

Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, April 16, 2009 — 1:30 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.

Introduction of visitors.

Are there any returns or documents for tabling?

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

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

THAT this House do issue an order for the return of the one-year extension to the sole-source medevac contract summary showing the cost to taxpayers for the extension.

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

THAT this House do issue an order for the return of the orders-in-council allegedly signed in 2007 and 2009, respecting changes to the Yukon Workers' Compensation Health and Safety Board investment policy.

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

THAT this House urges the Yukon Party government to make publicly available within five business days basic information for all sole-sourced contracts and ensure, at minimum, these contracts are available for access on the government online Contract Registry.

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

THAT this House urges the Yukon government to improve and modernize our public utility system by providing appropriate funding and technical support to help off-grid communities switch to alternative methods to generate electricity based on renewable sources of energy such as micro-hydro, geothermal, wind and solar, from the current practice of burning costly and dirty diesel fuel.

Speaker: Are there any further notices of motion?

Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Yukon Forum

Mr. Mitchell: Mr. Speaker, the creation of the Yukon Forum was intended to improve the quality of life for all Yukoners and lead to the benefits that should result from intergovernmental cooperation. All Yukoners saw this as a significant and positive step. The prospect of the Yukon and First Nation governments dialoguing on issues of concern to them can only lead to a greater understanding and appreciation of these issues. We are hearing, unfortunately, the forum is not meeting as frequently as it might.

Can the Premier tell the House how many times the Yukon Forum has met in the past 12 months, when the last meeting was held and when the next one is scheduled to be held?

Hon. Mr. Fentie: I'm quite encouraged to hear the Leader of the Official Opposition openly recognize the value of the Yukon Forum. I would submit, however, to the member that we've met a number of times. I certainly couldn't give the member, off the top of my head, the exact dates and times, but I know those meetings have produced a number of very positive initiatives. The joint investment strategy, for example, with the northern strategy fund, is investing significantly in capacity development and other very important, positive and constructive initiatives throughout the Yukon with First Nations — the agreement on the housing trust monies, and the list goes on.

What we do in the case of the Yukon Forum is jointly develop the agenda. It's an agenda that we agree to before proceeding, and that's what we intend to continue to do in the matter of the Yukon Forum and indeed the intergovernmental forum itself.

Mr. Mitchell: These are important meetings. I would think this would not be information that the Premier would not be able to recall. I can certainly recall when I meet with First Nation leaders. I can recall when I last met with the Premier.

Representatives of the Government of Yukon, the Council of Yukon First Nations and certain self-governing Yukon First Nations entered into the memorandum of understanding on cooperation in governance in the Yukon. We passed a bill with a similar title in this Assembly.

The forum was established for cooperation in governance and we must not allow it to become neglected. We understand that some First Nation governments are becoming increasingly frustrated with the manner in which the forum has been functioning. There is a feeling that the only items they can put on the agenda are the ones that the Premier wants, and that hardly seems like a government-to-government collegial approach.

Why has the Premier not used the Yukon Forum to foster better relations with self-governing First Nations? Can he dredge his memory and see if he can remember when it last met?

Hon. Mr. Fentie: I'll stick to a higher level. We have met on many occasions. The memorandum of understanding that was entered into with First Nation governments and the public government is very clear and explicit. It also defines the area of jurisdiction in respect of the government's jurisdiction. I've mentioned some of the areas of positive and constructive measures that have come out of the Yukon Forum. We've also

done a lot of work through the Yukon Forum that contributes to the intergovernmental forum.

As far as the member's statement that the only thing that gets put on the agenda is what the Premier wants, frankly, that's not the case. That's not how this process works. There's actually a team of officials who develop the agenda. The member should check his facts a little more thoroughly and recognize there is a process agreed to with respect to the agenda that's developed for the forum.

Mr. Mitchell: The way to keep things on a higher level would be to try answering the questions that are asked here. The Premier gives us the same lines, the same responses, again and again. They're like a song but, like any song, you eventually get tired of listening to it.

Yukoners don't want to hear empty answers. They want to know why this Premier is not taking advantage of how the Yukon Forum affords us an opportunity to build better relationships with First Nation governments. It seems this Premier would rather meet with First Nation governments in Yukon Supreme Court than sitting down and resolving issues at the table.

First Nations have come to the forum in good faith and have been greeted by a controlling Premier. Will the Premier take this opportunity to announce he will alter his ways and allow all First Nation governments to have significant input into such fundamental things as setting the agenda items?

Speaker's statement

Speaker: Before the Hon. Premier answers, all members in this House are considered to be honourable. I'd just like the Leader of the Official Opposition to keep that in mind in his line of questions.

The Hon. Premier has the floor, please.

Hon. Mr. Fentie: Mr. Speaker, I'll ignore some of the content of the question because that's not how this process works.

This government is the architect of this governance-to-governance model. It has received great reception, even from the federal government and across the country. Yukon is being looked to.

The member mentions the same old song. Well, unfortunately for the member, the same old song that the Yukon Party is singing is producing great results for the Yukon. It's not this government singing this song, about how an investment into European tourism is a waste of money, an initiative that came forward from the Tourism Industry Association of Yukon.

It's not this government singing the song that what we've negotiated in our fiscal transfer arrangement with Canada, Yukoners do not deserve. Speaking of same old songs, the members opposite should change their tune.

Question re: *Education Act* review

Mr. Fairclough: I'm becoming increasingly concerned over the years it has taken to get to the point where we actually amend the *Education Act*. It has been eight long years that Yukoners have been consulted, consulted and consulted.

Now I'm not against consultation, Mr. Speaker, but there comes a time when you actually have to do something. Clearly the Auditor General felt so. Remember the *Education Act* review? This government thought it was necessary to consult further so they commissioned the education reform project. Do you remember that? It has not seen the light of day since it was submitted to the minister. Now we have New Horizons, and I understand that has been very inactive.

Can the minister tell the House how much closer Yukon is today to amending the *Education Act* than it was six and a half years ago when it took over government?

Hon. Mr. Rouble: The foundation of the member opposite's question — that being that the government has not made any changes to education or to involvement of our partners and stakeholders in the territory — is entirely without merit. The member opposite should be aware of the changes that have been made in the last numerous years, including recently. The member should be aware of things like the education summit that was held just this past March.

Mr. Speaker, the members opposite have said things like, "Nothing has happened, nothing has changed, nothing is progressing." This kind of ostrich-like behaviour of having one's head stuck in the sand and not being aware of what is going on around them is becoming tiresome, not only to those in the Assembly, but also to Yukoners. I would encourage the member opposite to recognize the changes that have happened in Yukon's education system, the involvement of our partners in education, the changes we're seeing in the classroom and recognize the good things that are going on in Yukon's education system.

Mr. Fairclough: All that and the minister couldn't answer the question, Mr. Speaker. The consultation process was well underway in the year 2000. A child starting school that year would be in high school today. Nothing has happened since, just consulting and talking with our many partners. I realize the minister has an obligation to consult; I also realize the minister has an obligation to do something, and Yukoners want action. I'm hearing from Yukoners that they are becoming very suspicious that this minister is simply prolonging the consultation process to avoid doing something. I truly hope this is not the case.

I would like to ask the minister to tell the House when he intends to take action and table an amended *Education Act*?

Hon. Mr. Rouble: I would encourage the member opposite to take a look at the budget, take a look at the changes that are happening in there. When we get into the Department of Education budget, we can go into much greater detail.

There's increased investment for early years transition, helping identify challenges with children's learning very early in their scholastic career. We'll take a look at the curriculum and special programs training. We can discuss the assistive technology software and related training. We can talk about the \$400,000 for the F.H. Collins Secondary School replacement and the involvement of the secondary school programming review committee that involved Yukoners. We'll talk about the British Columbia enterprise student information system, which is an information tracking system that will address many of the

issues brought forward by the Auditor General. We'll talk about the leaders in education innovation fund — a fund that provides teachers, school councils and others interested in education with resources, so that they can go out and look at identifying new and better ways of educating our students.

Mr. Speaker, the Government of Yukon is committed to increasing the educational outcomes of our students. We're committed to working with our partners, and we will do our best to ensure a high quality of education that meets the needs of Yukoners.

Mr. Fairclough: All that and the minister still couldn't answer the question. Now, we all realize that education is a pillar of our future. We spend millions of dollars providing facilities and resources. We have a wonderful and competent group of teachers and support staff. We do, however, have a scathing report from the Auditor General. What we don't have is real leadership, and this minister appears to be in over his head. I'll give him one more chance. What we want is leadership.

Will this minister give the House the date that he will table an amended act? Will he at least instill some confidence by showing that he actually has a time frame?

Hon. Mr. Rouble: Once again, Mr. Speaker, we seem to have a situation here in the Assembly where, if you can't attack the product, if you can't attack the position, you attack the person. And once more, insults come from the opposition.

Mr. Speaker, we have before us amendments to the *Yukon College Act*. We're amending that piece of legislation in order to empower Yukon College to provide degrees. This is a strong step forward. I'm sure the member opposite will agree that this is an excellent way of reforming education in the territory.

As well, we've seen the creation of new schools. The member has seen one in his own riding. We've seen New Horizons, which is continuing to work with the Council of Yukon First Nations and with our partners in education to address the needs in our community.

We'll continue to make investments through our budget. I listed numerous ones that will have a significant impact on the quality of education for our children, and we'll increase the outcomes for students now and in the future.

Question re: Garbage burning

Mr. Cardiff: Mr. Speaker, numerous people from all over the Yukon gave comments through the YESAA process about the toxic smell wafting through their communities from burning garbage. Someone even called it the smell of cancer. No studies have been conducted on these toxic emissions, at least until now.

On Tuesday, the minister said, "We want to know the emissions of these different areas that we're burning in. I have different reports that come in front of me;"

The EBA solid-waste public consultation presentation noted that there would be air-dispersion modelling to look at where toxic emissions actually land.

Will the minister confirm that this air emissions dispersion modelling study is on his desk and that it shows there are residential areas in some Yukon communities that are directly exposed to toxins released from burning garbage?

Hon. Mr. Lang: That is all part and parcel of our solid-waste plan that's unfolding as we speak this spring. I don't have those reports in front of me; they're being put together as we speak. The solid-waste footprint review will be out by the end of this month, followed closely by exactly what the member opposite is talking about.

Mr. Cardiff: These reports need to be made available. I want to read into the record some of the comments from people who have made submissions through the YESAA process. From Ross River, too much burning of plastic and the smell settles in the community in the evening; from Old Crow, smoke from the fires is often blown toward town and is a potential health hazard for residents; from Tagish, toxic smoke from burning garbage hurts my eyes, nose, mouth and lungs; from Carcross, toxic emissions can be experienced while driving by the facility to the point of causing extreme breathing discomfort, and can also be smelled as far away as 10 kilometres at Crag Lake.

People have a right to know if their health is at risk. They have a right to know all the information so they can make informed decisions about where they want to live. I'm going to give the minister one more chance. How does he want to do this? Either release the report now so that people can judge for themselves the seriousness of the problem, or we'll put in an ATIPP request for him.

Hon. Mr. Lang: Certainly, when that study is finished it will be a public document. I encourage all those individuals who wrote in to the member opposite to go to the public meetings that are being held now to discuss exactly what we're talking about today.

We are the first government to go out and do the review we're doing and also, Mr. Speaker, to make the commitment to modernize our solid-waste management throughout the Yukon. All of those individuals should look at the scheduling and be part of the solution when these decisions come forward this summer.

Mr. Cardiff: Mr. Speaker, even the minister's Cabinet colleague, the Member for Lake Laberge, sent the minister a letter about Deep Creek and wrote to the YESAB, saying, "My constituents are especially concerned about the risk to their health and the environment posed by toxic emissions from this facility, and on their behalf I have officially requested cessation of all burning at this facility." I will file those letters right now.

I think I know what the minister is afraid of in not releasing this report. He is worried about liability issues. He might have a big problem on his hands and he doesn't know what he's going to do about it.

The health of our citizens is at risk from burning garbage and this government is delaying doing the right thing. Will they do the right thing, make the emissions report public, admit burning garbage poses a health risk and immediately order that solid-waste facilities halt this unhealthy practice?

Hon. Mr. Lang: I remind the member opposite the emission overview isn't finished yet. It will be done. The footprint review is done now. The draft is out there. It will be made open to the public by the end of this month. We are looking at doing exactly what the member opposite is speaking about. We

are going to modernize management of solid waste throughout the territory — not just in Carcross, not just in Deep Creek, not just at Marsh Lake but throughout the territory, Mr. Speaker.

Question re: Health care services in rural communities

Mr. Cardiff: Mr. Speaker, the Yukon health care review clearly states we cannot continue our present spending on health care. We have to look at increasing revenues or reducing expenditures. The Minister of Health and Social Services is going ahead with building hospitals in Watson Lake and Dawson City and they have the potential to dramatically increase the health care costs for years to come. This government is moving ahead with these far-reaching plans without even having a plan and before the review committee looking into affordability on Yukon's health care has completed its work.

How does the minister justify rushing ahead with plans for hospitals before the results of those public consultations are known and before he knows where the money will come from to pay for them?

Hon. Mr. Fentie: Mr. Speaker, the problem with this discussion we've been having over the last number of days is that the opposition refuses to recognize that there have been health care facilities and indeed hospitals such as the Watson Lake Cottage Hospital in place in rural Yukon for years. How does the member justify saying to the citizens of Dawson and surrounding area, the citizens of Watson Lake and surrounding area, that they don't have rights to access a standard of health care services in their own home community and would be forced to travel to such places as Whitehorse?

I want the member to stand on his feet, look into the camera and justify that fact to all those citizens out there.

Mr. Cardiff: Thank you, Mr. Speaker, and I will.

Mr. Speaker, we're not denying that, and we never have. We're glad there will be acute care facilities in communities. We aren't sure of how this government defines acute care. Maybe the minister can assist us in how he sees acute care. We know hospitals are good things, and we're happy that they're going to be in communities, but they address specific health care needs.

