

**Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, December 1, 2009 — 1:00 p.m.**

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

Prayers

Speaker: The Chair wishes to inform the House of changes that have been made to the Order Paper. Motion No. 274 and Motion No. 712, standing in the name of the Leader of the Third Party, have been removed from the Order Paper, as they are similar to Motion No. 852, which was adopted by the House on November 4, 2009.

DAILY ROUTINE

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

TRIBUTES

In recognition of World AIDS Day and HIV/AIDS Awareness Week

Hon. Mr. Hart: I rise in the House today to honour World AIDS Day, which takes place every year on December 1.

Monsieur le Président, je prends la parole aujourd'hui pour souligner la Journée mondiale du SIDA, qui a lieu chaque année le 1^{er} décembre.

This year, there is good news on the HIV/AIDS front. According to the World Health Organization and the joint United Nations program on HIV and AIDS, the world is seeing a reduction of new cases of AIDS. In sub-Saharan Africa, the reduction is 15 percent from eight years ago. In east Asia, the reduction in that same period of time is 25 percent.

In addition to today being World AIDS Day, it is also the beginning of National Aboriginal AIDS Awareness Week, which is used nationally to promote universal access to HIV prevention, treatment, care and support to all First Nations, Métis, and Inuit people, who make up a unique segment of those in Canada with HIV and AIDS.

In the same period of time, Canada has seen a reduction of 58 percent in the number of new positive HIV reports.

Paradoxically, there are more people with HIV and AIDS now than ever before. That's because antiretroviral therapies allow people to live longer with the disease. That translates into parents living longer, which means fewer orphans.

Clearly the provincial programs instituted around the world are working. As we are seeing at home with the H1N1 flu pandemic, a concerted effort by well-meaning people can make a difference to the lives of millions.

De toute évidence, les programmes de prévention mis en place partout dans le monde sont efficaces. Comme nous le constatons chez nous avec la pandémie de grippe H1N1, les efforts concertés de gens bien intentionnés peuvent changer la vie de millions de personnes.

And that is why we set aside one day a year to honour the people who fight against HIV/AIDS, whether in the laboratory, the doctor's office, or in the street. These people use all the tools at their disposal, from counselling to drugs, to improve the lives of those who have HIV/AIDS and prevent the spread of the disease.

In Yukon, Blood Ties Four Directions and the Yukon Communicable Disease Control outreach nurse work together and separately to reach those affected by the disease.

As well, the health promotion unit of my department works with Education to raise awareness among young people about safe-sex practices. We support the needle-exchange program and work of the Outreach van, which provides valuable education and health services to a marginalized population. We remain committed to raising awareness of HIV and AIDS among Yukoners. For instance, a troubling report just out of the University of Waterloo suggests that too many seniors wintering in the southern states do not protect themselves against sexually transmitted infections, even deadly ones like HIV and AIDS. So we will continue our efforts to educate, protect, and treat Yukoners. When we see numbers such as the ones coming out of the World Health Organization and United Nations program on HIV/AIDS, we have reason to hope that we may one day see the end of HIV and AIDS.

Merci, Monsieur le Président. Thank you.

Mr. Mitchell: I rise today on behalf of the Official Opposition to pay tribute to World AIDS Day and HIV/AIDS Awareness Week.

Cette année marque le 21^e anniversaire de la campagne mondiale contre le SIDA. Le 1^{er} décembre de chaque année est une journée consacrée à rehausser la sensibilisation au VIH/SIDA, dans le monde entier, et à inciter les leaders à respecter leurs engagements à la riposte au VIH/SIDA.

This year marks the 21st anniversary of the global World AIDS Day campaign. World AIDS Day is the day when individuals and organizations from around the world come together to bring attention to the global AIDS epidemic.

HIV in Canada is a hidden, destructive and evolving epidemic. One person in Canada is infected with HIV/AIDS approximately every two hours. That is unacceptable. In Canada there were 64,800 positive HIV tests reported to the Public Health Agency of Canada from November 1985 to 2007. There has been a 20-percent increase in the number of positive HIV reports in the past five years, and more cases are appearing among women and aboriginal people in Canada. Aboriginal people represent three percent of Canada's population and unfortunately up to 12 percent of new HIV diagnosis.

