom season. Right now, in the Coal River area, from what I understand and from some of the photos I have seen, we are looking at hundreds and hundreds of mushroom-pickers in a small area.

I was wondering what the role of the Department of Environment is in either the regulation or the monitoring of the site and if the minister can expand on that, please.

**Hon. Mr. Istchenko:** I just want to go back to the previous question quickly for the member opposite and for Hansard also. The aquaculture policy that we have — just so the member opposite knows and for the proponent who may

be reading it — when the policy was developed, our boards and our committees — the management board and the renewable resources councils and the First Nations were not supportive of this. That is the reason why we have this policy. So there is going to be some work that needs to be done also with the boards and committees. The boards and committees do that consultation and go out for us under their mandate under chapter 16 of the *Umbrella Final Agreement*, so that's just for Hansard. It's a good opportunity, but I think it's something we would have to get into communities and work on with the communities too.

When it comes to mushrooms, the Department of Environment is more related to fish and wildlife and waste — littering. The permitting — I know a little bit about it out of Energy, Mines and Resources, but I think the question — I can maybe get back to the member opposite. I believe EMR was issuing free permits last year with Fox Lake. Don't quote me on that, but I can get back to the member opposite on that.

**Ms. White:** I thank the minister for that. I wasn't sure where it would fall within the jurisdiction requirement. As far as site monitoring, is that the responsibility of the Department of Environment?

**Hon. Mr. Istchenko:** It is in EMR under CMI, but recently we've actually had our officials and officials from EMR there.

**Ms. White:** I thank the minister for that and I'm sure within the officials between the Environment and Energy, Mines and Resources, I hope we have a handle on it. Some of the reports that were coming out early weren't so flattering and I know that there are definitely members of our community and other residents of the north whose entire livelihood is based on mushroom picking and I know they take it very seriously. Just like a lot of other user groups, it's a few that damage the reputation of the many. I just hope that, in that case, that picking area is being watched and we're making sure that people are treating our Yukon the way that we would like it to be treated.

Last year, we spoke at length about campground accessibility and there were changes to the website that happened really quickly and that was fantastic. I know that the accessible spots at the Conrad campground have been really well-received. I appreciate that it has given people until 7:00 p.m. to get there before they're taken over by others and I think that's great. It gives people an opportunity to leave after work and still make it, in that case to Conrad, before the 7:00 p.m. cut-off time and I like that there's that priority. I think it has been really well-received by the community, so I would just like to congratulate the department for the work that they've done in making that one so much more accessible.

I hear that there are a few little hiccups that are going to be looked at and I appreciate that this needs to happen that way. No project that we do that is so different from something we've done before would ever be easy to start without any kind of small bumps, but I think it's important that the officials within the department know that the disability community is really excited about those spots.

One thing we talked about last year was accessibility in other campgrounds. It's not just so much — and we have talked about the cook shacks and we have talked about the washroom facilities and all of those, but the one thing we see at Conrad campground that we haven't seen in others is actually accessible campsites, so what I would like to know is: Are we going to see accessible campsites? I know we put money out last year in the end of 2015 and again we've put more money out for upgrades to campgrounds. Will we be seeing other accessible campsites in Yukon campgrounds?

**Hon. Mr. Istchenko:** Yes, and this has sort of been front and centre for a while for campgrounds for the past couple of years — working to have more universally accessible campsites for persons with disabilities — and I know we have that with the new Conrad campground. When we went there for the opening, I talked to Richard the campground attendant and he — I'll update you on the Wolf Creek too — said there are always going to be hiccups. This is new.

Our staff at parks and planning looked at other jurisdictions. When I flew to Herschel Island with my deputy minister and one of the parks planners — we were on the plane and we had a great conversation about what other jurisdictions do looking at the gamut of things from registration to accessibility to infill to all kinds of different stuff.

If you get a chance to go to the Conrad campground just look at the accessible site — the two designated universal accessible campsites — the picnic tables are designed differently. We pointed that out to the media that was there. It was great to have Rick there who helped us with this.

The firepits — pretty interesting firepit design. We got some different designs. They are safer firepits with a shield around them and they have an easy handle for lifting up. The barrier-free outhouses placed throughout the campground — and I think the one that I didn't know we were putting in — but when I saw it I just thought it was awesome — was the wildlife-viewing spotting scope.

I think for every 28 sites, our goal is to have two accessible in all our campgrounds and that's what we want to work toward. We have done a lot of work. We have 32 of our 52 campgrounds barrier-free with outhouses now and, every time we build, we build outhouses to accessibility standard any time we do any work. With budgets — every year improving the facilities. Compared to the replacement of a picnic table five or 10 years ago, now we can say that we include the accessibility for persons with disabilities. We have that information and knowledge, and we have these types of designs.

We're doing some more work in Tombstone because — I mentioned in my highlights of the budget how busy we are. I also wanted to talk just a little bit about some of the partnerships we're looking at getting involved in. We've been having that discussion with user groups.

I know the member opposite asked about a Wolf Creek wheelchair-accessible trail. There are a lot of organizations out there — I know in my community of Haines Junction and

Pine Lake, we're close to the community and the department is working with local user groups, whether it's the cross-country ski club or the mountain biking club out there now or maybe the snowmobile club in the wintertime. I know it is the same thing; we have orienteering groups in Whitehorse and different groups like that. We're looking at them, looking to say, okay, we want to develop some trails so that when they come to the campgrounds, they have a place to go. We have non-profit groups that maybe have the ability to apply for CDF funding to do some work on some of this stuff, more than the government can put in for CDF funding with limited budgets in there.