The minister has said health care centres will be maintained in the hospitals, and we think that that's a good thing. But there are health care services that have been asked for by communities, and that are needed by those communities that he hasn't mentioned. What about mental health? Diabetes education? Prenatal and postnatal care? Chronic disease management? Addictions detox and treatment? Respite for the disabled and seniors? Therapies such as physiotherapy for non-acute conditions? Will the minister tell us, and Yukoners, that Yukoners will have these services, and where they're going to be available?

Hon. Mr. Fentie: That's the point, Mr. Speaker: because of structural challenges and other issues, those very services are being reduced today in these communities and within those facilities. Is the member aware that therapeutic initiatives have taken place for years in the Watson Lake Cottage Hospital? Is the member aware that the Watson Lake Cottage Hospi-

tal, for decades, was also used as, from time to time, a detoxification centre?

Is the member aware that there are three generations of children who have been born in that hospital, that today it would be highly unlikely they would be able to be born there? Is the member aware that bones were mended for decades in this facility, but that would be highly unlikely today, and there would be an added travel cost to come to Whitehorse?

When you add all of this up, the point is that we either invest many, many more dollars in the Whitehorse General Hospital to provide those services to Yukoners and force rural Yukoners to travel here to Whitehorse, or we invest those dollars in rural Yukon and provide those communities with facilities they should have.

Mr. Cardiff: That's what we're getting at. We know those services were provided in Watson Lake, and residents of Watson Lake want to ensure that they continue. But they're concerned about the acute care mandate of a hospital, and they're concerned that this government is putting all its eggs in an acute care basket.

I'm not a health care expert, but I have heard what nurses and other health care providers, both in Yukon and down south, are calling for. Neither is the minister an expert, nor is the chair of the Yukon Hospital Corporation an expert. Perhaps it's time to listen to experts and to the front-line workers about what communities are actually asking for.

Will the minister consider a more efficient, less expensive provision of health care that actually prevents disease in response to all the health needs of communities?

Hon. Mr. Fentie: Mr. Speaker, this is very encouraging. The third party now agrees with the government and I am very pleased to recognize that the member from the third party will support the government's initiative in health care.

As far as all the questions he has been asking about what Yukoners want, let me remind him of the many years of consultations on health care that have been ongoing in this territory — years and years of consultations, program development — home care nursing, for example, and many other programs across this territory, including mental health.

Mr. Speaker, I also would remind him that many health care professionals provided a great deal of input into the Yukon government's health care review. All this has happened and is continuing to happen in today's Yukon. I thank the members for supporting this government's very noble initiative when it comes to health care.

Question re: Yukon Hospital Corporation residence

Mr. Mitchell: Mr. Speaker, the Yukon Hospital Corporation has announced plans to build a new residence at a cost of some \$16 million. The public has been given very little information about this facility. We do know that lower safety standards will apply in the construction project — there is no need for COR certification.

We would like to ask a number of questions of the chair of the board; however, he doesn't answer letters, and the government is refusing to let him appear in this House this spring. The new residence building is being financed with a bank loan.

Can the Health and Social Services minister outline the terms of the loan? How much is being borrowed? How many years and how much interest will be paid?

Hon. Mr. Hart: The facility building is being tendered out by the Yukon Hospital Corporation to enhance the facilities for our incoming specialists so they will have appropriate accommodations when they're here in the Yukon so they can provide that valuable service to all Yukoners throughout the Yukon.

The issue with regard to the building itself again is something that is handled by the board of directors for the Yukon Hospital Corporation, and they are responsible for the lending and borrowing facilities of that corporation.

Mr. Mitchell: I wrote to the chair of the Yukon Hospital Corporation two months ago trying to get answers to these questions; he has failed to respond. The fact that the Hospital Corporation has to go to a bank for financing raises a number of questions for Yukoners. The biggest one is how much interest will they end up paying? It will likely be millions of dollars. That money will have to be paid back.

There was another approach. This government could have kicked in a large part of the money. It has the money.

When the power line was extended to Pelly Crossing, the government put in \$10 million, for example. Why is the Yukon Hospital Corporation being forced to take out a bank loan and pay millions of dollars in interest, when the government has plenty of cash on hand?

Hon. Mr. Hart: Mr. Speaker, the Hospital Corporation isn't forced to do anything. The Hospital Corporation is operated by a board of directors that has made a decision. It has been agreed to by the board of directors — the building of this facility — and they have indicated that this is the best mode by which this facility can be built and satisfied. As I indicated, the facility will provide accommodation for our incoming specialists, in addition to specialized space for government.

Mr. Mitchell: Well, Mr. Speaker, the Hospital Corporation has extremely limited ability to raise revenue. They hold fundraisers for things that they cannot get any other way, and now they're going to be stuck paying off an expensive bank loan for years to come. Maybe if the government hadn't put \$36 million into bad investments, they could have helped cover these costs. Maybe if the Watson Lake hospital project wasn't \$25 million overbudget, the government could have helped out. Maybe if the new correctional centre wasn't \$35 million overbudget, the government could've chipped in.

Despite all of these bad financial decisions, the government still has money in the bank. I see the Premier is eager to get to his feet so for the Premier: why aren't some of these funds going to the Hospital Corporation to help finance the construction of this new building instead of leaving them to borrow the money?

Hon. Mr. Fentie: You know, Mr. Speaker, it is pretty clear that the Leader of the Official Opposition is somewhat troubled these days. There is a tremendous amount of criticism coming from the Official Opposition — especially around good initiatives. I am going to challenge the member opposite to correct the public record. How can the member stand in this

House and state categorically that work on this facility, which is being managed and administrated and run by the Hospital Corporation — as they are mandated to do in their own contract authority — will have a lower safety standard? How can the member say that on the floor of this House? It is not correct. How can the member say that the facility in Watson Lake is \$25 million overbudget? Where does he get that number from? How can he put that kind of information on the floor of this Assembly? It is incorrect. How can the member say that any other investments that the government made last year, the year before or this year, will somehow impede or contradict what the Hospital Corporation is doing in investing in health care in Yukon, as they are mandated to do.

I think this member should try not to allow these troubled times he's in affect his judgement, and I think the member should stand on the floor and correct the record.

Question re: Dawson City care facilities

Mr. Mitchell: It's unfortunate that we can't refer to previous questions in our next question, so we'll try another one. We still have many unanswered questions about this government's revolving health care priorities in Dawson. In the 2004 budget speech, this government committed \$10.6 million for the construction of two multi-level care facilities, one for Watson Lake and one for Dawson. As we are well aware, both of these projects have floundered.

The government has been repeating itself for the last five years, announcing and reannouncing its plans for a new health care facility, seniors complex, nursing station, hospital or whatever it's going to be next for Dawson. In June of 2008, the former Health and Social Services minister and Member for Klondike were in Dawson again, announcing plans again to build a new health centre in Dawson City and a new care facility to replace McDonald Lodge.

We've been waiting for years for some kind of improvement to McDonald Lodge, along with a lot of Dawson residents. Will the minister tell us how much longer we have to wait?

Hon. Mr. Fentie: I'm glad the member brought this up because the first order of business this government had to undertake was to resolve the situation that the City of Dawson was in, thanks to the former Liberal government allowing that municipality to go over their debt limit. That was the problem — we fixed the mess.

Now, will we build a new health centre in Dawson? Yes, we will, that's why there's a million dollars in this budget — which, by the way, the Leader of the Official Opposition simply does not want to debate. Yesterday we had a great opportunity to discuss an issue that this Leader of the Official Opposition has brought to the forefront for months — not one word from the Leader of the Official Opposition on the Yukon economy.

All the member does —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Point of order, Member for Kluane.

Mr. McRobb: Point of order — I'd like to remind you of a previous ruling when you asked members not to point across the way because it personalized debate. Continually this afternoon we've seen the Premier pointing his finger at us, so what should apply to us, should apply to them too.

Speaker's ruling

Speaker: If in fact that was a point of order, the gestures should be made to the Chair and, of course, address your remarks through the Chair. The Hon. Premier has about 10 seconds left.

Hon. Mr. Fentie: Thank you, Mr. Speaker. Little wonder why the Leader of the Official Opposition and his colleagues do not want to debate the budget or discuss the economy; little wonder why they are bringing up these kinds of statements on the floor of the House that are incorrect.

Mr. Mitchell: I looked forward to the debate yesterday but I kept waiting to hear what the Premier had to say so we could reply. The Premier's voice was silent. We've had general debate on this budget one afternoon for less than an hour. One afternoon the Premier spoke for less than 40 minutes. In general debate, he doesn't seem eager to engage in it.

Let's get back to Dawson. This government has been aware of the need to replace McDonald Lodge for years. The need hasn't changed; it has only intensified. This government made commitments to address Dawson's need for an improved seniors facility. It hasn't materialized. Now we have this recent announcement that the government will build a hospital first. It flies in the face of all the previous commitments this government made to the people of Dawson. In the end, the government may or may not have to build a hospital in Dawson. In the meantime, people do have to live in McDonald Lodge.

Does the minister or the Premier have a plan for getting five more years of use out of the existing McDonald Lodge?

Hon. Mr. Fentie: That's the point of this debate. I guess the member opposite requires me to be able to discuss with him the economy and other matters. I can understand that, but I would point out to him there are a number of other members on this team who have made a great contribution over the last seven years to the Yukon economy and to the social fabric of this territory, to our environmental sustainability and protection, to our health care system and to our education system.

That's the scope of the work this government has undertaken. Now if the member needs just me to talk to about these matters, call me at home, but in here is the institution where we conduct the public's business. The problem that the Leader of the Official Opposition has is the leader has no options, no alternatives — he is leading from behind. Mr. Speaker, the thing that the member should do, and this is sage advice, is to join the solution instead of being the problem.

Mr. Mitchell: We see what a team approach we have here, Mr. Speaker, because the Premier jumps up regardless of where the questions are addressed. Only the Premier can answer. So, Mr. Speaker, for the Premier, no doubt, last year when this government again promised the citizens of Dawson a new health care facility, McDonald Lodge was moved down the priority list. Last week, when this government again prom-

ised the citizens of Dawson City a new hospital, McDonald Lodge was further marginalized and, with every new health care reannouncement, this government shuffles McDonald Lodge further down the priority list. No matter how many times these plans are reannounced, the reality is that people are living in McDonald Lodge. It's their home.

Mr. Speaker, we are getting first-hand reports that the heating system in McDonald Lodge is unreliable and people are resorting to space heaters in their rooms to stay warm. Does the Premier or the Health and Social Services minister understand that our seniors, who built Yukon, deserve to be treated better than this?

Hon. Mr. Fentie: Well, Mr. Speaker, on that note, then will the member explain why, for successive budgets, he and his party voted against those investments for seniors: the increase for the pioneer utility grant, the assistance for their home heating requirements?

When you talk about assistance and investment for this territory, its seniors and health care, how does the member explain the whopping increase in the health care budget, which the members, the Official Opposition, seem to be afraid to debate? How does the member explain, if this government has been so wrong in its plan and its leadership of the territory, the increased population, the very low unemployment rate, the increase in own-source revenues? I would remind the member that this year we had a 12-percent increase in own-source revenues. How does the member explain a nine-percent increase in O&M? That is service and product and program delivery to all Yukon citizens. How does the member explain, when we tabled a stimulus budget intended to meet the challenges of the global economic downturn, a 12- or 19-percent increase in capital investment? How does the member explain — he votes against all these things.

Speaker: The time for Question Period has now elapsed. We will proceed to Orders of the Day.

ORDERS OF THE DAY

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 leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Mr. Nordick): Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 15, *First Appropriation Act, 2009-10*. We will continue with general debate in Environment. Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 15: *First Appropriation Act, 2009-10* — continued

Department of Environment — *continued*

Chair: The matter before the Committee is Bill No. 15, *First Appropriation Act, 2009-10*, the Department of Environment. We will now proceed with general debate on the Department of Environment. Ms. Taylor, you have approximately 18 minutes left.

Hon. Ms. Taylor: In commencing my remarks, I would like to take the opportunity to provide a brief overview of some of the key budget initiatives highlighted within the Department of Environment for 2009-10. This year's main estimates for 2009-10 for the Department of Environment total \$28,133,000. This represents an increase of \$1.9 million from the 2008-09 main estimates.

Protecting and preserving Yukon's natural environment and wildlife is of utmost importance to Yukon citizens. It is also of utmost importance to our government. One of the significant new initiatives housed within this budget is that of the creation of a new animal health program. Mr. Chair, healthy domestic animal and wildlife populations are extremely important to Yukoners for a whole host of reasons — whether it is for food purposes, cultural or economic well-being.

We also know that, in recent years, there have been a number of emerging animal health issues here in Canada and worldwide that have really resulted in a number of animal losses as well as a serious risk to human health. While Yukon has been largely immune to diseases such as avian flu and West Nile virus, that is not to say that this will always be the case. Changes in our climate, for example, are affecting the ability of wildlife diseases and parasites to establish themselves in northern regions such as Yukon.

A case in point is the recent finding of winter ticks in our elk population, a species that was previously believed to be unable to complete its life cycle in the Yukon. Certainly, having an animal health program, as is proposed in this budget, will ensure we have the capacity to not only adapt to these changes, but it will also enable us to better prepare for what further challenges may lie ahead.

Essentially, an effective animal health program will go a very long way in ensuring healthy and viable wildlife and domestic animal populations. The budget before us contains new funding to hire staff, including a chief veterinary officer, who will be tasked with setting up the new program. We will also be recruiting a field veterinarian, who will be supporting the work of the chief veterinary officer and providing hands-on veterinary services to the departments of Environment, Energy, Mines and Resources, Health and Social Services and Community Services.

We have also provided new funds in the capital budget to establish the new offices for the animal health program. The new animal health program, for which there is roughly \$320,000 in new funding identified in the budget, will provide

program oversight, advice and veterinary services to the government's various animal health and animal protection initiatives delivered by a whole host of departments, which I just mentioned. The program will improve animal health surveillance, will build links between human and animal health, and it will assist with the development of new policies, regulations and legislation regarding animal health. The office will also represent Yukon on national issues of domestic and wildlife diseases, and will look at the further control of food quality and safety issues for farmed and country foods as well.