En 2009 les Autochtones et les Canadiens de race noire sont surreprésentés dans l'épidémie.

In Yukon a total of 53 HIV positive tests were reported by Yukon Communicable Disease Control as of August 2009.

These are only the cases we know about, as discrimination may prevent many people from seeking information, treatment and support, or from acknowledging their HIV status for fear of their status being disclosed.

En ce moment, vous pourriez être assis-e sans le savoir à côté d'une personne séropositive.

You can become infected with HIV/AIDS regardless of gender, age, sexual orientation or ethnic origin by having unprotected sex, sharing needles or any blood-to-blood contact with anyone infected with HIV. It remains a serious disease for which there is still no cure and that awareness and prevention is the best defence against its spread.

World AIDS Day 2009 will attempt once again to put HIV/AIDS on the radar and bring to the forefront the importance of being informed, getting treatment and preventing the spread in the hopes that we can one day see a generation without HIV or AIDS.

Individuals must feel empowered to access treatment, to know their rights and take action against stigma and discrimination, and to know and use methods of prevention against receiving and transmitting HIV.

Reducing the stigma of HIV/AIDS and hepatitis C is one of the best and first things we can do to prevent HIV and hepatitis C from spreading. We need to advocate for increased funding commitment and perseverance in responding to the challenges of HIV prevention, treatment and support.

Nous portons le ruban rouge, symbole commémorant les vies de celles et ceux qui sont décédés des causes du sida. Il nous rappelle aussi la nécessité urgente de trouver une solution pour mettre fin à cette pandémie.

We wear the red ribbon as a symbol of solidarity and tolerance for those often discriminated against by the public — the people living with HIV and AIDS. We wear the ribbon as a symbol of support. World AIDS Day is about reminding us that HIV/AIDS is an issue for everyone, in each and every community.

The Blood Ties Four Directions centre located in Whitehorse is a charitable, non-profit organization with a mandate to promote awareness, prevention and education for HIV/AIDS and hepatitis C. They also provide support, counselling and advocacy for those affected by HIV/AIDS and hep C in Whitehorse and all Yukon communities.

The No Fixed Address van in Whitehorse also provides a health educator from Blood Ties Four Directions offering health education and referral services.

Blood Ties Four Directions is currently in a campaign to collect 1,000 pairs of sock to make sure those HIV/AIDS people have clean socks. There are many drop boxes around town or at their office. I encourage everyone to participate.

We would like to thank the many front-line workers, health care professionals, educators, counsellors and volunteers for their support services and efforts toward fighting this terrible disease.

Merci, Monsieur le Président. Thank you, Mr. Speaker.

Mr. Cardiff: Mr. Speaker, I rise on behalf of the New Democratic caucus to pay tribute today to World AIDS Day and to Aboriginal AIDS Awareness Week, which begins today, December 1.

The theme of World AIDS Day this year is "Universal access and human rights". This is a very important theme because

not everyone is assured of equal access to health and support services, nor have their human rights been respected. HIV and AIDS is a disease of inequality.

The disadvantage in social and economic status of women compared to men worldwide makes them more vulnerable to HIV. Stigma and discrimination, prejudice and human rights violations affect the ability of women and other populations, such as drug users and gay people, to access HIV prevention, treatment and care services. Youth are often denied access to a full range of information and services required to prevent HIV infection and to meet their treatment and support needs.

Poverty can lead to abuses of power and increased sexual risk-taking. HIV/AIDS is not distributed equally across global populations. It hits hardest in areas where structural, economic and development challenges are the greatest. It is mirrored in Canada's aboriginal communities. Aboriginal people made up about 7.5 percent of all Canadians living with HIV in 2005. They are over-represented among reported AIDS cases in Canada.