I'm encouraged to see what's going on in our campgrounds. I'm pretty proud of the work the department has done. I look forward, as we develop — there was a soft launch at the trade show and a questionnaire out there for people to have input in there: Where do you envision for the next Yukon campground? What could we do better? What do you like?

We have come leaps and bounds. I spoke to how much busier our campgrounds are. We have to do the due diligence and I think we are.

**Ms. White:** Last year, we talked at length about the accessibility of campgrounds that were closer to town, understanding that, for some folks, they weren't going to make it out as far as Pine Lake or Kathleen Lake, so they were looking for things at, for example, Wolf Creek, Marsh Lake, and things like that.

One of the things we did discuss and I think we both agreed on was the idea of having an accessible trail at the Wolf Creek campground. It's interesting because, within the mountain bike community, there's concern sometimes that there will be — I guess the only way to say it, really, is the dumbing down of trails. So you will always have black diamond trails on a ski hill, and we certainly don't want them all to be green by the end of the day, but they need to be posted and they need to be signed.

What we're looking for here is — there's a lovely footpath that goes out around the Wolf Creek campground. It goes to a bluff that overlooks the Yukon River. For those of us who are able-bodied, it's not much of an adventure. It's a lovely walk, but it's not an adventure, but for folks who wouldn't have the ability to reach that bluff at that level, because it's quite high off the riverbank — it's up on a bluff. For people who might not have the opportunity to get to that kind of view, it's going to be spectacular.

Is there money in the budget, between the budget we had last fall and this spring's budget, to make that trail accessible at the Wolf Creek campground?

**Hon. Mr. Istchenko:** Not currently right now.

The development of barrier-free campsites at Wolf Creek, Marsh Lake and Twin Lakes campgrounds — close ones — will include the barrier-free tables, barrier-free outhouses and access to garbage and recycling cans and the picnic shelters. We have an application in through Canada 150 for exactly what the member opposite is talking about — Wolf Creek — and also Pine Lake. That is to improve accessibility for the

trail and also to do a bit more work on our interpretative signage and stuff like that. If we are going to have more people using it and having it accessible for wheelchairs, it is probably a great opportunity for those people with mobility issues to gain a little bit more information as they use the trail and move along it. There is no money in the budget this year for that exactly, but we do have an application in for Canada 150.

**Ms. White:** Will the accessible campsites be available this year for the camping season in Wolf Creek, Marsh Lake and the other sites that the minister mentioned?

**Hon. Mr. Istchenko:** Yes, it is ongoing work throughout the summer. They will be out there throughout the summer doing it, like we did last year. We did the work and then, toward the end of the season, if we have slow periods in some of our campgrounds, then we can designate some equipment to work in there and stuff like that.

**Ms. White:** At this point, is there the intention to make designated accessible campsites available early in the season for Wolf Creek and other campgrounds close to town?

**Hon. Mr. Istchenko:** I guess I can say, "As soon as we can." I don't have the exact schedule. I know we did some infill last year toward the end of the season in Wolf Creek. I'm not really sure of the status of each individual spot. I have talked to some staff where I was out camping two weekends ago, I think, and they were in one of the new stalls and they said it was great. I don't know the exact time frame on it, but the goal is as soon as we can. Yukoners usually go out for the first couple of weekends when the campgrounds are open, and then each campground has a different — I know Pine Lake, for example, fills up in August for two weeks. Everybody from Whitehorse books their holidays there. I can get to go see my family at the Pine Lake campground. The idea is to get it done as quickly as possible. For the member opposite, I don't have an actual day, but we'll let the staff do that work diligently.

**Ms. White:** I thank the minister for that. I am just going to put it out there that it would be fantastic to see, in those campgrounds closest to town, the development of accessible campsites as soon as possible, because there is a large portion of our community that, to date, has not had the ability to access Yukon campgrounds. For all of those reasons that the minister has highlighted that are so important — the access to nature, access to what it means to sit around the campfire and all of those things. I would like to put out that, if anyone within the department is listening and has the ability to look at going more quickly than not, I would love to see those accessible campsites in campgrounds that are closer to town for those in our community who haven't had the ability to access them to have the opportunity to get out there.

One of the things that someone brought to my attention, which I thought was very clever — and I say this because I do use a sea kayak and I do use a canoe, but not very often do I go into a place where it's easier to either camp or to do the unloading. It was pointed out to me that it would be fantastic to have within those campgrounds the ability to access lakefront quite easily — for example, Pine Lake, which the

minister was talking about. It's a lovely lake to canoe on. It is not so big that the water gets huge. There is great fishing.

It's one spot where we have the swimming area and we have a dock and all these things. It was suggested to me that what we could do is make it easier so that a vehicle could pull up next to a raised edge that could be identified as a boat unloading area. Instead of having to stand on the stepstool or whatever was put in the vehicle, we would have a permanent structure, and it could be a built-up earth structure. It could be earth and wood. It could be a combination of those things. It wasn't until after it was pointed up to me that it would be fantastic to see that in our waterfront campgrounds, I was like, "It really would be." I wonder if the minister had any thoughts on that.

**Hon. Mr. Istchenko:** Yes, this was actually brought to my attention by a lovely lady whom I was talking to one day out in the foyer here during session. She is with a seniors group and we had had that discussion. The two initial places that she was talking to me about were within the city of Whitehorse, and when I did a little looking into it, I said, "Listen, you need to go to the city planners with that."

I brought it to the attention of the department and what I said to the department was, "We've got money for doing work," — whether it's barrier-free, accessible stuff that we're debating here today — "look at some of our campgrounds." Our campground attendants will be able to tell us if nobody kayaks because it is too rough, or that lots of people here use canoes and kayaks here and whatever. The ones closer to Whitehorse — but the ones that are used a lot. If we have equipment there and if we could do something — for example, Pine Lake, maybe Fox Lake, Summit and some of those different areas. The department is aware of it. I have asked them to look at it when we're doing that work out there with parks planners. It's on their radar.