One of the primary responsibilities of the Department of Environment is developing and implementing management plans and programs that support biological diversity, while ensuring the conservation and sustainable uses of fish and wildlife habitat and water resources. Our government, in support of this objective, has increased funding for wildlife inventories in support of wildlife management plans. With this funding, as I have made reference to over the last few days, we have indeed been able to enhance these inventories in recent years. Just in the last two and a half years, we've been able to raise it from roughly where the budget was for wildlife inventories, from \$300,000 to approximately \$1.8 million. This substantive additional funding has enabled more areas and more species to be assessed, including distribution and behaviours. In doing so, we not only better inform our wildlife management decisions, but we can also monitor the impacts of climate change on Yukon's natural environment. This additional funding has enabled biologists to conduct a composition count of the Porcupine caribou herd for example. It has enabled biologists to conduct a muskrat survey in the Old Crow Flats for the first time in 20 years. It's also supporting an ecosystem approach to inventory work, all of which is linked to the north Yukon wildlife management plan, and of course work undertaken through the International Polar Year.

Mr. Chair, other inventory work made possible by the new funding includes the collection of data on population size, demographics and seasonal ranges of the South Nahanni and Coal River caribou herds. I know that this year alone, we continue to undertake this work on a number of various areas, but we will be conducting approximately 40 inventory and various wildlife management projects to be undertaken this year.

We're also working with local communities, First Nations, renewable resources councils and other experts to develop a monitoring framework for the Yukon, looking at its ecology, aimed at monitoring key indicators, climate change and other landscape changes.

As I made reference to the other day, we are very pleased to continue with this level of funding in this year's budget which will go toward highly accessible areas and address questions of interest to trappers, fishers, hunters and so forth. We know that with increasing demands for land use planning, land scale mapping and information relevant to developers, there's a need to update our current information and to focus on the remote regions of the territory that have high mineral, oil and gas potential, and on species that are not harvested.

There's also a further need to ensure that we are managing our existing wildlife in a sustainable manner, with conservation

as a key imperative. This need is especially significant for species at risk.

Yukon is one of the most progressive jurisdictions in the country when it comes to addressing wildlife management through the implementation of Yukon First Nation final agreements and various cooperative management processes, including community-based wildlife management planning. Examples of such collaboration include the relatively new Southern Lakes Wildlife Coordinating Committee, comprised of six First Nations, the British Columbia and Yukon governments and the Canadian Wildlife Service, whose mandate is really to manage, in a coordinated approach, moose, caribou, sheep and other wildlife populations. Other examples of collaboration with First Nations are Na Cho Nyäk Dun and the Mayo Renewable Resources Council on a five-year plan to address community-based fish and wildlife management. Likewise, the Government of Yukon is also working with other First Nations and renewable resources councils to address community-based fish and wildlife matters in the Little Salmon-Carmacks, Champagne and Aishihik, Vuntut Gwitchin and the Teslin Tlingit traditional territories.

Mr. Chair, while working with First Nations, renewable resources councils and other stakeholders, we are working to implement plans for wood bison, woodland caribou and elk, about which we have had quite a variety of discussion over the last couple of days.

Mr. Chair, Environment is also providing ongoing technical and planning support for the Fortymile caribou herd working group. The department is working on completing and implementing management plans for a number of habitat protection areas and special management areas as identified within their respective First Nation final agreements.

In fact, I believe there are several processes underway to address various habitat protection areas in the Yukon. In addition, there are three special management areas, including Kusawa and others.

The department is continuing to work with First Nations on freshwater fish stocks, harvest assessments and lake planning processes in traditional territories, such as Kwanlin Dun. Of course, we are also pleased to continue our work with the Porcupine Caribou Management Board, alongside seven other governments, on a long-term harvest management plan in support of the conservation of the Porcupine caribou herd first and foremost.

We are continuing to participate in Selkirk First Nations' traditional system for fish and wildlife management and gathering, as I mentioned earlier. We are continuing our work with First Nations' renewable resources councils and communities to collaborate on the development and implementation of a human/bear conflict management program currently being developed in the Kluane region.

We are also, of course, providing ongoing support to a variety of boards, councils and First Nations through the provision of expert technical advice, technical information, data, maps and through direct participation in meetings and workshops. As I referred to earlier, we will be undertaking key inventory management initiatives for the coming year, including

completion of inventories of moose in the Nordenskiöld area, caribou in the Nahanni range, and of course, as we referenced earlier, implementation of the elk management plan and tick risk management initiatives.

Mr. Chair, this budget also comprises a number of key elements, which includes a climate change secretariat, which will be providing ongoing coordination and government-wide leadership on climate change initiatives, as identified in the Yukon government climate change action plan that was launched earlier this year. In this budget we are pleased to provide approximately \$600,000 in funding toward the operation of the climate change secretariat. Of course, the action plan builds upon the four key goals of the climate change strategy. Those are improving our ability to adapt, improving ways to reduce greenhouse gas emissions, enabling the Yukon to become a leader in innovation and research on climate change, and growing our ability to understand the impact of climate change in the northern regions.

We're very pleased to build upon the number. There are numerous initiatives that are currently underway throughout all government departments to address climate change. The climate change action plan builds upon those actions already undertaken or underway and includes 33 new initiatives that are built into the plan itself.

The climate change secretariat will be able to perhaps provide a clearinghouse, so to speak, of all the various initiatives being undertaken and will be able to report progress on respective departments' commitment to addressing climate change.

We are also pleased to provide enhanced support for Yukon's community-based recycling programs. I was very pleased to announce new funding last fall in last year's fall supplementary budget of approximately \$250,000, for a total of \$575,000 for community recycling depots. This has gone toward core operations of recycling depots; it has gone toward a capital improvement fund; it is also going toward an integrated comprehensive network of transportation, of transporting recyclable goods.

As well, Mr. Chair, we are very pleased to provide additional resources — \$200,000 in additional money — for the new site assessment remediation unit to address contamination on Yukon government-owned properties throughout the Yukon.

The Yukon Department of Environment has been very busy over the last year. We are very much committed again to enhancing our efforts to address what makes us very proud to call the Yukon our home. We look forward to the ongoing debate. I know that when we left off, we were discussing the elk management plan, which was adopted last summer, June 2008. I know there were a number of questions that were raised regarding the management plan and what the Government of Yukon is doing to address sustainability of elk and also issues of concern associated with elk.

As I mentioned earlier, the Government of Yukon has been working very diligently with renewable resources councils, First Nations and many other stakeholders on a tick risk program to address the evidence of winter ticks. I think that, to date, those efforts appear to be working; they appear to be suc-

ceeding and this is but just one element of the elk management plan ensuring that we have healthy, viable populations of elk and, of course, moving on toward implementing other elements of the plan, including looking to a limited harvest of the elk in the year. We're looking at perhaps as early as this fall to make that happen.

Other elements in the elk management plan include looking at studies for monitoring purposes, looking to how we can continue to manage the elk habitat and manage it within its contained range; how we can deal with the impact of elk on the land and any impacts that it may have on other valued species, such as moose and caribou. The plan also deals with issues related to human use and appreciation of elk, whether that be through harvesting or wildlife viewing purposes. It also addresses, again, the socio-economic impacts and the management of elk, which has also been deemed to be priority — that went into the management plan that was prepared in collaboration with numerous stakeholders.

Mr. Chair, seeing my time is out, I look forward to continued debate on this very important department.

Mr. Fairclough: One of the good things about being in Committee of the Whole here is asking questions of the minister and the ministers actually get up and answer the questions, as compared to Question Period, where it appears that the Premier is taking control and answering questions. I do appreciate being here and having a debate with the minister.

I have to say, though, that my question from yesterday is what the minister attempted to answer. I asked the minister a question about the count — the inventory count — on elk and the fact that the government does aerial counts and the Yukon Fish and Game Association are on the ground doing the counts and the numbers are different.

The minister took 20 minutes to use up some camera time to answer a question —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Rouble: We've been through this numerous times. The member opposite just imputed false or unavowed motives by suggesting a rationale as to why the Minister of Environment gave a very good and thorough response. Unfortunately he has chosen to characterize it with reasons far beyond reality.

Chair's ruling

Chair: The Chair feels there is a point of order and I would urge the member not to break the Standing Order in that regard.

Mr. Fairclough: Just in case members opposite may pop up on a Standing Order again, I do have it right in front of me and I will refer to it.

The minister did not answer the question and I'm sure she's eager to answer the question I asked on Thursday and does have that information. I want to make progress here because at the end of the day yesterday I asked a number of questions and the minister was actually short in her answers. We

make progress when we do that — we went through. Reading notes again and again from staffers just doesn't help. We've heard it over and over again and *Hansard* has to write it over and over again.

There were some important things that I asked the minister, and I'm not quite clear on the answers that she gave me yesterday, so I'm going to give her an opportunity to do this again. One of them was in regard to the *Wildlife Act*.

Clearly, in the *Wildlife Act*, it says it is an offence to harvest elk. Now this government wants to go and give permits out to harvest elk. But it's a violation of the act. The minister said that the Department of Environment and the Government of Yukon will do whatever it takes to make sure that happens. At first, before she said that, the minister said that the way to approach this is through regulations, and that is now out in the public for public consultation. But the act remains the same. So is the minister saying that the *Wildlife Act* will come to the floor of the Legislature, and we would be able to see amendments to the *Wildlife Act*? And when will that happen? Will it be in the fall? Will we be able to debate that in the fall?

There's other one, while we're going through this. I would like to ask the minister — just a matter of years ago, there was also an eagerness in government to make amendments so that farmers, for example, could take ownership of wild animals. I just want to know where that sits right now. Is it still in the works? Will this also be part of the amendments we're going to see in the fall, if indeed we have amendments to the *Wildlife Act* come before this Legislature in the fall?

Hon. Ms. Taylor: You know, Mr. Chair, I won't apologize for being able to articulate about the importance of the environment. I think any time we can discuss matters of interest and of utmost importance to Yukoners — we certainly know that the environment is very important, as was shown in the recent poll, next to the economy.

I don't apologize for raising what the Government of Yukon is undertaking to address, promote, protect and preserve Yukon's natural environment. The Department of Environment includes a variety of areas — different units, different branches — from water to wildlife management, to climate change and so forth.

It is a fairly large and complex department and I value very much value the work that each of our officials housed within the Department of Environment do on a daily basis. So I'm just surprised that the member opposite would take issue with discussing some of these issues of importance.

Getting back to what the member opposite was making reference to, he was talking about inventory and the numbers of the respective herds. In the Yukon we have two herds, the Takhini and the Braeburn herds.

We know that between the two herds there are approximately 300 elk in existence — just over 200 are in the Takhini herd and the remainder is in the Braeburn herd. That is the most recent, up-to-date knowledge that we have. In the elk management plan there is a component under "maintaining the stable populations of elk". You know, Mr. Chair, I want to make reference to just how we got to this particular plan. The member opposite asked before, how did they first arrive? Well,

we know that they first arrived some time in the late 1940s. The Yukon Fish and Game Association was able to introduce a number of free-ranging elk in southern Yukon and so here we are today.

We have a healthy population of Yukon elk. We also know that we needed to update the way we manage elk, so steps were certainly undertaken. In 2005 a planning team, for example, was established to provide advice about elk management, and that team was comprised of various representatives who have responsibility for elk within the range identified, and they took an interest in how elk were to be managed in the future.

The planning process evolved to enable the public to become involved in the development of this elk management plan. Accordingly, back in 2005, a number of public meetings were held in Whitehorse, Carmacks, Haines Junction and, from those, they were able to articulate their views on their concerns, what were identified as matters of importance. It was during these preliminary meetings among governments — and it included the communities, as I referenced before; it included renewable resources councils, stakeholder groups — that identified that we do need a new elk management plan to address some of these issues and concerns.

From there, following those consultations — those meetings — there was a framework; there was work done by the department and a number of working groups were formed that took hold in 2006 and focused on a number of specific key management areas, which really formulated the basis of the elk management plan and identified a number of key objectives, and then under each objective are key actions and tasks, who will undertake those and when to do those and so forth.

So, from there, the draft plan was provided to the Yukon Fish and Wildlife Management Board for consultation during 2007, with the board making its final recommendations to the minister at that time, in January 2008. From there, we were able to formally adopt the elk management plan in June 2008.

As I mentioned, one of the key goals identified in the elk management plan, of course, is that of ensuring healthy and viable populations of free-ranging elk in Yukon — that is, that we should, in fact, be maintaining stable populations of elk in the core areas, which are south central and southwestern Yukon, and that elk should be healthy and free of diseases, and so forth.

So, as such, we have taken this framework and that has guided our actions into principles of how we manage elk, very similar to how we continue to work with our stakeholders on an adaptive framework to manage bison, for example. So, certainly we continue to work with a number of key stakeholders, and I make reference to a number of respective First Nations, renewable resources councils and many other stakeholders involved in looking at the plan, certainly continuing to address issues of importance to those stakeholders and that includes continuing to monitor the population size, the composition, continuing to monitor the survival rates and so forth. So there are a number of pieces, components, including looking at designing and establishing baseline counts and composition of both herds — Takhini and Braeburn, and again conducting composition trend surveys to determine the health and viability

of those animals. As I mentioned recently, our most recent count is roughly 300 among the two herds.

Now, with respect to the *Wildlife Act*, it is illegal to hunt specially protected wildlife, and in fact the list is really found in the regulations to the act, and that is the list of specially protected wildlife. Now, about a year ago in our regulatory amendments — and this is our annual regulatory cycle of amendments. It is very public; it engages the public, it engages a number of key stakeholders, and they're able to put forward proposals for consideration and then, of course, between the Yukon Fish and Wildlife Management Board, recommendations are made, and then decisions are made from there. So a year ago, in the regulatory amendments, elk were, in fact, removed from the list of specially protected wildlife, very similar to when bison were removed from this category as well, many years ago.