The Canadian Aboriginal AIDS Network reports that aboriginals made up a startling 26.5 percent of new HIV infections in 2008 — 2.8 times higher than the infection rate for non-aboriginal people. In another part of the world, 68 percent of the 33.2 million people living with HIV worldwide are in sub-Saharan Africa. The majority of these people are women. Nearly 90 percent of all children living with HIV are in sub-Saharan Africa. Thirteen million of these children are orphans because of HIV and AIDS. This number is expected to increase next year to 20 million. Studies show that 70 to 80 percent of all those ill and dying with AIDS in Africa are cared for by older parents or relatives. Many of these caretakers are grandparents. The middle generation who normally cares for these children are gone. Most are grandmothers pressed into caring for grandchildren. Throughout rural Africa, HIV and AIDS are referred to as the "grandmothers disease" because they are the family members most affected by the social and economic implications.

It is reported that one-third of their annual income is spent on funerals. The Stephen Lewis Foundation is attempting to turn the tide of HIV and AIDS in Africa. It has set up a project called "Grandmothers to Grandmothers". Canadian grandmothers have formed over 200 local organizations that are working hard to alleviate some of the financial burden of their African sisters by fundraising. Some of the very worthwhile initiatives sponsored are micro-credit loans, HIV-awareness training, business skills workshops, bereavement counselling, and grandmother support groups.

Wearing the red ribbon on this World AIDS Day shows that we are aware of the issues of HIV/AIDS, particularly the need for understanding and acceptance of people living with this dreaded disease around the world. We look forward to the day when the stigma around AIDS is no longer with us.

Thank you.

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Hart: I ask my colleagues in the House to welcome to the Legislative Assembly today, from Blood Ties Four Directions, executive director Patricia Bacon, the health promotion worker, Linnea Rudachyk, and volunteers Haily Bill and Dennis Ellis.

Applause

Speaker: Thank you. Are there any returns or documents for tabling?

Reports of committees.

Petitions.

PETITIONS

Petition No. 11 — received

Clerk: Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 11 of the First Session of the 32nd Legislative Assembly, as presented by the Member for Whitehorse Centre on November 30, 2009.

The petition presented by the Member for Whitehorse Centre appears in three versions. The first meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

The second version of the petition is addressed to the Legislative Assembly and contains a proper prayer and request for action; however, while this version of the petition contains many names, it contains no original signatures. The practice of the Yukon Legislative Assembly regarding petitions requires original signatures and so this version of the petition cannot be received.

The third version of the petition contains original signatures; however, the prayer and the request for action are different from the first version. Further, the prayer and the request for action do not meet the requirements as to form outlined in the Standing Orders and the model petition appended to the Standing Orders.

Therefore, it is found that the first version of the petition meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly, and this is the version of the petition to which the government should respond.

The other two versions of the petition will be returned to the Member for Whitehorse Centre.

Speaker: Subject to the conditions laid out by the Clerk, Petition No. 11 is, accordingly, deemed to be read and received.

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

Hon. Ms. Horne: I give notice of the following motion:

THAT this House urges the Government of Canada to meet its obligations under the Yukon First Nation self-government agreements by providing sufficient financial resources to implement these agreements through the assumption

of responsibilities agreement process, and to demonstrate this commitment by negotiating an appropriate assumption of responsibilities agreement on the administration of justice with the Teslin Tlingit Council.

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

THAT the Yukon government recognize the valuable contribution to the health of Yukoners made by the Blood Ties Four Directions organization by ensuring that the funding it gets is adequate for carrying out its mandate, especially for education projects in rural Yukon.

I also give notice of the following motion:

THAT this House urges the Yukon government to take a more balanced approach to acting on the four-pillars approach to the problem of drug addiction as outlined in the *Substance Abuse Action Plan* by endorsing and committing to programs of harm reduction in order to:

(1) reduce the disproportionate ratio of funding for harm reduction to enforcement actions, which nationally is 95-percent in favour of enforcement;

(2) encourage addicted persons to take the further step of seeking treatment by not insisting on abstinence; and

(3) have a more economical approach to drug addiction problems, since harm reduction programs have proven to save governments, social service and health costs.

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: Environment reports

Mr. Fairclough: The state of the environment report for the Yukon is one of the most important ways that Yukoners keep informed about climate change. Mr. Speaker, the last time this government published a complete state of the environment report for the Yukon was in 2005. I would like to quote directly from that report: “The *Environment Act* requires a State of the Environment Report to be completed once every three years along with interim reports in intervening years.” As 2009 draws to a close, we have not seen a report on the state of Yukon’s environment since an interim report was produced for the year 2006. Yukoners depend on this report for up-to-date information on climate change. When is the government going to follow its own laws and produce this report?