I had the opportunity to have all our campground attendants come in, and I went and met with them one morning and spoke to them and told them they are our front-line service when it comes to the Yukon. They are our best tourism ambassadors and they usually drive old, beat-up, pickup trucks with a magnetic logo on it, and they are our recyclers, they keep the peace at the campgrounds and they tell people where you can buy a jug of milk or a bag of ice. When I spoke to them, I talked to our planners a little bit and that was a conversation I had with them too. They said, "It had been passed down and, yes, we're looking at it."

**Ms. White:** I thank the minister for that response and, as I look to the gallery, Davina Harker, who has sat in this Legislative Assembly for just about every single day since we were elected, sadly is absent right now, but this was her suggestion and it's a great suggestion. She mentioned it to the minister and then she mentioned it to me. At some point, I really hope that she'll have an easier time unloading her kayak from the roof of her truck. For anyone else who might have shoulder issues and things like that, I think it would be a fantastic thing.

There is a really interesting thing that was brought to my attention, too, about campgrounds. This is that campgrounds

have — single-use facilities. They have one outhouse per structure, and what was brought to my attention is why we have them gendered. How come we have a sign for “male” on one and a sign for “female” on the other? This is an ability to talk about the gender-inclusivity that we’re looking for in other places in government. I can also say that, if there is any kind of activity going on — for example, a barbecue at someplace like Wolf Creek campground — you could literally have a lineup outside the outhouse that is marked with the female sign, which is an interesting thing, as opposed to just non-gendered outhouses.

Is there any interest within the Department of Environment to actually make outhouses gender-inclusive? Literally, a gender-inclusive outhouse could have the sign of a man, a woman and a person in a wheelchair, if it’s accessible. Instead of having them designated for one or the other, it would be a fantastic way to just make one more safe spot for members of our community.

**Chair:** Order, please. Do members wish a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

The matter before the Committee is general debate on Vote 52, Department of Environment, in Bill No. 23, *First Appropriation Act, 2016-17*.

Mr. Istchenko, you have the floor.

**Hon. Mr. Istchenko:** I’m responding to the member’s question. We have — let me get this — barrier-free outhouses. At Conrad, you’ll see that the new outhouse that we developed was barrier-free and it doesn’t have any signage on it right now. Developing the type of signage that you need to have — gender equality for everyone. We’re looking at that so it’s gender-neutral, I guess. I agree with the member opposite completely. How many times have you gone to a campground and there has been a lineup at one or the other? There’s no reason they just can’t be for everyone. I think that’s the direction that we’re going in the department. I think we’re just working on the actual signage that we have to do.

**Ms. White:** I thank the minister for that. I think there is a phenomenal opportunity for the Department of Environment to lead in making things like washroom facilities gender-inclusive. It will go a long way toward making sure they are inviting spaces. I thank the minister and the department for that.

One of the concerns I raised last year, during debate, was when it came to the campground map. I’m holding in my hand right now a campground map. It’s divided into what I would guess, looking at it right now, would be the eight land use plans. They’re designated in colour. We have North Yukon, Klondike, Silver Trail, Campbell, Watson Lake, Southern

Lakes, Whitehorse and Kluane. Each of those has campgrounds that are listed there.

For one thing, if I was my grandma and I was looking at a place to camp and I was to pull this up on the website, I would have a really hard time reading it, mostly because I would probably need a magnifying glass. I know the department has some fantastic people working in their IT department. It might be something that we could make a bit more interactive, where you could click on an area and it would show you in larger scale the campgrounds that were available.

One thing I asked about last year is that when you do get the magnifying glass out and you look at the designations, it does say on it — one of the titles is wheelchair access but, within that row, it doesn’t tell you if they are wheelchair-accessible cook shacks, outhouses or campsites. So one thing I asked about last year was to make sure that, instead of driving to, for example, Tombstone, where it says it’s wheelchair accessible, a family could drive out only to realize that they can get someone to the outhouse, but there are no campsites and they can’t use the cook shack.

Is there the ability within the department to make sure that the locations and facilities maps get updated, so it’s easier to use but it also gives more information?

**Hon. Mr. Istchenko:** Absolutely. With the Conrad campground, when you first pull up to it, we have new interpretive panels and they show the wheelchair accessible sites and the outhouses — they’re all in the same area. It shows the viewing platform too. All that stuff is there.

With that map, all the campgrounds are going to go to that design, so it’s there. What will also happen is we’re working to be on the Internet. Like the member opposite, I was looking at Kusawa last year, trying to find a map of Kusawa, because the GA was there and I wanted to go to the GA and camp, and I was just seeing how many spots we had, because I was working with Champagne and Aishihik First Nations. It was just a fuzzy map; you couldn’t even really see it.

What we’re working toward are those maps that will be on the board when you pull into the campground will also be online for each camp, so you can look at it, point it out and see what it is. You’ll be impressed. If you haven’t been to Conrad yet, and you get the opportunity to go there to look at that, you’ll see the information that we provide there. There are brochures about bear awareness; there’s a lot of different stuff we’ve designed into it. There’s a spot for a bulletin board so the campground attendant can post regularly, rather than nailing things to a tree or stapling things to a tree, like they used to, to identify if there is a campground closure, or a bear in the area or other issues. It is a work in progress, but it goes with our online services — our e-services — and is just one of the other things that we would like to do.

Geomatics Yukon — we have the great mapping systems. I know a few fellows who, in the past, put a lot of time and effort into this. I think that is one where we can work with the other departments. I shouldn’t say “we could” — we are working with those departments to access those better maps and then get them online. Thank you.