So in fact, what is transpiring this year, in this round of regulatory proposals, is that we are looking at administrative actions, such as setting of seasons and zones; therefore, looking at a more adaptive framework of managing wildlife. So hopefully that should provide some clarity to the member opposite's question.

Mr. Fairclough: It sounds to me that there are a lot of unanswered questions here that the department has in regard to the elk itself. I thank the minister for clarifying the issue a bit. I still have questions in regard to that.

I would like to go back though to the count and how the department does the count. They do aerial counts. The Fish and Game Association does on-the-ground counts and those counts are higher than the department's, so we really don't have a very accurate count of the elk. The minister said yesterday that, in the elk recovery plan last winter, the department penned over 100 of the elk in the Takhini herd. Today the number is 200, and she says it's 80 percent.

I realize that elk born while penned like that have a greater survival rate. What we don't know is what the survival rate is out in the wild. I am hoping we're not going on the assumption that they are growing at that speed. The other thing the minister said is that we are trying to keep the elk in its core range, both in the Braeburn herd and Takhini herd. I find that very difficult to do. I don't even know if the department really knows what the range is. I guess it is easy enough to define a core range, but even to know what the elk range is, because it has been spotted well north of Carmacks and up near Hootalinqua on the other side. It is crossing and heading up toward Big Salmon River. The range is growing and we don't know where they are.

As I understand it now, the permits that will be given out will not be given out for hunting in the core range. It will be on the periphery of this core range, which is also meant to take out some of the animals that may be viewed as nuisance animals to farmers nearby. I'm just wondering what the thoughts of the minister are on that.

Hon. Ms. Taylor: Mr. Chair, it would appear that perhaps the member opposite has more information than I or the department have on hand, but what I can say is that in our deliberations, we have had a number of discussions, and we'll continue to have discussions with stakeholders. Right now

we're preparing a number of options to address harvesting in a number of key areas, including the core range, the buffer area, and additional areas. But those decisions have not been made. I think that we are working with our stakeholders, and we're looking at permits, perhaps for all respective areas. How many permits will be issued in each area, — in the core area, for example, or the buffer area, or additional areas — we don't have that information quite yet, but we are working on it as of today.

I will say that this is again another component that is identified in the elk management plan. As I mentioned, it is comprised of a number of goals. Actually, in goal number two, in wisely managing elk habitats, one of the first objectives identified is to define the core range and the key habitats for elk populations. It's about carefully managing the core range and key habitats and also undertaking additional work, when and if required.

Again, we're looking to continue to monitor and map the seasonal distribution, the range, the use of elk, identifying and mapping the key habitat areas used by the elk and, again, updating our wildlife key area database. Those are all principles that are identified in the elk management plan, and these are very critical, as the member opposite made reference to.

Work is ongoing, and we look forward to being able to prepare for a limited harvest later on this year.

Mr. Fairclough: The department asked for the involvement of First Nations in developing this management plan. Are they asking First Nations for their involvement in the harvesting plan of elk?

Hon. Ms. Taylor: Yes.

Mr. Fairclough: Is this talk generally the same as the discussions that took place with the harvesting of the bison where First Nations were offered a certain number of permits? How are they involved and how are they benefiting from this harvest?

Hon. Ms. Taylor: As the member opposite alluded to, when we talk about bison, for example, those discussions and the degree of partnerships have evolved over the years. It has evolved from issuing specific numbers to where we are today. I think I referenced it last year. We had a target number that was agreed to by the bison technical team which is comprised of First Nation governments and renewable resources councils.

That number was derived at — 200 for example — it was seen that permits were required, but obviously having an open season, so to speak, instead of having specific allocations.

The way it evolved this year was somewhat different from years past. I think the same can be certainly afforded to where we are with elk. We just adopted this elk management plan not even a year ago. It's a very comprehensive plan. Of course, Yukon First Nations — in this particular case, we were looking at working with four respective First Nations in developing further actions and making decisions in partnership and collaboration with First Nations.

Those discussions continue to evolve; they will continue to evolve. I think those discussions have not been completed. If anything, they have really just begun.

Mr. Fairclough: Can the minister tell us when the discussions will be completed? We're going to be harvesting these

elk soon, in the fall or maybe even sooner, we don't even know. But these discussions have to take place fairly quickly with First Nations, so when do we expect an end date to the discussions and the actual plan to harvest to proceed?

Hon. Ms. Taylor: I suppose I could say, when those discussions are completed. We have certainly looked at a target of this fall, making permits available, and I'm not involved individually with those discussions. I know that the department is undertaking those efforts and we will be having those discussions with all stakeholders, which includes those four respective First Nation governments as well. I think that is very key because of their respective traditional territories and their settlement lands. We want to ensure that we move forward in a collaborative manner and we want to ensure that we move forward with those discussions having been completed.

But, as I mentioned, they are ongoing, they evolve, but as for the time and date and place for every meeting, I try not to keep track of those because that's not my job.

Mr. Fairclough: Good. I don't expect the minister to know the times and dates but, upon the completion of the discussion, I think that the minister should know that and announcements could be made publicly by the minister.

I'd like to finish up with the elk here, but there are still a couple more questions that I do have. Maybe I'll ask them both right now, and the minister can give her answers.

One of them is the cost of getting rid of the ticks and the management of the elk. What is the cost, and what was the cost last year? What is the cost this year to taxpayers? This includes everything new that the department has to do, including personnel who are involved. That's one question.

The other is that the minister said that 12 elk were penned in the Braeburn herd — and the minister says no. This was not this week it was said; it was last week. I did say that perhaps that number would change between now and then, because obviously they're still at it.

What are the numbers now? Are there 100 animals there? What are the numbers now? How confident is the department that we will not have the problem of ticks in the Braeburn herd?

Hon. Ms. Taylor: I just wanted to highlight something for the member opposite and that is that, when it comes to winter ticks, it just happens to be on elk. We would certainly do the same thing if they were found on moose. We would do the same thing if they were found on rabbits — you name it. I think that it is really important to note that Yukoners have identified the need for healthy and viable wildlife populations.

This government has made it a priority to address this — in collaboration with our stakeholders — to ensure that does happen. Unfortunately, winter ticks have arrived and they are here. The Department of Environment, in collaboration with the many stakeholders and other expertise, as required, has put together a framework for addressing winter ticks.

The first capture involved the Takhini herd. We were able to capture the lion's share of the Takhini herd very successfully. We know for sure that approximately 80 percent of the herd — that we know of — is certainly tick-free. We know this to be true because we have done another respective capture of

the Takhini herd this year, and I was just told that we have — I think it's over 120 of the Takhini herd in the pen right now, so another successful capture. We know that they're looking pretty good right now. That does tell us that we're on the right track.

As for the Braeburn herd, I know that this is the first year it has been up and running, so we have fewer. As I understand, we have 11 captured of the Braeburn herd, which is a substantially smaller herd than the Takhini herd. I'll just make reference for the member opposite. We do have a pen that was built, thanks to funding made available last fall, and we will continue to make funding available to ensure that we not only have a viable and healthy elk population, but really, good, viable, healthy populations of all wildlife populations. That is really reflected in the increase in inventory work.

I'll say it again: this government has risen to the occasion; we've increased the level of funding from \$300,000 to \$1.8 million in just a matter of a few short years. We have been able to increase our understanding of various populations and we've been able to formulate appropriate management plans with the communities to ensure that we do have viable populations going into the years out. That is in fact why this government has also identified over \$400,000 — I think it's almost \$450,000 for a new animal health program, building on the initiatives that are being delivered by other departments. It will really help us provide that technical assistance and it will grow our capacity to be able to address some of these pending concerns such as the winter ticks.

We know that with climate change, there are other unknown phenomena out there as well that we may need to take steps to address. We're certainly prepared to do that, because Yukoners have told us that they deem healthy, viable populations of wildlife to be very important, not only for Yukoners' health, but for food, cultural and spiritual purposes and for economic pursuits. The Department of Environment, I think, has done a very good job in being able to work on some of these very complex, new, emerging parasites and diseases that have arrived. We are being proactive and we are certainly taking the steps to address some of these issues that are here today.

Mr. Fairclough: Well, Mr. Chair, I got a partial answer to one of my questions. The other one, in regard to the cost, the minister didn't answer. I was hoping that she would be able to get up on her feet and tell us the annual cost of ticks to Yukon taxpayers.

In regard to the Braeburn herd, the last number that was given to us was 12, and it seemed like one got away, so we're down to 11 — 11 out of 100 is 11 percent. That is not a very accurate or a very successful way to address the issue of ticks. We have a problem here, and I think this is what the minister is saying here today. We have a problem gathering the animals from the Braeburn herd into the pen, because it is more than likely that they are spread out all over — and they could have ticks, but we don't know.

How long do we have to gather more of these animals into the pen? Is that complete? Is there any more work to gather the Braeburn herd into the pen to try to take care of the issue of ticks?

Hon. Ms. Taylor: It is interesting because the member opposite alludes to costs to taxpayers and, you know, I think there is a huge cost to taxpayers and to all Yukoners if steps aren't taken to address this particular issue of winter ticks. I would be really curious to hear the member opposite's solution to this particular matter. If he, in fact, has any other ideas, I would be really curious to hear them. My door is always open.

What we won't do, I should say, is move unilaterally, and that is in fact why we came up with this elk management plan. It was identified as an issue of importance to Yukoners and it identifies a number of key objectives with goals, tasks and timelines, and I think we're moving quite well on this. You bet there's work to be done. I just wanted to clarify for the member opposite that when it comes to the Braeburn herd, the estimated population that we know is sitting at 80. We are looking at 11 out of 80 in the population.

In terms of steps in capturing these herds, I think the department is doing a pretty good job thus far. I think that when we look to — at least we have some practice from last year, in terms of the Takhini herd. Again, we issued a news release recently in which there was a technical briefing provided by our team of biologists in which they are able to articulate that this management plan, this framework for addressing winter ticks, appears to be working.

Certainly, like any plan, it continues to evolve and it's not completely set in stone. We're always open for additional ideas and suggestions. I look forward to hearing them from the member opposite right now.

Mr. Fairclough: She still didn't answer about the cost though. What is the minister afraid of in giving out the numbers to that? I think the public would be interested in the cost. I think the minister would be interested in that cost.

There were solutions presented to the minister. If she goes back and reads the minutes of some of the meetings that involved First Nations, the Fish and Game Association, and the public, a lot of solutions were given to the department. I have to say, though, that the department has not been very successful when it comes to the Braeburn herd. Last year, none, nothing — they wouldn't even take the feed in the Braeburn herd.

Also, the biologists still say that the elk do have ticks — not as many as they had last year, but they still do. So it is an issue out there. For the minister's interest, the interest is out there with the public. They want answers. So I'm leaving it with the minister to maybe make a lot of this information more public and for people to constantly monitor what the department has been doing.

I realize there have been some announcements on this by biologists and so on, but not enough because I keep getting the questions. So I bring that forward to the minister.

Now, there was also a question I asked about the elk and its habitat, the moose and its habitat, and how elk and moose may not get along to even share the same habitat. The minister says there is no science that could back up the fact that they do not get along in the same habitat, but when it comes to the communities, local knowledge and traditional knowledge says differently. They do say that elk displace moose in those habi-

tats. They do say that. So how seriously is the minister taking the traditional knowledge that has been presented to the department in regard to elk?

Hon. Ms. Taylor: Just for a point of clarification, this is actually the first year of the Braeburn herd being captured, not the second year, so just to correct the record.

In terms of communication, I know of three news releases that I issued in the last seven months on this particular matter alone, but I can't speak for all of the meetings, of course, that the department has undertaken with stakeholders and has had discussions at various points in time with renewable resources councils and so forth. But I agree; I think it's very important to communicate to the public what is being done, and I think that, too, is addressed in the management plan; I think that having technical briefings with the officials present has worked out very well. I think having the department present when those elk from the Takhini herd were released was very effective. It got a lot of really great media coverage and a picture speaks a thousand words, so to speak. I think the department has come a long way in articulating what has been done and, more so, we're putting action to words here.

The member opposite just talked about potential impact of the elk on other species of wildlife on the land, and that too is identified in the elk management plan — goal number three, which is understanding the potential impact of elk on the land. Objective number one — the presence of elk should not be to the detriment of other valued wildlife species in the ecosystem. Of course, objective two is looking at the impact of elk on their range.

As I mentioned the other day, there is no scientific anecdotal information that we have at our fingertips. However, that is not to say that it isn't the case. What is addressed in the plan, however, is that when we look at the populations of other species, when we look at populations, for example, of predators within or near the elk range, they should be monitored for change as well.

It talks about reviewing potential for population changes of other species within the elk range through consideration of examples from other places, reviewing relevant information and documenting local knowledge — that is, traditional knowledge. When we look at understanding the potential competition within the elk range, it also talks about the need to provide research on a couple of key questions — that is, building on other work in other jurisdictions and finding ways to minimize costs to the local citizens through community involvement, in data collection and through traditional knowledge mapping. So this is actually right in the plan.

That certainly is of utmost importance and it's a key determinant in the work of the Department of Environment.

Mr. Fairclough: Well, Mr. Chair, I will hold the minister's word to that — that it is key to the elk management plan, this traditional knowledge. I am going to hold her to that and we will see what comes of this. A lot of times, some of the biologists use the local and traditional knowledge and later back it up by science.

Just for the minister's information, too, she says this is the first year that the department has been involved with trying to

eradicate the ticks from the elk in the Braeburn herd. That is not true, Mr. Chair. Last year, they tried feeding it cornmeal, putting in medication and trying that method. It didn't work. Not one elk came around to even take an interest in that method.

There was a lot of concern, though, among the public, because if this medication were to be eaten by moose — science doesn't know what effects it would have if a human takes that moose and consumes it. I'm sure the minister must have been listening to the discussion back then last year when we were talking about the elk.

I'd like to move on past this issue and talk about the bison and the number of bison we have in the territory. We're taking out 150 animals; it's still not enough. It appears the number is out of control and government isn't able to get control where they would like it to be.

What other solutions does the minister have to try to bring those numbers down to the original manageable numbers of 400 or 500?

Hon. Ms. Taylor: I don't know where to begin. There's a lot of history to this one. I guess I'll just back it up to the very beginning, when Yukon first agreed to participate in a national recovery effort for the wood bison.

It recommended establishing a number of different populations throughout Canada, primarily western Canada. So, at that time, a number were brought to the Yukon. Of course, once established out in the open wild, so to speak, a wood bison management plan was developed, which included First Nations and the Yukon Fish and Wildlife Management Board. From there, a number of steps have been taken, including an adaptive framework for managing the herd and, more importantly, we receive direction from what we have coined as the "wood bison technical team". It is comprised of representatives from Champagne and Aishihik First Nations; Little Salmon-Carmacks First Nation; Kluane First Nation; Alsek, Carmacks and Loberge renewable resources councils; Environment Canada and so forth.

It is really their work that we attribute to addressing a number of the wide range of management issues, including the harvest. That is when, where and how the bison harvest takes place.

Those are all the issues the team tackles, and of course, as I made reference to earlier, there was a harvest management framework agreement, which was developed with both the Little Salmon-Carmacks First Nation and Champagne and Aishihik First Nations, which allowed for a sharing of the annual allowable harvest of bison.

The bison management plan also addresses the issue of bison on the highway. Of course, we're also working with Highways and Public Works on strategies to ensure that the motorized traffic is kept safe with signage. As well, we are looking at appropriate vegetation for ditch seeding that is not so appealing to bison, and so forth.

We continue to work through an adaptive management regime, which was, again, developed by the department in collaboration with the bison technical team and the management team to respond to the increasing bison populations. So, at the

same time, as I mentioned we're also working on a socio-impact assessment of the bison program. We are continuing to survey the population of bison on a regular basis through monitoring of collared animals, looking at various locations and completing population surveys of the habitat there.

This year, as I made reference to earlier, the open season and the season extension through this adaptive management approach, which is really the first year in the works — it produced some fairly good results this year, given the cooler temperatures that Yukon experienced earlier this year, not to mention the level of snow pack.

The harvest this season was 150 animals, which is really the highest ever recorded. The previous high was 99 animals the year before. We know from these results, and now that the season is officially over, the technical team will be reviewing those results of the harvest.

They will be considering those additional recommendations for next season that will further assist in increasing the harvest.

Through the adaptive management framework that was instituted, it gives us increased flexibility to make those decisions annually with respect to season dates, permit numbers, and open zones for hunting bison. Again, those decisions would be made in consultation with the technical team that is comprised of a number of stakeholders.

I wanted to make reference to the fact that this adaptive management was a recommendation that came forward from the Yukon Fish and Wildlife Management Board. They recommended that the adaptive management be brought forward on a five-year trial basis and so the 2008-09 was the first to use it, which we just wrapped up. It did not reach the target, the initial annual allowable harvest of 200 bison, but despite the colder temperatures that prevailed over the Yukon and the degree of snowfall that we experienced, I think we still did fairly well.

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

Recess

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

Mr. Fairclough: The minister says that they have a plan — and this is the first year that they've executed that plan — to try to bring the number of bison down. We don't know the exact count — what are we at? Over 1,200? The numbers won't change once the calves are born, from what we have today, so we're no further ahead than where we were last year.

The minister didn't say exactly what the department is planning to do or what they could do. Maybe she could elaborate on that a bit more and tell us how, over the number of years — over five years — how they feel the department can bring the numbers to a manageable number, which is around 400 or 500 animals, because that is a lot of animals that need to be taken out.

The department must have had a lot of discussion on this. This has been an ongoing problem to try to resolve. The wolves

aren't taking out these animals like we thought they would years ago. They are just not feeding off the bison like we thought. They are not taking them out. I would like to hear the thoughts of the minister and the department on how they want to bring those numbers down, and when do they expect to bring the numbers down to 400 or 500?

Hon. Ms. Taylor: I think I already addressed that question. The member opposite may not appreciate the answer or may not like the answer.

But, again, those decisions will be made in collaboration with a number of stakeholders comprised of the wood bison technical team, the affected renewable resources councils and First Nations. I think I made reference to it earlier, but now that we have completed the first year of the five-year trial, so to speak, we will be going through those results and we'll be making decisions with respect to season dates, the permit numbers, the open zones for hunting bison and so forth. That is really, in large part, due to the adaptive management framework that was instituted to provide a flexibility to give to the department to make decisions on an annual basis.

Again, I can't pre-empt what those discussions are going to bring forward, but we'll likely be hearing the results of those discussions and decisions will be made accordingly. Again, those will be made in collaboration with the wood bison technical team, which the department also takes part in.

Mr. Fairclough: We still have a problem here and that is that the number of bison we have in the territory is out of control and growing faster than we expected when they first got here. Even with this big harvest that we had this year, the numbers are still high. I didn't hear any solutions from the minister, other than having a discussion with key stakeholders.

I hope the First Nations play a huge role in this as well, because they voiced their concerns years ago and there is a big issue here, a really big one. I know the minister must hear it; the department must hear it from the public quite often. Should these numbers grow again, it would be easier and easier to take these animals out. Soon you would be sitting not far from your cabin and taking them out if the numbers grow so big. I know that this year's weather might have played a role in the harvest too and the animals don't move as quickly as they normally do through the deep snow. I'll just leave that one alone for now.

I would like to move on. I guess the answer that I get from the minister is that yes, the department does have a problem with the numbers and can't get them down. The department could not get it down, even with this high success rate that we had in hunting the animals. We can't get the numbers down. Those numbers are still growing, despite the good harvest this year.

One of the big concerns people have out there, as the hunting season comes about, is that they just don't see conservation officers all that often out in the bush. I know why, and I think the minister knows why: there simply aren't the bodies to patrol all the areas in the territory. There simply aren't.

Now, I know the minister just said that the environment, the animals, are a top priority of this government, and what we have to do is manage people as much as we try to manage animals.

Conservation officers are needed and in the budget there is no increase to conservation officers. Is there any thought on the minister's part that we would see down the road an increase in the number of bodies and an increase in the number of conservation officers who will be patrolling the Yukon, in particular when it comes to the hunting season?

Hon. Ms. Taylor: Getting back to the bison, I just wanted to reiterate that we recognize that those targets have not been met. They were not met. We recognize, however, that there were some very exceptional circumstances this year with the colder temperatures and not having as much appetite to be out there in 40 or 50 below temperatures hunting bison, as well as the level of snow pack in those areas.

I think that we have made considerable changes to increase the opportunity: the adaptive management framework for one. Again, it provides us the opportunity to make those decisions at a more expedient rate. Of course, in the last year changes included the removal of the five-year restriction on permits for successful harvesters, the removal of the north and south zone, addition of subzones, extended season, removal of the cap on permits and waiver of the permit hunt application fee as well.

That is not to say that we can't go further but, again, we will move in collaboration with the technical team that is comprised of the renewable resources councils, First Nation governments and the Department of Environment. We recognize that more work is required and we are very much committed to doing that. For that reason, we were able to proceed with this adaptive framework. We were able to proceed with changes in the way we harvested bison this last year. I think we did make progress from the 99 that we had a year ago to where we are now — 150. We didn't meet the target of 200, but we're certainly committed to moving forward, in collaboration with our partners, to ensure that those provisions of the management plan are adhered to.

Now, with respect to conservation officers, I also concur that conservation officers do a tremendous job. Their job descriptions are very comprehensive and all-encompassing. I think that, really, the success of many of our management or stewardship initiatives undertaken by the department are really dependent upon our ability to achieve this degree of compliance, in terms of meeting our legislative commitments through the *Wildlife Act* and so forth.

Again, it is achieved through public and First Nation stakeholder involvement in the legislative regulatory development process and, of course, through the ongoing investment in our human resources, as well as in educational initiatives such as hunter and trapper training courses, specialty workshops, visits to our schools, our public centres, information publications and our media campaigns.

These efforts have been bolstered with field patrols, inspections and investigations undertaken not only by our conservation officers, but also by our park officers, and *Environment Act* and *Waters Act* inspectors, who are also responsible for monitoring regulated initiatives and ensuring compliance with our respective statutes necessary to safeguard our values throughout the Yukon.

We recognize that our conservation officers and all of the inspection-related personnel do a great job and we monitor the work associated with fulfilling their mandate. We do provide the investments as we have in a number of different areas over the years. Wildlife inventories was one; climate change secretariat is another; the site assessment remediation unit is another.

This has all enabled us to further our capacity and grow our capacity to meet some of the increased challenges, but we are very much committed to ensuring that we have effective compliance, and ensuring we have the necessary resources on the ground to do just that.

Mr. Fairclough: Well, I didn't see any increase in the budget to increase the number of conservation officers who are out there. I hope that the minister takes this issue that the public raised with us seriously, and perhaps we'll see it reflected in future budgets down the road.

I'd like to move on to another issue, but before that, I just wanted to ask one more question in regard to trappers. The department has been working for a number of years now on a trapper compensation policy. Can the minister update us on this policy and when we can expect it to be completed?

Hon. Ms. Taylor: Environment is very much part of that, but the lead department in that regard is Energy, Mines and Resources. I'm sure that that minister would be able to elaborate further on that particular initiative.

Mr. Fairclough: I am a bit surprised, Mr. Chair, that it is in Energy, Mines and Resources. What message can the minister give to the public in regard to where this policy is? Is it completed? Did she get a note from the Energy, Mines and Resources minister that all the work is done? When can we expect an announcement on this? I believe this is where it started, in this department, and for years it has been worked on by this department. We have never heard of any shift that it has now moved into Energy, Mines and Resources. Maybe the minister could clarify that for us and whatever information she has on the policy to articulate that here today.

Hon. Ms. Taylor: I am not sure why it is that Energy, Mines and Resources is the lead. I guess that could be a question posed to the previous Liberal administration that deemed renewal as their priority and that is what evolved.

Mr. Chair, the establishment of a trapper compensation process, as we know, is a land claim obligation in the final agreements. We are working to hold consultations with First Nations, renewable resources councils, trappers, industry, key stakeholders and the public about the proposed trapper compensation process. That process will be underway this year and will provide an opportunity for everyone who is interested in the issue to review and comment on the proposed process. Hopefully, that is an update.

Mr. Fairclough: Okay. I am hoping that the Energy, Mines and Resources minister won't pass it back down to the department. That is my fear with all this. I asked about the harvest support program for trappers. Is there a program to exchange traps for trappers? There is ongoing new technology that is being asked for and forced upon us by the European Union. I understand that we have had this in the past. Who is taking the lead on this one? Is it Energy, Mines and Resources?

Hon. Ms. Taylor: Unfortunately, perhaps the Member for Mayo-Tatchun wasn't listening, but I did provide an update on the trapper compensation process. As I mentioned, Environment is part of this initiative. We work in partnership with Energy, Mines and Resources on this particular aspect. Energy, Mines and Resources is the lead department, and I'm sure the minister would be quite happy to report on the exact same words I've reported on in this regard, and that is that we are working to hold consultations with the public, with First Nations, renewable resources councils, trappers, industry and other key stakeholders on a proposed trapper compensation process, again providing every individual an opportunity to provide their views and comments. That process should be underway this year, as we speak.

I'm sure perhaps the Minister for Energy, Mines and Resources may wish to elaborate on that.

But getting back to support for the fur industry, I'll just go back to my initial comments and that is that we are very much committed to working on extrapolating from the work that has been done in the past on the phase 1 of a Yukon fur strategy. We are looking to further that work on a fur strategy. There was a substantive amount of work done on the first phase. It included a brief overview of what other jurisdictions are doing in support of the trapping industry. It also takes a look at an overview of some of the issues that would need to be addressed in a fur strategy, including trapline utilization, productivity, including setting targets for productivity and so forth.

We are very much committed to working with the stakeholders and those are the Yukon Trappers Association, the Yukon Fish and Wildlife Management Board and trappers themselves, renewable resources councils — they play a very key role in the assignment, reassignment and certainly the utilization of traplines in the Yukon. Of course, they make recommendations to both the Minister of Environment as well as to the respective First Nation governments, depending on what category that trapline falls into. We are working with them. Certainly, this may be an item that is identified through that process.

In addition, as I made reference to the other day, as well, through the Department of Economic Development they were also able to award I think it was just over \$30,000, I think it was, to the Yukon Trappers Association for facilitating consultation with trappers in communities in the Yukon, looking at how they can provide long-term value and what are the priorities in the trapping industry and what support is required and what support would be relevant for moving forward this industry and growing it.

I made reference to the trapping industry, and its very importance not only to the traditional economy, the traditional way of life, but also to the social and economic well-being of our communities. Those discussions are underway, and we are very much committed to working with them and looking at what priorities we can move on.

Mr. Fairclough: The minister said they're very committed to working with all the stakeholders when it comes to the development of this trapper compensation policy. They couldn't be that committed, if no work is — no results are be-

ing seen by government. It is government that is holding this up. It is their policy, this government that's holding this up. I just want to flag that for the minister. I don't need any more discussion on this. It is brought to my attention; it is government that is supposed to be developing this, and they've been holding it up for years and years and years.

I have another question in regard to species at risk. When are we going to have legislation developed?

Hon. Ms. Taylor: Mr. Chair, I very much enjoy discussing these issues, so if the member opposite doesn't want to continue these discussions, that is his prerogative. In terms of going back to the trapper compensation process, I will again reiterate that, under the leadership of the Department of Energy, Mines and Resources, working with the Department of Environment, we are looking to undertake those consultations in the coming year. Those will include a number of key stakeholders, including First Nations, renewable resources councils, trappers, industry, key stakeholders and, of course, the public — about the proposed process.