**Ms. White:** Thank you, Mr. Chair. I think that is fantastic and I look forward to being able to go online and making it, maybe, a little less frustrating as far as trying to figure out what is available where. It just goes, again, to making sure that the hard work that the department is putting into accessibility is actually something that people can figure out, and then they know where they are able to go, so I do appreciate that.

I am going to move away from campgrounds. I was in Watson Lake earlier this year, and Watson Lake is a lovely spot, but I was surprised when I was told that the building that was on the school site — when it was torn down, it was taken to a private landfill. Then I was surprised to find out that private landfills were under the jurisdiction of the Department of Environment. So I would like to know about private landfills.

**Hon. Mr. Istchenko:** Yes, we do permit private landfills but also, we permit land treatment facilities and we permit the regular municipal facilities. Within those facilities, we can permit for areas in there for special waste, but with the permit also comes inspection, compliance, and everything else that goes with it.

**Ms. White:** Thank you, Mr. Chair. Some of the concerns around the building that was taken down in Watson Lake was the year that it was constructed, and that it might have things like asbestos, for example, within the construction.

With a private landfill — and I do appreciate that the minister just said that they would have to follow the same rules as a municipal landfill — how is that monitored and, if there are concerns in the community, do the residents contact the Department of Environment?

**Hon. Mr. Istchenko:** It is done through regular inspections and following up on complaints from citizens, so we will go and inspect it.

**Ms. White:** I have asked at department briefings before — and not on the floor of the Assembly because, when I understood how it was going to be more of an issue than I realized, I decided that I was not going to proceed in a more public fashion. But this year the Supreme Court ruling on the Daniels case — recognizing that Métis are part of Canadian aboriginal populations. The reason I ask this question is because I was contacted a number of years ago by a Métis resident of Yukon who asked why, when he went to the Department of Environment, he was excluded from the aboriginal component of being able to access a fishing or hunting licence for free. I realize that within the Government of Yukon, there will be a lot of things happening right now based on the Daniels decision, but what I would like to know is: What investigation has the Department of Environment done for how that will affect their policies? Would the minister please expand on that?

**Hon. Mr. Istchenko:** I know that it was a case with the feds and it is quite early. When it happened, my department had a quick briefing. The Department of Justice came in and give us a little bit of a highlight on exactly what it was all about. It is in the early stages. I know the department is

working with Justice on it. We kind of have to wait to see what the feds will do because I believe the case was against the feds. That is about all I have to update right now. I can commit to the member opposite that when we learn a little bit more — it is early and I will be getting something probably within the next couple of months on how it plays out — I can get back to the member opposite.

**Ms. White:** I do appreciate that it is a line of questioning that has ramifications within the entire Government of Yukon, but I just thought I would highlight it because I did raise it after I was contacted during the first briefing that I had after the contact. I do thank the official who met with the citizen whom I referenced and had a conversation. I think that there have been some changes with this decision and we are looking forward to seeing how that rolls out.

One of the pieces of legislation under the Department Environment is the *Dog Act*. The reason I am bringing this up right now is that there was the commitment to review the *Dog Act*. The minister has said in Question Period that it has not yet been completed. Maybe I will start with: When can we expect the completion of the review of the *Dog Act*? When will that be done?

**Hon. Mr. Istchenko:** It's definitely a priority within the department.

I'll give a little bit of history of how we are with the animal health program in itself. The government introduced the animal health program in 2009 and 2010 — and that's for the responsibility for animal protection — and it was transferred to Environment from Community Services in April 2015.

The chief veterinary officer is the one who oversees the programs administering the *Animal Health Act* and, since 2015, the *Animal Protection Act* and the *Dog Act* are all under Environment now.

The animal protection program transfer includes funding for one animal protection officer. The operating budget includes contributions to operating expenses of the Humane Society Yukon, the Dawson humane society and some project funding. Project funds — \$30,000 was given to the humane society to administer the spay-and-neuter voucher program in 2013-14 and part of 2015-16, and they were often matched by First Nation community governments to sterilize. We have sterilized over 100 Yukon pets.

The evaluation of the spay-and-neuter voucher program identified areas for improvement, and \$30,000 has been set aside. I understand that we might put a little bit more into it in light of issues that have come so that we can try to help, and we expect to deliver this.

The humane society is one of our key partners on it and so, when it comes to the animal health program and when it comes to the *Animal Protection Act* or the *Dog Act* — it's under review and it is a priority for the department. We'll probably see it quite early in the next mandate.

**Ms. White:** Before the long weekend, the Minister of Environment met with Ross River Chief Jack Caesar over the

coroner's report that dogs were responsible for the death of a local man.

Chief Caesar had told the media that progress in dealing with dog hazards in Ross River would begin as soon as this week. Can the minister please tell me what government is doing now to make the streets of Ross River safer for its inhabitants?

**Hon. Mr. Istchenko:** Yes — and I did have constructive meetings last week with Ross River Dena Council, with Chief Caesar, and also with the MLA for Pelly-Nisutlin and one of the councillors, Derek Reddies. I can say that representatives from both governments acknowledged the shock, sadness and devastation that the people in Ross River and Yukon are experiencing at this time — both at the death itself and the way it happened.

We have agreed to work together to deal with safety concerns about loose dogs in Ross River. As part of the effort, Yukon government staff — today there are three of them there for the Tuesday afternoon. They have indicated already that there are a couple of dogs to be euthanized due to aggression, and there are some to be surrendered for adoption and they expect more to be added to the list over the weekend.

The other thing that we do want to be cognizant of — we recognize that the coroner has not yet finished her investigation. Once her report is complete, there will be other recommendations and they will be carefully considered by both governments — the Yukon government and the Ross River Dena Council — and we agreed that the community members need the support at this time and our governments need to work together to provide appropriate counselling services. In addition, both governments support holding a community-led ceremony to address mourning and healing once the coroner has filed her final report. We have our staff there working diligently with them to work with the community.

**Ms. White:** I thank the minister for that answer. I wish the officials in Ross River good luck and, I guess, safety for what they're about to undertake. I hope that they find the community cooperative and that it can be as easy as something that's so hard to do could be.

Chief Caesar made reference also that the government was looking at providing funding for the dog management project that was discussed and piloted in 2011 but was then cancelled.

Can the minister confirm that funding will be put in place to decrease the likelihood of future dog attacks in Ross River?

**Hon. Mr. Istchenko:** Yes, when I did meet with Chief Caesar, they put a committee together and I identified the fact that when our officials are there today, let's sit down and look. The committee had made some recommendations and looked at past things that have been done successfully or maybe not so successfully. We have two veterinarians up there and an animal protection guy there today, so they will look at the gamut of what we can do to help the community.

**Ms. White:** I thank the minister for that answer. It's something to mention that the *Dog Act* is six pages long, and there are two parts where I think that easy amendments could

help empower unincorporated communities and areas that don't have their own local, municipal governments. My hope is that we can identify those sooner rather than later.

I think that you know they are as easy as section 5(1)(a), where the Commissioner in Executive Council can define an area that then can be viewed as a jurisdiction where preventive measures can be put in place. Then again, a municipality is referenced under section 7(7) when it mentions "municipality" and my hope is that maybe when we're looking at reviewing the *Dog Act*, that can be updated to empower unincorporated communities — because it's not just Ross River — it's other areas as well that have problems dealing with dogs. I hope that we can give them the tools to work with that.

There was a press release that went out in April this year. The title of the press release is: "Yukon government and First Nations work to assist Alsek moose recovery." Then, on April 7, there was a CBC article that talked about the same thing. I had some questions for people around and this is what I found out. The area of interest for this area is the west side of zone 7, so it's between Kusawa Lake and the Haines Highway. It talked about how there were historic problems. In the 1980s, the licenced harvest of moose in this area was mismanaged and the harvest was higher and was liberal, and it was unsustainable — with the moose that were harvested at that point, the population couldn't sustain it.

Then what we saw was there was a wolf control program that followed in the 1990s and that's what I remember when I was in high school when we were getting letters to the editor from people on the other side of the world, saying that it was inhumane. I know that the department did what they could to try to farm them out to game reserves and zoos and stuff all over the world and had to do what they needed to do.

Shortly after the wolf control in this area, the moose survey was done again in 1997 and then another moose survey was done in 2008. What that survey showed in 2008 was that there was a decline in the moose population, but at that point in time — and I'll reference it again in the article — it was hard to tell if the decline was because of wolves or if it was because of First Nation harvest or if it was because the return of the moose population to when it was at a stabilized equilibrium again. Between 2008 and 2014, the public perception was that the moose population had decreased, and in 2014, the Department of Environment negotiated an agreement with the Champagne and Aishihik First Nations to cost-share a wolf-trapping program that would include hiring a wolf-trapping coordinator and provision of incentives to trappers to harvest wolves — so essentially putting out a bounty. The wolf-trapping program, from my understanding, began in December 2015 and resulted in the harvest of 20 wolves in the area between late December 2015 and March 2016. Then a moose survey was supposed to happen again and, from my understanding, it was happening in late 2015.

So I'm just confirming — was a moose survey conducted in late 2015 in zone 7 between Kusawa Lake and the Haines Highway?

**Hon. Mr. Istchenko:** I thank the member opposite for the question. Increased moose monitoring, including a census

of the Alsek region, was conducted in 2015 by the Fish and Wildlife branch. This information will supplement ongoing monitoring data in this area, responding to community concerns about the moose population in the Alsek region.

This work with Champagne and Aishihik First Nations — the harvest of moose is reported by all harvesters. Champagne and Aishihik First Nations have committed to work with us. They're providing their numbers. We're very happy. They're also looking at the restriction of First Nation harvesters as another one of the tools.

With the community coordinator they hired — she's actually a pretty good friend. One of the things that came with her job was that she went out and worked with the elders council and worked with all the trapline concession holders so that we could see accessibility to traplines. It wasn't just about subsidizing the trappers for a bounty, but it was about actually getting people out on the land. I work with the local youth in our community, and we go out and do trapping initiatives, from snaring wolves to wolverines to lynx.

The other thing that comes out of it is the fact that our elders love crafts and I see a renewed interest in trapping, but I also see a huge opportunity for crafts and for that economic value there. We're also working with other communities in a similar way. This is our first pilot in the area. It was chosen primarily because we had a First Nation that was keen to partner with us and to work on it.

As with every pilot project, lessons learned from this initiative can be transferred to potential future projects. I know they're going to get together soon here and review how the season went, so we'll work with the local resource council and the First Nations and our Fish and Wildlife officials for the next steps moving forward, I guess.

**Ms. White:** Why wasn't a moose survey conducted prior to the commencement of the wolf reduction in late 2015?

**Hon. Mr. Istchenko:** The previous moose survey — and they've done quite a few moose surveys over the years — has confirmed there are low populations in the area. Also, working with the renewable resource council and working with the First Nations, they identified the concerns they had about it.

**Ms. White:** I thank the minister for that answer. My understanding was that the last government survey was completed in 2008 and the trapping program began in December 2015. That's a long time difference between information gathered in 2008 and action taken in late 2015.