We fully recognize that it is a key land claim obligation in the fish and wildlife chapter of the final agreements. Work is underway to identify a process so that we can ensure those obligations are fulfilled, just like we are doing in other areas. These initiatives do take time. They take thought and collaboration among the respective partners, but the government is committed to moving forward, and that's the most recent update I have in that regard.

With respect to a species at risk act, this is something that the Government of Yukon sees as a priority that will enable the government to better engage in land and wildlife issues with Canada and will also enable Yukoners to have a greater say in management decisions as well.

Last year, and certainly this year, we continue to engage with a number of key stakeholders, including First Nations, wildlife management bodies and stakeholders. That is a comprehensive consultation process. We're now engaged in working meetings with First Nations, as well as the Inuvialuit, to address in further detail just how the legislation deals with protection of harvesting rights, protection of critical habitat on settlement land and, again, recognition of First Nation, Inuvialuit and management body roles and responsibilities in management decisions. So that work is currently underway.

Mr. Fairclough: I like having discussions in this department. I think there is a lot to learn and a lot for myself to learn. I think just by the debate we had on a few issues here that even the minister has learned a lot as well. I thank her for her answers; I thank the officials for being here today. I do have lots of questions in the department but I'm going to give the opportunity for others to ask questions. I thank the minister for her answers.

Mr. Edzerza: Mr. Chair, I'd like to start out today by thanking all the officials who work in this department. I do understand that it's a very important department and can probably be very controversial at times. I know through experience in our traditional ways, we as First Nation people really put the environment in very high regard.

I think my first lesson on environmental issues was probably when I was about five years old, out in a hunting camp with my father, when he instructed us boys to never urinate in the creek. "Fish live there." And that was basically a very important message that he gave because, in later years, I found out that a whole town does it. A whole city does it. They flush raw sewage right into the rivers. It's unfortunate because, in my own beliefs, I understand the message my dad was giving me, and for whatever circumstances, this is contaminating rivers and lakes — right across the whole world, it's taking place.

I heard on the news just last night about Halifax harbour, where they made this humungous expenditure on a plant that was supposedly going to clean up the water in the harbour, and it didn't work. So the raw sewage goes right back into the harbour.

When it comes to environmental issues, I know a government can put in some pretty harsh restrictions and can enforce a lot of policies and legislation that would preserve water, land and air. I think one of the things that man seems not yet to have come to grips with totally is that, without good, clean air, we can't live. Without safe drinking water, we can't live — life is not sustainable. All of the things that we talk about with the environment are all critical and very important, whether it's in the Yukon or in Europe. A lot of the things that go on in different countries contaminate our environment. An example is the Chernobyl disaster with the atomic power plant.

I don't believe that we still know the results of the acid rain fallout on the north. I don't believe that. I don't know; maybe that is one question the minister may be able to give some insight on if she has ever heard of any kind of studies conducted on caribou and other animals in the north for contamination from acid rain.

I know at one time some First Nations were advised not to eat certain parts of the animal that they used to — like the kidneys and liver. I don't know offhand if that was directly due to acid rain contamination. It might have been or it might not have been. I believe this portfolio is one that has probably been so out of control right across the world that I think the Yukon is probably just a very, very small dot on a very large area when it comes to contaminating. Mind you, we do our fair share though. That's the part I'm a little bit concerned about, especially the waterways.

I'd like to start out by asking the minister if there is some kind of a clean-up process or infrastructure along the rivers that would help minimize contamination of the river-site camps. For instance, are there wash houses along the rivers that a lot of the visitors canoe on? I'll start there.

Hon. Ms. Taylor: I guess I could kind of put on my tourism hat in that regard because I've had a lot of discussions over the years with the Wilderness Tourism Association for Yukon.

I know from working together with Environment and Tourism and Culture, they are wonderful stewards of the land, particularly the more popular rivers that attract visitors worldwide and here in the Yukon as well. I think that some of those waterways are getting to be more developed with more interpretive signage. I know that, through more information,

through brochures and pamphlets being distributed to respective tour operators, I think that the message is getting out more.

In terms of — I don't know how you coin it — outlets for human waste, some of those are being looked at as well through the association. I know that we had some good discussions, and they're looking to other jurisdictions in the country or certainly outside of North America and the United States, for example, where they are able to use similar infrastructure that has been used on other rivers and other waterways as a means of ensuring that water quality does remain. I think they've been doing a very excellent job of being great environmental stewards. We continue to work with them to find ways, as well, to do our jobs better to ensure that our waterways do remain sacred and they do remain very attractive for our visitors as well. I'm not too sure if that's what the member opposite was looking for, but perhaps I'll leave it for him to clarify if required.

Mr. Edzerza: I thank the minister for that response. I guess it does somewhat, but I did bring it to the minister because it was reported to me on several occasions by local people who usually do a lot of boating, that they've noticed how much contamination is starting to happen along those popular boating rivers that are being used — garbage bags along the side, toilet paper in places, campsites that are really messy, not taken care of, being somewhat abused with a lot of beer bottles and stuff like that lying around. That's the only reason I raised it — to raise awareness. If it isn't nipped in the bud very quickly, it can become an issue where it's going to take an excessive amount of time and capital to clean that up. It is better, in my opinion, to have prevention measures up front to at least minimize it, if not get it totally under control.

I would like to know if there is any testing done on the fish in the Yukon River for contamination.

Hon. Ms. Taylor: I do know that fish habitat does comprise some of our work under the wildlife inventories, which we have been able to enhance over the years. So we were able to monitor in that regard. I don't have the list at hand.

The member opposite made reference to the northern contaminants program and that is a program that is spearheaded by Indian and Northern Affairs Canada and they do help fund contaminant research and monitoring in the Canadian Arctic. In previous years, for example, they have committed to monitoring contaminants in the Porcupine caribou herd and lake trout in Lake Laberge and Kusawa Lake on an annual basis. They also do research on some of our woodland caribou herd every number of years on a scheduled basis.

I do know that the Department of Environment does work with them in that regard. I don't have the outcomes, but I do know that, for example, there have been some levels of mercury found in fish across the Arctic. That's kind of a broad statement, so to speak, but as part of the northern contaminants program they do provide that ongoing monitoring, which may in fact reflect some atmospheric changes in mercury and perhaps other contaminants. So between those two initiatives, those two I am fairly familiar with.

Mr. Edzerza: I guess one of the reasons I asked that question is because there is a lot — I'm speaking mainly about

the Yukon River. I know in Whitehorse here, for example, for many years we did pump our sewage into the river, and at various locations down the Yukon River the same issue occurs.

I believe a lot of stuff that's dumped into the sewage system probably contains a lot of household cleaners, for example, and God only knows what else. That's why I was asking this question on behalf of some people who do harvest fish along the river. One elder mentioned this to me and asked if I would ask the government if they check their fish to make sure they're not going to catch something 10 years down the road that was caused from eating these fish. That was more along the lines I was directing this question on.

Hon. Ms. Taylor: Further to what I was just referring to between the northern contaminants program and some of the information we do feed into that program as well, through the fish health lab — it's part of our fish and wildlife branch — we do conduct analysis of fish and other fish-related biological specimens. We do participate in sampling of fish for contaminant levels, and in reporting back. We do coordinate aquatic animal health activities, including disease screening for fish and the identification of fish diseases and parasites. So basically one could say that, yes, we do monitor the health of fish populations throughout the Yukon, and we continue to conduct aging of various species of fish as well. We assess their fish diet through examination of those contents housed within those fish, so to speak, and we also coordinate the collection of samples and their analysis for contaminants.

So there is a lot of work, and I do know that the department is working on a publication as we speak, actually, which should be released to the public fairly soon — I think it'll be the first of its kind, if I'm not mistaken — on the health of fish in the Yukon.

So I can't say too much more than that because I haven't seen it myself, but I think that that will be very informative. It should perhaps help address some of the member opposite's questions as well.

Mr. Edzerza: Well, I thank the minister for that answer, because I do think it's something that could cause a lot of stress for an older person who eats a lot of fish. If they are wondering how safe it is and they don't want to quit eating it, but if there is a report being developed, I think that would cover the concerns they should have.

While we are talking about the fish, I would like to know how the fish farming industry is monitored for water contamination. Are there any future plans to expand this industry?

Hon. Ms. Taylor: Thank you to the member opposite for that question.

I know that within contained areas — I am just thinking of one, Icy Waters, for example. Icy Waters is required to obtain a water licence, which obviously has conditions attached to it. It would be the Department of Environment's obligation to ensure that those conditions are fulfilled and that they are adhered to.

Of course, just through our water resources branch, I have pages here of all of the various tasks that they undertake on behalf of the Government of Yukon, but I'll just throw out a

few here. They provide overall planning, budgeting, and direction for the full range of Yukon water management programs.

It administers water security deposits, conducts geotechnical inspections and assessments of existing water structures. It provides input and advice on major new projects, such as hydroelectric, mining developments; provides oversight and coordination to interdepartmental working groups, because there are various departments involved with safe drinking water, water associated with solid-waste sites, and so forth.

We oversee administration and implementation of interdepartmental cooperation agreements for administration of the *Waters Act*. We operate a hydrometric monitoring network in partnership with Environment Canada. I understand there were four new stations just recently added in the last few years.

We operate, as we're all aware, the flow forecasting monitoring program, including preparation of the snow survey bulletin — we're all very familiar with that — and the water supply forecast. We manage the groundwater database, provide water quantity data, expert advice regarding screenings, water licence interventions, licensee submissions. We're involved in northern international research river basin studies associated with hydrology and climate change. The Yukon River is one of them that — through the assistance of northern strategy funding — we were able to collaborate with a number of First Nations who rely very much upon the Yukon River for their sustenance. That has proved to be a tremendous success thus far.

We were an active participant in a number of International Polar Year projects, including Wolf Creek research basin. As I mentioned, we conduct inspections, compliance and enforcement activities, water licences, *Waters Act* conditions, provide advice and interpretation on the application of *Waters Act* water licence terms and conditions; we monitor compliance of water quality standards in licences and provide input to hearings, interventions and so forth. We provide advice on water quality issues, such as a Canada-wide strategy for municipal waste water effluent, something that Yukon signed on to just recently — one of a majority of jurisdictions in Canada that did.

We conduct water quality assessments, drainage basin studies, watersheds and, of course, we represent the department on national and interdepartmental committees. The list is quite fierce, to say the least, but those are just but a few of the things that the water resources branch does undertake.

Chair: Committee of the Whole will recess for 10 minutes.

Recess

Chair: Order please. Committee of the Whole will come to order. The matter before the Committee is Bill No. 15, *First Appropriation Act, 2009-10*, Department of Environment.

Mr. Edzerza: I believe the last question I asked had to do with fish farming. I got an answer on the water part, but I was also wondering if the minister is aware of any expansion of this industry.

Hon. Ms. Taylor: No, there has been no expansion of this industry.

Mr. Edzerza: Okay. There is one issue that I would like to have cleared up, and that is the protection of eagles in the Yukon area, especially around McIntyre Creek and where the fish farm is presently situated. The eagles seem to have moved from over in between the dump and the McIntyre road to across the road where they now nest along that little canyon at the base of Raven's Ridge area.

But up at the fish farm, there has been an eagle nest there for many, many years. There have always been babies there every year. This year it has been knocked down. I don't know if it was the snow load or if it was intentionally knocked down but I intend to investigate that myself to see if somebody did destroy it. I am wondering if there are any laws that protect eagle nests and nesting areas in the Yukon Territory. I know in Alaska you get a very heavy fine if you ever get caught destroying an eagle's nest. I am wondering if we have any kind of protection for these birds in the Yukon.

Hon. Ms. Taylor: Yes, in fact there are laws that protect both nests as well as dens within the Yukon. I would be happy to forward that information over to the member opposite if he would like that.

Mr. Edzerza: Does the department actively go out and monitor nesting areas that are close to Whitehorse?

Hon. Ms. Taylor: Well, Mr. Chair, the capacity of our conservation officers, for example — they certainly will work to investigate an area where it has been identified that some investigation needs to be undertaken, but you know, of course through their travels and through their work, they're always monitoring, but with regard to specific issues of concern, that is where it's complaint-driven. But they're very good at responding and very effective in following up.

Mr. Edzerza: Well, I sincerely hope that the department does go and investigate this area by the fish plant, because that nest had been there for many, many years — well, at least the 15 years that I've been living up the Fish Lake Road. We've always seen babies there every spring, or every year, but this year it's not there. The nest is gone. It's down, so I guess nature will have to take its course. Hopefully they will rebuild there again.

While I'm on this line of questioning, I think I would like to ask one question. I have had phone calls about from at least three constituents. It has to do with human-animal conflict. There appear to be some issues out along the Mayo Road and other areas and some citizens are not really pleased with how they have been handled. Is it common practice for the department, for example, if there is an issue with wolves, to go out and kill all the wolves there to protect a person's domestic animals, such as horses or whatever? What are the responsibilities of the owner? If they are free-ranging animals and a wolf or bear gets them, should that not be the responsibility of the owner of the domestic stock?

Hon. Ms. Taylor: Well, past practice and the practice that has continued is to very much work with the landholders — the land owners. Of course — how do you say it? — removing or the permanent removal of wildlife from one's property would perhaps be the last resort the department would be looking to. I think it's on an individual, case-by-case basis. We rec-

ognize, though, that as communities such as Whitehorse and the outlying area continue to evolve and develop, that there will be increased incidents. There may be some conflict between humans and wildlife. For that very reason, the Government of Yukon is working through the Department of Environment on a human/wildlife program/policy.

I am just trying to find a bit more information on that. It is in the works and we are working with a number of different communities. I know that there was just a workshop, for example, held in Haines Junction recently on different forms of those conflicts occurring. We have all heard time and time again, about mishaps occurring in our communities or outside of our communities as a result of those mishaps. That is something that we have deemed a priority to work on. We recognize, though, that there are some challenges and perhaps we need to take a look at a more formal strategy of addressing some of these conflicts. We want to ensure that whatever strategy is come up with that we do work in conjunction with citizens of the territory.