My understanding is that this program would fall under the fourth goal of the *Yukon Wolf Conservation and Management Plan* and, my understanding of it is that, in order for such a program to go ahead, the *Yukon Wolf Conservation and Management Plan* stipulates that there must be a harvest management plan for moose and caribou for all users.

Is there a moose and caribou management plan for all users in zone 7?

**Hon. Mr. Istchenko:** It was because of the work with the First Nation, gathering the traditional knowledge that they provided, committing to give us their harvest data and for them to limit harvests also — permit hunts for non-First

Nations, but the First Nation looking at limiting the harvest was the reason that we picked this area and began to work with them on it.

**Ms. White:** It is my understanding that — under the fourth goal of the *Yukon Wolf Conservation and Management Plan*, it says that there must be a harvest management plan in place for both caribou and moose for all users. I appreciate that we are talking about the traditional knowledge — I do appreciate that — but the concern just arises that if we have this laid out as being the rules before we move forward in a management plan — in this case, a wolf management plan — why would we not make sure that the stipulation under that program goal was in place before we move forward with the wolf management plan?

**Hon. Mr. Istchenko:** We believe that the First Nations are willing to work with us, providing their numbers and looking at limiting their harvest, so everything lined up and we believed that there was one.

**Ms. White:** I appreciate that answer. I was under the impression that there were two other areas that had shown an interest prior to this to work with the government to engage in a wolf reduction program; those being, for example, Mayo and Teslin. To my knowledge, those have not started yet, so why did it move forward in zone 7 but not in the two jurisdictions that I mentioned?

**Hon. Mr. Istchenko:** It is the First Nations' readiness — Champagne and Aishihik were ready to work with us, the lands manager and chief and council supported the program. From my conversations at the last annual general workshop of the renewable resources councils, I explained them that it was a pilot project and that we will learn a lot from this project, working together with our partners in wildlife management, the First Nation, and the local resources councils. We will see what comes out of it. For other jurisdictions, we know that there is an interest, but we have to have the partners in place to move forward.

**Ms. White:** From my understanding, those jurisdictions were prepared to go ahead and they had actually made inquiries about how they could go toward a wolf management plan.

Understanding that the trapping program for wolves began prior to the moose survey being completed, will the department continue a bounty on wolves in the area if the moose survey results show that the population is not in decline?

**Hon. Mr. Istchenko:** It's not a "bounty" on wolves; it's a "trappers' initiative" and "trappers' support program". The resources council provides support to trappers and it's just one of the tools that we use in our toolbox for complete management of our fish and wildlife.

**Ms. White:** Can the minister tell me then if there was an increased incentive to trap wolves in the area?

**Hon. Mr. Istchenko:** We assisted trappers financially and through access to lines. The local trappers who were on the line did some track studies. We utilized the trappers who were out there and worked with some of our other biologists. I know they were out there counting snowshoe hare prints on

the line. When this pilot project was developed, other biologists looked at this as an opportunity to gather some more knowledge from the land and some of the trappers were out not just doing the actual snare sets for the wolves, but they were also gathering other information and working with other parts of the department.

**Ms. White:** Were these opportunities available to trappers in the Mayo and the Teslin area — similar incentives and similar opportunities to gather information with the support of the department and other interested parties?

**Hon. Mr. Istchenko:** Let's put it into context again. It is a pilot project, and Champagne and Aishihik First Nations, the local resources council, the community, the trappers and the elders in the community were all willing to move forward with this project. It has been the first year of a three-year pilot. We are going to look at it, and I'm not sure what all the work that each individual biologist does, and I can't get right down into their budget about where they spend and what they do, but I just know that was a by-product — for lack of a better word — that they used to their advantage because the people were out on the land.

I think it's also really important to remember that one of the key things — for me, being born and raised in the Yukon, I grew up trapping, and trapping has sort of been on a decline. It is a way of life for Yukoners. There is a little, old sign out there — and I don't know if you have seen it before — that says something like, "Kids who go out trapping don't mug little old ladies." We have seen that sticker. I think I have it on my toolbox in the shop. It's an opportunity for our youth. I work with the Junior Ranger program, and there are some kids out there who are doing that. They are away from the communities, but they are out there actually learning something on the land. It is revitalizing one of the oldest industries, basically, in the Yukon — I think Canada.

**Ms. White:** I wasn't saying anything negative about the trapping industry. I think it's important. I know that there are far more people on a wait-list for traplines than there are traplines available at this point in time. I know that there are families who have definitely based the education of their children around the ability to access traplines in the winter months. I am not disputing that.

What I am asking about is: How was zone 7 chosen for this pilot project? Did the Department of Environment approach the Champagne and Aishihik First Nations or was the department approached by the Champagne and Aishihik First Nations?

**Hon. Mr. Istchenko:** Previously, I was chair of the Alsek Renewable Resources Council. Those conversations in the community about getting out and revitalizing trapping have been going on for quite a long time in that area. I am not sure if we went to the First Nation, but what I can tell you is that the local resources manager, previous chiefs and previous councillors who are trappers have always talked about a way to move forward. When we saw low numbers of moose and not much of an increase in the population, we had a First Nation willing to work, a department willing to look at opportunities, and the local resources council had that

conversation many times. Everybody got together and this is where this came from. It is sort of a joint effort by everybody — the knowledge, history and how we can move forward. I will admit: Was it a perfect project? It is a pilot project, and I told all of the resources councils that. I said: "Let's look at it. Let's see what comes out of it and see what will benefit and how we can move forward in some of the other jurisdictions with that project."

**Ms. White:** What I'm trying to get to is that I have a concern that the most recent moose survey — prior to the one that was being completed — was completed in 2008. This pilot project started without the stipulations under goal four of the wolf conservation and management plan being in place, being the fact that there were not harvest management plans for moose and caribou for all users in the area. What we're saying is that this one area was chosen out of others when I know that the Mayo and the Teslin areas both indicated that they wanted to engage with the government in a wolf-reduction program, that they too would like to see their trapping industries revitalize and that they too would like these opportunities in the community.