Part of the strategy that we are looking at coming up with is updating our current operational policies that deal with how to manage those wildlife and human conflicts. As I mentioned, as part of that process, we are working with stakeholders on looking at a set of guiding principles that guide our work in the management of this area. At the same time, we recognize there is always going to be a diverging sense of how to address some of these issues. If there is one thing I have learned as Environment minister, it is that every single individual in the Yukon has their own perspective on how to manage wildlife and it's our role to try to capture the majority of those views in our policies and objectives on how we do manage wildlife.

Mr. Edzerza: I believe one of the things we must keep in mind, again, is that man has developed weapons to destroy animals. Those individuals who are moving into the wilderness and choose to live in that environment have to keep in mind that they are alienating the animal world in their natural environment. If a wolf or a couple of wolves happen to get one of their animals — the wolf is normally travelling — I believe it's totally the responsibility of the owner to start keeping a closer watch on their animals. For example, if you're going to free-range, you have to realize that you really increase the risk of your animals being taken down by predators, versus if you look after them properly and put them in a barn. I've never heard of a wolf going inside of a barn to kill something.

Our family has had a lot of experience in this area. We owned approximately 60 head of horses in Atlin country. We lost horses to wolves, but never once did we ever go out and try to shoot off a whole pack of wolves because they got one of our horses. We realized that it was our responsibility to look after the animals. If we lost a horse to the wolves, that was our fault. Immediately upon losing a horse somewhere when they were free-ranging, we would bring them right into our stable or corral and keep them in an enclosed area, safe from predators. I sincerely hope that as we go forward — as the minister mentioned, this area is being looked at by the government — we would really give the animals the benefit of the doubt here. More onus should be on the owners of the domestic animals.

I am going to move away from this area to a question that has been asked quite regularly about contaminated dumpsites that are throughout the Yukon from the building of the Alaska Highway. There probably is some information around about it, but I have never really searched for it that much.

I have had some citizens question me as to whether or not we knew where those dumps were located and if any of them had ever been cleaned up. Something of concern was all the batteries and transformers — those kinds of things — that were probably buried when the army was going through the territory. I know that I can't prove it, but I have heard stories from elders who said a whole Cat was buried. If it got stuck somewhere, they would just bury it. I know that there were many waste dumps along the route of the Alaska Highway. If the minister can direct me to any kind of information that speaks to this or even a map of where potential waste dumpsites are, I could relay that to those who are asking about it.

Hon. Ms. Taylor: It sounds as though those particular sites that the member opposite is making reference to would be considered pre-devolution sites that would continue to be administered by the Government of Canada. So it is the Government of Canada's responsibility to address those contaminated sites. I will perhaps leave it at that. It sounds as though that is what that is.

The Government of Yukon, however, less than a year ago, created a new unit — site assessment remediation unit — for which we just added some additional monies in this year's budget. I think the total for that budget now is about \$628,000 — in that realm. It's for addressing and looking at investigation and assessment of contaminated sites on Yukon government-owned land. It sounds like those ones would be separate though from the ones that we are currently working on right now. So that is what we are working on.

Again, the unit sets priorities for cleanup and looks at a thorough assessment. Although we know of areas that are contaminated, we just don't know to what degree. Obviously, it does the appropriate assessment, then looks at remediation plans and will be looking to remediate respective areas that are under Yukon government ownership. However, it sounds as though the ones the member opposite was referring to would be pre-devolution and would remain under the mandate of the federal government.

I did want to go back to the human/wildlife conflict. I wanted to add that the conservation officer services branch's mandate — its major focus this year, you could say — is to really better inform and help the public prevent wildlife-human conflicts in their community and in our backyard, of course.

They are doing this by developing more public education tools to help people understand how they can take steps, as the member opposite was alluding to, to reduce potential conflicts between themselves and our wildlife. Pamphlets, for example — I should say, it's actually a booklet now — *How You Can Stay Safe in Bear Country*. We are also providing new brochures on industrial activity in bear country; that's more on the industrial side. We're also going to be bringing out a new fish and wildlife branch brochure to help people learn how not to attract foxes, coyotes and wolves to their backyards. So, like

the member opposite, this is really beefing up on the public education and on the preventive side of the equation.

Mr. Edzerza: Thank you, Mr. Chair. I thank the minister for that last response, because I believe that's probably a very positive approach to take with this issue.

For example, I have lived on the Fish Lake Road for approximately 17 years and I have never had a conflict with wildlife and our animals. Yet right in Whitehorse here — in the main town of Whitehorse — people have had conflicts with dogs and coyotes and whatever, killing their dogs. It all stems from things like putting dog food out on the deck, so yes something is going to come, because it has a very strong odour. They will come for it. Part of the whole process of human/animal conflict is pure and simple education, as the minister stated.

As for the contaminated dumpsites along the Alaska Highway, I find it rather strange that the Yukon government wouldn't have already asked the federal government for documentation to identify all dumpsites and potential hazardous areas along the Alaska Highway.

I say that because, for example, some of the elders up around the Klukshu area have kept track of people who have contracted cancer, for example, and they noticed a drastic increase in the number of cancer victims. I think later on they found out that a lot of the berry patches they picked from were on top of a waste dump where there were transformers and all kinds of other things that could produce hazardous kinds of toxins in the ground.

That's why I brought that out — so that people will have some general idea. Maybe we do have to contact the federal government and ask them to publicize it and get some maps produced that Yukoners can have access to and are able to select where they actually do their harvesting, especially for berries. We believe that a lot of the contaminants in the soil could actually go right into the berries.

I am going to move off this area for now. I would just like to ask a few questions with regard to mining. I guess I am just on the borderline here — whether this is going to be shoved over to the Minister of Energy, Mines and Resources or if this would be an Environment question. I was just wondering if there was a long-term vision for oil and gas development in Yukon?

Hon. Ms. Taylor: I suppose, Mr. Chair, that matter would be better addressed by the Minister of Energy, Mines and Resources. I am sure that he would have, in his stack of papers, a better sense than I as to the oil and gas industry. It falls within his mandate.

Mr. Edzerza: I could probably accept that answer, and I hope the Minister of Energy, Mines and Resources doesn't say, "Well, you know, that might have more to do with Environment," because at the end of the day whenever this takes place, it is going to affect the environment. The expiration for oil and gas is not something that is just going to take one little trip with a helicopter and back out — it's going to probably be a lot of disruption of the natural environment over a large area.

Anyhow, I had a couple of questions but, from the answer the minister just gave, I believe I will save the other ones for

the Minister of Energy, Mines and Resources, if we ever get to him.

I would like to touch on McIntyre Creek. I want to put on record that this area is of grave importance to a lot of the elders in Kwanlin Dun. I have met with several — 40 plus — who have talked extensively about how valuable this particular area was and how well it really served the people of this area.

With regard to moose, at one time I was told the elders didn't have to travel very far up that McIntyre Creek area, past where the power plant is now. All through that area was very good moose, and even down below the clay cliffs where the Takhini Bluffs trailer court is situated — all of that area in there was very good game country. I know there's a trail that goes along the hills and into the Fish Lake area. If you go along McIntyre Creek, you'll see several locations where there are natural trails. It was an area that was travelled extensively by the First Nation people. I can understand totally why a lot of the elders are concerned with development overtaking all of that area.

I've heard stories of how good the fishing was, for example, in that creek at one time. It was a very good creek for fishing. There was some concern that fish would escape from the game farm and they could really cause problems in that creek. I think that fear has diminished somewhat now.

I understand there are a couple of different processes for establishing parks and special management areas, because Kwanlin Dun does actively have special management areas with the Yukon government. An example of that would be Swan Haven. Now, I do support and respect the fact that Swan Haven has to be protected, but why only Swan Haven? Well, I think because it has become such an attraction to a lot of people in the territory, there seems to be a little bit higher regard for that area.

Again, the government is right along with the First Nations to jointly manage this area and ensure that people aren't out there terrorizing the swans, for example — or the snow geese or whatever other birds are there. I believe this is a responsibility of the government — definitely a responsibility of the government. I can't see in my own mind why McIntyre Creek wouldn't be given this same kind of respect. Unless there is — I don't know if I would call it a hidden agenda — some agenda to really develop large areas along McIntyre Creek for a subdivision of some sort. I know at one time there were plans to develop approximately 180 lots plus in the McIntyre Creek area.

I guess if that were still the case, there would be great reluctance for the government to fully support making that into a park or a SMA. Because of the city's opinion of there being a real lot shortage within the Whitehorse area, I could understand why an OCP would probably want to develop all that area. However, I want to put on record that I'm also aware of the fact that the city extended their boundaries humongously — something like 25 miles long and five miles wide. Their boundaries go right up to Golden Horn. I would say that the city has a lot of areas they can develop. Maybe that's the choice they have to make. Maybe they have tough choices because people want to live in the centre of Whitehorse, but sometimes I think the protection of wildlife nesting areas and the natural habitat for the

four-legged animals that are using it — sometimes this is more important than going ahead with developments such as subdivisions and what have you.

I know through talking with the elders that there's a possible heritage site that's located in behind Takhini somewhere. I know there was talk of a meeting place there that the First Nations used.

So there is an awful lot of interest from a lot of different groups within the Whitehorse area. We do look seriously at making a park there. If the boundaries that were drawn out by, for example, the Friends of McIntyre Creek, were not acceptable to the government, then it would be good if the government would look at it and say that well, maybe we won't agree to the whole entire creek from the Yukon River to Fish Lake.

However, I think the government can say, "You know what, we can seriously look at a portion of the area being protected."

In particular, I know because I was a councillor with the Kwanlin Dun government when land claims were being negotiated. I was under four different administrations and the terms were three years long. I have spent a lot of time being involved with the First Nation government. When all of this area was being discussed through land claim negotiations — Kwanlin Dun, I think, had every right to take every bit of land in between Porter Creek and the college because that was our traditional territory. It was traditional land of the First Nation. Why didn't we do that? I think the government has to ask themselves why we didn't do that. Well, we were told that the college wanted to have that natural pristine environment for studies within college programs — of a natural boreal forest.

I know it's true, too, because I took one of the courses — I forget which one it was — northern studies. I took a course in northern studies at the college and we did, in fact, walk all through that area with our instructor, and we were shown the different kinds of vegetation that grow in a boreal forest.

I know that area was being used by the college for education purposes, and I think that is one of the reasons why, as a counsellor at the time land claims was going, we as a group agreed that we wouldn't select that land and develop a subdivision there ourselves. We would set it aside and leave it in a natural state because we also knew that there were a lot of citizens in Whitehorse who really wanted that environment to stay in a natural state.

So the First Nations many, many years ago had already honoured the request of citizens in the Whitehorse area. We could have said, "No, we're going to take all that area; we're going to develop a whole subdivision in there and sell the lots." We could have done that, but we didn't. Now, if it were turned into a subdivision, it would be almost like the First Nation was led down the garden path to believe something that wasn't going to transpire at the end of the day, which I think would probably bring a lot of hard feelings to a lot of First Nation people who chose not to develop that area.

I guess the only question I would have for the minister is — I understand all of the commitments the government has to municipal government; I understand that, but is the minister in favour of protecting that area?

Hon. Ms. Taylor: I think what has been articulated on the floor of the Legislature many times over the course of the last little while, is that the Government of Yukon is not opposed to a park. Believe it or not, we're very much in favour of park planning. In fact, the Government of Yukon has, as we speak, seven processes currently underway to develop habitat protection areas — three additional ones for special management areas, as outlined in specific land claim agreements. They're clearly defined.

I think that when it comes to this particular area there has been a great deal of debate and discussions on the floor of the Legislature over the future of McIntyre Creek; the city and certainly the Department of Environment have. We have worked and continue to work with the City of Whitehorse and the Friends of McIntyre Creek. I know that, even through our wildlife viewing program, we have existing long-term interests in the McIntyre Creek area for activities ranging from viewing outings to public education to establishing interpretive signage and so forth.

I think the point that has been on the floor of the Legislature is that this area is housed within the city parameters. The *Municipal Act* in Yukon provides that the municipal government has jurisdiction when it comes to land use designations. Whether that is zoning or subdivision changes, it is under the city's purview. I have had discussions with the Mayor of the City of Whitehorse over the last year on McIntyre Creek and we have said that we are willing to work with them, but we also respect this planning process called their official community plan. That is currently underway and every individual is encouraged to submit their comments and put forward their priorities on this official community plan.

I understand that this official community planning process and the plan will be coming out sometime — I would think by maybe the end of the year. However, with municipal elections coming up this fall — I never like to stick to specific timeframes.

At that time, we'll see what comes out of the planning process. Then, yes — very much so — we will sit down with the City of Whitehorse, and we would be happy to sit down with the Friends of McIntyre Creek to talk about what actually comes out of the planning process.

So I just wanted to put that on the record. I very much value the work that Friends of McIntyre Creek have undertaken on behalf of citizens here in Whitehorse, but also in the Yukon. I think their work is good. It helps raise awareness about the importance of parks in our communities and the importance of having habitat corridors and so forth. So I did just want to put that on the record.

Mr. Edzerza: I don't have any more questions for the minister at this time, but I want to thank her for her cooperation and answering the questions. I have a better sense now of some of the issues that were discussed here today and I want to thank all of the officials for the work they do in the Environment program.

Mr. Cardiff: Mr. Chair, I am pleased to be entering the debate today. It's probably no surprise to the minister where we're going to start today. I had the pleasure of attend-

ing the infrastructure meetings; the Minister of Community Services was so proud to tell us where they all were and at what times they were. It was an interesting meeting in the community of Mount Lorne and I'm hoping that I'll be able to attend similar meetings in other communities, as well, time permitting.

One of the things that became evident at the meeting was that it's the Department of Community Services that's driving the solid-waste management strategy. A lot of people think there is a role for the Department of Environment. There are a number of areas but I'm going to try to go over them quickly because I would like to get a few questions in before the end of the day, unless everybody would like to stay longer.