My question is: Knowing that all the requirements under goal four of the wolf conservation and management plan weren't met, why was this one jurisdiction, zone 7, chosen over the others?

**Hon. Mr. Istchenko:** We have data going back from the 1980s — and the member opposite spoke to it — with the low surveys. We have low — non-First Nation and First Nation success rates when it comes to hunting. We have hunters already under tight restriction there — the permit-hunt system that we've had since, I think, 1983 — and we had a First Nation that was also willing to look at restricting harvest. Those are the reasons it was there.

As I said in the question before, we'll work with all First Nations and we'll work with all resources councils. They're happy about the fact that we have this pilot project. They think it's a great way to revitalize trapping, encourage trapping and look at complete management. It's just one of the many tools we have in the toolbox.

We'll have this pilot project; we'll look at it and we'll let it run. We'll see what works and what doesn't work, and then we can move forward. I'm pretty sure there could be a rate change proposal from the management board or all the councils that comes from this when we find out. There are many tools in the toolbox to use. When you do a pilot project like this, that's how you gain that knowledge and that opportunity.

**Ms. White:** The reason I'm asking questions about this is because there are other jurisdictions in Yukon that were ready, that had met more of the requirements under goal four of the wolf management plan to proceed with government support. I'm just trying to figure out why this jurisdiction — and we've talked about how we've gone through one season out of a three-year pilot.

My next question would be: Will the minister commit to establishing that all requirements of goal four, as stipulated in the wolf management plan, will be met and that, in them being

met, we can expect a proper moose management plan and harvest reporting for all users in this region?

That would follow goal four of the wolf management plan. Could the minister commit to ensuring that we meet the requirements under goal four of the wolf management plan, as we proceed in year two and three of this pilot project?

**Hon. Mr. Istchenko:** To address the member opposite, we believe we have the reporting. Like I said again, it's a pilot project, and I think, because of the success of this pilot project and the initiative that was put forward, First Nations are willing to work on this and the First Nations provide the data and limit the harvest. I think it's a wonderful thing, and there is probably real interest from the other parties to want to do this too but, like I said to the other resources councils and at the annual general workshop, let's let this pilot project run its course a little bit so we can gather some information. We might find some tools in there that already exist.

**Ms. White:** When I was referencing radioactive materials earlier and talking about different things, one of the concerns was around the Northern Cross test drill sites that had been done. Can the minister commit to getting me the testing report on the materials that were removed for the Northern Cross site and taken to Arctic Backhoe in town?

**Hon. Mr. Istchenko:** Sorry, can I get the member opposite just to — the question she had asked — could she repeat it please? Thank you.

**Ms. White:** What I'm looking for is the testing report on the materials that were removed from the Northern Cross property and were taken to Arctic Backhoe. I would like a report that showed what materials or what was in that material.

**Hon. Mr. Istchenko:** The Department of Environment issued a relocation permit to KBL Environmental Ltd. to relocate, on behalf of Northern Cross, the contaminated drill waste, mud and cuttings generated while drilling the well — from the Northern Cross drill site near Eagle Plains to the Arctic Backhoe permitted land treatment facility. The material was tested for the contaminants of concern — petroleum hydrocarbons and metals related to the activity and regulated under the contaminated sites regulation — and is presently being treated at a land facility designated to prevent contamination of the environment during treatment.

Arctic Backhoe is required to receive written approval from the Environmental Programs branch of Environment Yukon prior to removing the material from the land treatment facility. Arctic Backhoe is not required to conduct analysis of treated material until they are requesting removal of material from their land treatment facility. Once treated, the material can be relocated to a suitable receiving site.

**Ms. White:** Who tested the materials from the Northern Cross site?

**Hon. Mr. Istchenko:** I believe it's under contract and we send it out to be tested.

**Ms. White:** Can I get a copy of that testing?

**Hon. Mr. Istchenko:** Yes. We will follow up and you sure can.

**Ms. White:** I thank the minister for that answer. I also appreciate, Mr. Chair, that you put the timer on for when each of us speaks. Although we are not 20-minute responders, I too appreciate that this happens.

Actually, just a couple of weeks ago — so April of this year — I asked questions about the proposed placer mine at the Judas Creek tributaries. The minister's own department highlighted concerns around the risks to the Southern Lakes woodland caribou. It's important to note that concerns were raised by the Taku River Tlingit, the Carcross/Tagish First Nation and the Kwanlin Dün First Nation about the caribou habitat. When I originally asked the question, I was told that it was in front of the YESA board, and I totally appreciate that; but, on May 9, they came forward with a recommendation, and that recommendation is that the project doesn't proceed forward.

Can the minister tell me what he's doing to support his department's recommendation that it would harm the caribou?

**Hon. Mr. Istchenko:** As you know, the Department of Environment reviewed the placer mine project proposal at Judas Creek, like hundreds of YESAs — not the only YESA to go across our desk — and noted it overlaps with key habitat used by the recovering caribou herd. Following standard procedure, we were one of many departments and agencies to provide comments on the proposal and, pursuant to the legislation, the next step is for the Government of Yukon to consider the board's recommendation in arriving at its decision. The member opposite just spoke to what the board had recommended.

When we initially did this — so the members know — we have a recovery program for Southern Lakes woodland caribou herds, which includes the Carcross and Ibex herds. It was initiated in 1992 and has been implemented since.