The first one has to do with the Department of Environment's participation in these meetings. When we look at the objectives under environmental sustainability, it talks about the following: managing and protecting Yukon's air, land and water resources through the assessment and mitigation of effects of resource projects; education, monitoring and inspections; and development and implementation of regulations and pollution prevention programs. It also says to protect human health, wildlife and domestic animals through interdepartmental coordination. It is a perfect opportunity for the Department of Environment to work with the Department of Community Services — that interdepartmental coordination and cooperation — on a number of issues.

We will maybe talk a little bit about this later but one of the things people feel is necessary as part of a solid-waste management strategy is the inclusion of what is better known as the three Rs — reduction, reuse and recycling. That is part of the Minister of Environment's bailiwick, basically.

All of the recycling programs are done through the Department of Environment. Reduction programs and reuse — it makes sense that those policies would also be in the Department of Environment.

One of the other program objectives in Corporate Services is to assist the department to ensure its assets are acquired and maintained in a manner that adequately fulfils operational requirements. I would suggest that it should also look at it from an environmental perspective as well. We will talk a little bit more about that later as well. The point that I want to get to is that I think that it's important that the Environment be present for these discussions around the solid-waste strategy, for a number of reasons.

The other part that the minister has a responsibility for talks about water quality and air — the health of the water, the air and the land. The department is responsible for issuing air emissions permits. As we know, there's a study underway, or there's a study that has been completed — we believe it has actually been completed.

I have a few questions for the minister. I'd like to know whether or not her department has conducted any research on air quality around solid-waste facilities that burn solid waste and what her department's role is in that. How is the minister ensuring that these solid-waste facilities aren't and don't become some sort of an environmental health liability? I'd also like to know whether or not the minister would consider send-

ing officials to future meetings on the solid-waste management strategy, so that people can become more informed about the Department of Environment's role in solid-waste management.

Hon. Ms. Taylor: I don't know where to begin. I guess just to begin with, there has been a lot said on the floor of the Legislature here the last number of days about solid-waste facilities and how we are conducting or not conducting them adequately. I think, you know, you won't get anything different from me, as Minister of Environment.

We recognize there are problems all over. There are issues of concern all over when it comes to administration of solid-waste sites. This is nothing new; it has been around for many years. What we are focused on today, though, is a way forward — a way forward that we can conduct these facilities that are comprised of incorporated communities, unincorporated communities, First Nations and so forth. There are a lot of them. I'm very familiar with many of them, having been born and raised in the Yukon, when burning was the way to do it. We know, though, that there are alternative forms to burning. I think that's where we're heading and that's where we want to go. Today we also recognize that there are capacity issues and we do need a comprehensive plan to go forward.

I know there has been a lot of criticism launched from the opposite side of the bench, but I will just say that we are working constructively together and that includes the Department of Environment in terms of working on a solid-waste strategy. The thing with a solid-waste strategy is that as the Department of Environment, we enforce and we regulate. Of course, through Community Services, it is their role and their mandate to oversee the operations and how they actually operate. There are two specific fundamental mandates when it comes to solid waste.

I know that the Minister of Community Services has articulated quite a bit on the floor of the Legislature and I don't really want to go over that again. I think that has all been said and done.

In terms of a way forward, I know the Department of Environment — and I know the member opposite is very familiar because he did raise it by way of a letter about a year ago; actually it was after I became Minister of Environment, asking when our report or research was going to be completed as well. I know that there is a report underway on the regulatory requirements in terms of different types and sizes of solid-waste facilities in other jurisdictions. We are doing that jurisdictional analysis or comparison.

We will be developing a new solid-waste permit template, based out of the research report that is ongoing right now on the recommended best regulatory practices. I know that there's also — in the interim, before this new permit template is developed, we know that the existing permit template, obviously, is being used. We know that there's room for improvement, and that's in fact why we hired this expertise to work in consultation with our own technical and operational staff to see how we could improve that, based on new jurisdictional practices on how they operate solid-waste sites.

We know that once we have this new permit template in place, then we'll be able to issue that. In the interim, though,

we do have a one-year renewal of most of these solid-waste sites that have come up for expiry as of December 31. We're certainly working with Community Services to see what can be done in the interim as well as the long term so that we can go toward this no-burn, and address the most environmental, health-related matters.

Included in this overview, as well, are construction standards for new facilities and decommissioning standards for facilities. Again, that is all part and parcel of working with the Department of Community Services as well.

Environment is very much working with Community Services on the strategy overall, and we're very much committed to this process. In the interim, we're working on interim solutions, as well as working to the long term.

Mr. Cardiff: I thank the minister for her answer. I'd be interested in a progress report, if one is available, on just where we're at with the whole permitting template and what information has been gathered today.

I'd like to talk just a little bit more about air emissions regulations. I've got a number of topics I'd like to cover, and we've got very little time to cover them.

With regard to air emissions, the regulations state that no person shall release or allow the release of any air contaminant to such an extent or degree as may, in the opinion of a health officer, actually cause actual or imminent harm to public health or safety.

It also states that no person shall release or allow the release of any air contaminant to such extent or degree as may cause or be likely to cause irreparable damage to the natural environment. I won't read through all the nasty toxic things that come out of burning solid waste, but we know full well there's no control over what goes into the burning vessels or what's being burned at some of these solid-waste sites.

The air emissions permit for these solid-waste facilities talks about how no burning of solid waste shall take place during periods of thermal inversion when smoke from such burning may accumulate in populated areas.

Well, we've got cases where people are telling us that this is actually happening. I know you can't tell when there's a thermal inversion going to happen; it may get lit and then you may get a thermal inversion.

The thing is that, if you read further, the third item is that every reasonable effort shall be made to ensure a quick, hot and complete burn by turning or aerating smoldering materials. Well, we know that is not happening. It also says burning of solid waste shall take place when wind conditions will disperse the smoke away from nearby populated areas. It is very clear from the anecdotal reports and the letters that were received in all of the YESAA processes for the solid-waste facilities to obtain their permits, that these things are not happening on a regular basis, that basically the Department of Community Services, as the operator of some of these sites, isn't living up to the requirements of the air emissions permit.

The minister is responsible for — in here, as part of the mandate it talks about monitoring, inspections, and they also have enforcement. Just as they have to enforce the wildlife regulations, they have to enforce these — the air emissions

permits, and the air emissions regulations that are in the *Environment Act*, and that's not happening.

I won't go through all the — I'm not going to read the list of comments that I read in Question Period today, but people are concerned. People are concerned about their health. They're concerned about the health of the air; they're concerned about the health of the water, the land, the wildlife, their own personal health. The Member for Lake Laberge is concerned about the health of his constituents, enough to write to the Minister of Community Services, and to YESAB about this. The minister needs to take this seriously, and enforce these permits, and make sure that the Department of Community Services, or the people who are working under their direction, are meeting the requirements of the air emissions permits. Otherwise, the air emissions permits should be pulled, and burning should stop. That's the way that I believe it should happen. I'd be interested in knowing what the minister thinks of that.

Hon. Ms. Taylor: Further to the YESAB recommendations, I just wanted to offer to the member opposite that Environment administers the *Environment Act*, as the member opposite is very familiar with, and its regulations, including the solid-waste regulations, under which we issue permits for the administration and the operation of the solid-waste sites. We are working with Community Services to ensure that provisions within those permits are adhered to.

Again, as I mentioned earlier, we're also continuing to work in the meantime on the longer term strategies to address solid waste. You know, there is not much I can add. I can certainly go on at great length as to what the minister responsible for Community Services has said. The Minister of Community Services made reference today to looking at the air quality and emissions data. We agree — that has not been done before. We need to look at the carbon footprint, emissions data and modelling — examination of other waste-management models. We agree — that's never been done either.

I think it is very important that we do take a look at this. I concur; there is a lot of work that needs to be done.

Mr. Cardiff: I thank the minister for her answer. It is good to have her respond to the questions that we've been asking instead of having the Minister of Community Services try to deal with them. I appreciate the fact that she is giving us the answers. They are not all the answers that we would like to hear, necessarily, but at least they are answers, and they are better than the ones we have been receiving.

I would like to ask one more question in this regard, specifically around the air emissions permit. The minister said they are working with the Department of Community Services to ensure that these practices aren't happening. One of the other things in the permit is that the permittee shall not burn treated wood products, including but not limited to wood products that have been treated with creosote, chromium copper arsenate — which is basically pressure-treated wood — and PCP, or any type of paint. So these are like pressure-treated woods, or painted woods or wood products. We know that there's no control over what's going into the open trenches or the burning vessels. And I guess the concern that I have is that we need this to stop as well.

Now, the minister said that the Department of Environment is working with Community Services to ensure that these types of practices aren't happening. They're ensuring that part 3 of the air emissions permit, the monitoring, reporting and record-keeping, is happening. If there is a violation of the air emissions permit, is the Department of Environment prepared to enforce the provisions of the *Environment Act* and the air emissions regulations, and order the Department of Community Services to cease and desist? And would there be any penalties associated with that?

Hon. Ms. Taylor: I just wanted to reiterate for the member opposite that we do currently issue solid-waste permits — and it has always been the case in the past — to operate solid-waste sites. So that is what has been articulated through the YESAB process and is what we are working with Community Services to adhere to.

Now, in the longer term, however, we're looking at things such as the air emissions, and I just made reference to the air dispersion modelling data that Community Services is looking at. Likewise, we're also looking at a number of other matters — you know, what would actually conform to the new permit template, and that is improving our ability to monitor and certainly enforce the permits we issue — not only what we issue, but how we can actually enhance the permits that we are issuing today and have issued in many, many years previous.

I think it's really important to point out that air emissions is one area that has never been looked at in the past. This is an area that we clearly do need to look at. There's not much I can add other than this is all part of the review that the minister articulated at great length, and we are very much part of that review.

The member opposite also made reference to the three Rs. I concur; I think that's part and parcel too. I think we've made some progress in the way we recycle, but there is a lot more that we need to do. Especially with the way the world commodity prices are these days, there are lots of other challenges associated with that, but it's all part and parcel of waste diversion. Recycling efforts are very much key to that.

Mr. Cardiff: Mr. Chair, I thank the minister for that. I'm going to reiterate one more time, I guess — to use one of the minister's favourite words — the fact I just hope that this is not another case of "imagine tomorrow" where you postpone today what you should have done yesterday.

The point I was trying to make earlier today is that people's health is at risk, and it's affecting people's health. We'll talk about that a little bit more when we get to talk about the environmental liabilities that are booked in the budget.

I am glad that the minister is on board when it comes to the three Rs, and I'd like to ask her to consider a few things. I know that when the ministers of environment meet, one of the things that was on the agenda before — and if it wasn't on the agenda, it's one of the things that should be on the agenda, and I don't recall having this discussion with the minister before, but it's about extended producer responsibility. I'm going to send over a document to the minister that I printed off the Environment Canada Web site, and I'll make copies available to the others in the Legislature if they want. I'd be interested to know

whether or not — basically, extended producer responsibility is about shifting the responsibility both physically and/or economically upstream to the producer and away from municipalities and governments.

It is about providing incentives for producers to take environmental considerations into the design of the products and the packaging. It doesn't say packaging here but I would certainly hope that it does when it comes to packaging. This is, as well, kind of a guide for what I was speaking about earlier — I think it is in Corporate Services, to assist the department to ensure that its assets are acquired and maintained in a manner that adequately fulfills operational requirements. I would argue that it should also ensure that assets are acquired in an environmentally friendly way and that the assets that are acquired are — “environmentally friendly” is maybe not the word to use, but if we can buy, when we are acquiring assets — and this doesn't apply just to this department, it applies to every department and every aspect of government when we are purchasing government assets — that we want them to have as little impact on our environment. If we can reduce consumerism, as well, that would be helpful, I think. Government could lead by example.

I think it's important that the government does set an example in this area. It would go a long way to helping with the solid-waste management strategy. The government purchases on a large basis at times and has a lot of purchasing power. It has a lot of clout with the suppliers of products that government consumes, so it can dictate to some extent what its needs are in its purchasing policies, and it can say that it wants to be environmentally responsible and wants reduced packaging, or it wants packaging that isn't going to fill up the landfill, that's going to biodegrade. That's one area that I'd like the minister to comment on.

I would also like the minister to consider the establishment of a Yukon-wide recycling council that would actually be funded by her department. It would be a positive step forward, I believe, in helping local recycling societies in every community of the Yukon, and where there are none, to establish them, so that we can reuse and recycle, and so that we can have public education programs about reduction.

I would see this recycling council as meeting with the Minister of Environment or her officials at least annually to discuss waste-reduction issues that would be of concern to all Yukoners. I would see them advising municipal and regional governments and recycling agencies, as well as discussing similar issues about waste reduction and strategies around that. They could work with businesses and NGOs as well, to ensure that there is a reduction in waste, and more diversion of waste away from landfills. They could do work in our schools.

They could, as well, lobby government for changes in waste-reduction programs. In incentive programs, they could provide advice about funding for transportation. One of the issues is the transportation of non-refundable recyclables within the territory, and it would be good for the minister to receive advice from a wide variety of people who are interested, who are experts, and who work on the front lines. It's not unlike what we were talking about when it comes to health care

today — to listen to what people have to offer when they work on the front lines with recycling, reduction and reusing. These are the people who know best what some of the solutions are, because they work with them daily.

I'm getting looks that we're running late, and I can see by the time that it is probably a good time to report progress.

Chair: It has been moved by Mr. Cardiff that Committee of the Whole report progress.

Motion agreed to

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

Chair: It has been moved by Mr. Cathers 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. Nordick: Committee of the Whole has considered Bill No. 15, *First Appropriation Act, 2009-10*, and directed me to report progress on it.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried. The time being 5:30 p.m., this House stands adjourned until 1:00 p.m. Monday.

The House adjourned at 5:30 p.m.

The following Document was filed April 16, 2009:

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Solid Waste Facility, Deep Creek (Project Number 2008-0270): letter (dated January 16, 2009) to the Yukon Environmental and Socio-economic Assessment Board, from MLA for Lake Laberge, Brad Cathers re (Cardiff)