Parties to the recovery program include the First Nations of Carcross/Tagish, Champagne and Aishihik, Kwanlin Dün, Ta'an Kwäch'än Council, Taku River Tlingit, Teslin Tlingit Council, Council of Yukon First Nations, the Government of Yukon, Government of British Columbia and Canada. The recommendations from this Southern Lakes wildlife coordinating committee will continue to be considered, integrated for the Southern Lakes caribou herd. We provided the information up front — that's what the department does — and YESAB made a recommendation, and then that recommendation then goes to EMR with all that information. That's all I can say for now.

**Ms. White:** I'm just going to read two quotes from the website for YESAB: "Under s. 56(1)(c) of the *Yukon Environmental and Socio-economic Assessment Act*, the Teslin Designated Office recommends to the Decision Body that the Project not be allowed to proceed, as it determined that the Project will have significant adverse environmental and socio-economic effects in or outside Yukon that cannot be mitigated." That's the first quote. Now that the YESAB decision has been rendered, it's up to the decision body to respond — and again, I'm going to quote: "The Decision Body, Yukon Government — Mineral Resources Branch, will review the Recommendation and the accompanying reasons

described in this Evaluation Report. The Decision Body will issue a Decision Document within 30 days, as prescribed under s. 2 of the *Decision Body Time Periods and Consultation Regulations*, that will either a) accept the recommendations, b) vary the recommendation, or c) reject the recommendation.”

The minister has the responsibility under *Environment Act* to be the champion of the environment, and that includes the Southern Lakes woodland caribou. It’s important to know that the First Nations in the area have not hunted the caribou for decades and that the increase in the numbers has been hard fought and it hasn’t been easy. My question is: Will the Minister of Environment be advocating for the Southern Lakes woodland caribou to his cohort, the Minister of Energy, Mines and Resources, to accept the recommendation that has been put forward by the YESA board?

**Hon. Mr. Istchenko:** This is delegated. We are not going to play politics with this. I don’t have a comment on it. We’ll let the process be as the process be. The member opposite just explained to this House how the process works.

**Ms. White:** I just had the opportunity, along with other members of this House — including the Member for Vuntut Gwitchin — to visit Old Crow for Caribou Days, and it was a phenomenal opportunity. I learned a lot of things when I was there, including the importance to the people of Old Crow of the health and well-being of the Porcupine caribou herd. I also learned particularly how they are feeling the effects of climate change.

I had the opportunity to go out with the Member for Vuntut Gwitchin and a super-charismatic fellow named Dennis Frost to go up the Porcupine River. There were some things that struck me, because in conversation with both the Member for Vuntut Gwitchin and Mr. Frost — we were talking about how things used to be different.

Something that struck me — and it’s probably because it was a thing that wasn’t good — is that, when you could see the sloughing of the banks into the river and you could see the black soil, you could smell soil. That struck me because — in conversations with other community members, was the idea that the permafrost is melting at the rate it is in that area. It’s understanding that there are no less than two types of fish that can be eaten in the community due to the levels of mercury and the concerns, and the changes that those citizens of north Yukon are seeing up close and personal.

We can talk about the effects of climate change that we can see in the City of Whitehorse, but we’re talking about a community that’s even further north. There were conversations about the different snowpack and how that has changed and the ice breakup — we went up the river in May. In their lifetime, that wouldn’t happen sometimes until later into June. So the effects of climate change are really visible there. It’s a conversation that I think, in the community, is really important, and they’re talking about it in a really frank and upfront way.

The elders are talking with the youth; the youth have done a climate change project. One of the focuses of Caribou Days is sharing traditional knowledge and the importance and

respect of the caribou. Being there for those days was an incredible opportunity.

I know we have the progress report for the climate change action plan. It’s kind of Whitehorse-centric in some of its focus and some of the calculations of the effects.

I would just like to put it out that I think that if there was the opportunity within government to visit these communities — Old Crow especially, because it is a fly-in community — and to have conversations with the residents there about the effects of climate change on their day-to-day life, I think it would give us a different perspective on how we talk about climate change because it is so up close and personal. I am really grateful for the opportunity and to the community for being so welcoming. It was a really amazing opportunity.

When we talk about climate change and we talk about melting permafrost, Yukon College’s Northern Climate Exchange began a program of hazard mapping in Yukon communities. I have had an opportunity to look over these maps, and they are really interesting because they identify landscape hazards related to permafrost and surficial geology and hydrology in Yukon communities. They also consider potential future risks and responses to changes in climate — so if it’s a community next to water or if it’s a community that was maybe — at the bottom of a lake, all of these changes will affect them.

The intent was to provide governments and private interests with a tool to identify current and future risks before moving ahead with their programs, so if you were going to build a big infrastructure project, you might want to know that 20 years down the line, it was indicated this area of permafrost might be melting. I would like to put in a pitch for hazard mapping. It has stopped, and they haven’t actually had the opportunity to do the Whitehorse area because funding has run out.

I would think that, knowing that the Yukon government builds an awful lot of large projects within the Whitehorse area, having the hazard mapping of climate change and potential risks for the future would be a good thing.

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

**Chair:** It has been moved by Ms. White that the Chair report progress.

*Motion agreed to*

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

**Chair:** It has been moved by the Government House Leader 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**

**Mr. Elias:** Madam Speaker, Committee of the Whole has considered Bill No. 203, entitled *Child and Youth Advocate Staff Benefits Amendments Act*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 23, entitled *First Appropriation Act, 2016-17*, 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. Cathers:** 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 5:21 p.m.*

**The following document was filed May 24, 2016:**

33-1-137

2015 Fall Legislative Session Follow Up, letter re (dated March 17, 2016) from Hon. Mike Nixon, Minister of Health and Social Services, to Jan Stick, Member for Riverdale South (Nixon)