Hon. Ms. Taylor: The Yukon government has been meeting its obligations under the *Environment Act* and has been tabling interim reports, as well as the full state of the environment report, including 2003, 2004 and 2005 and 2006. Mr. Speaker, as you can appreciate, it does take time. In fact, it takes up to 24 months to develop a state of environment report due to data availability from the Government of Canada. We are very much on track and will be tabling those reports in due time.

Mr. Fairclough: I think we’re hearing excuses again. The state of our environment is important to Yukoners and this

report tracks important changes to Yukon's air quality, to water, to land and the rapidly changing climate. For the past three years this government has been silent — no reports, no updates. Next week this minister and a large group of Yukoners are going to Copenhagen. This minister will be on the world stage representing Yukoners who live and work in the northern climate. Under the circumstances, it seems appropriate to have an up-to-date report on the state of the Yukon's environment, but we don't have one.

If the Minister of Environment cannot take care of the business at hand in her own backyard, how effective is she going to be on the world stage?

Hon. Ms. Taylor: I will just correct the member opposite again for the record that in fact we have been tabling state of the environment reports, and we have been tabling interim reports as required under the *Environment Act*. When it comes to meeting our obligations to the environment and when it comes to meeting our obligations when it comes to climate change, in fact it is this government that has actually tabled and launched the first-ever Yukon government *Climate Change Action Plan*, which outlines our commitments when it comes to mitigating our own greenhouse gas emissions, when it comes to improving our ability to adapt to climate change, when it comes to establishing the Yukon in the north as a northern leader, when it comes to climate change research and innovation.

Mr. Speaker, we are doing our part on the environment. We are enhancing our fish and wildlife inventories by almost quadrupling resources available for doing fish and wildlife management plans in collaboration with communities. We have launched an animal health program; we have launched the site assessment remediation unit. We are adhering to our commitments, as outlined in the *Environment Act*. We're adhering to our commitments through all statutes, and we will continue to do our work.

Mr. Fairclough: We don't think so. 2006 was the last interim report that was produced by this government and we're questioning what's going on with the Department of Environment under this minister's watch. The requirement is very clear in this case: produce a report on the state of the Yukon's environment. It's the law. Whether it's a full report or an interim report, a report should be published every year so Yukoners can read for themselves how fast our climate is changing and what we can do about it.

Yukon is the first to feel the effects of climate change and the last to respond to it. Yukoners are really wondering what's going on here. When will the minister publish the long-overdue state of environment report? When?

Hon. Ms. Taylor: Again, we are adhering to our obligations, pursuant to the *Environment Act*. We will continue to table interim reports, and we will continue to table state of the environment reports as required under the act. Again, due to data availability from the Government of Canada, in order to have accurate and up-to-date, verifiable information, it does require a substantive amount of time to put forward these reports. In the interim, however, we are doing our work throughout the Government of Yukon in every department when it

comes to the environment. When it comes to, for example, waste-water treatment facilities, we're doing our work in communities such as Dawson City and Carmacks. We've prepared and launched a Yukon-wide solid waste action plan. We are also investing in waste-water infrastructure, undertaking upgrades, repairs in the communities of Burwash Landing, Carcross, Destruction Bay, Teslin and Watson Lake.

Mr. Speaker, we are adhering to our obligations when it comes to climate change, as when we launched our *Climate Change Action Plan*. We're doing our part mitigating through renewable energies. We are doing our part through adaptation, in collaboration with the Government of Canada on a number of initiatives to adapt to climate change. We are working with the Energy Solutions Centre.

Speaker: Thank you.

Question re: Climate change

Mr. Elias: The Minister of Environment is going to be on the world stage in Copenhagen next week. Yukoners are going to be watching. Yukoners are going to be listening, and Yukoners are going to be reading about how the minister represents us. Many Yukoners have told me that they don't like the way Canada has responded to the global issue on climate change. Yukoners tell me that Canada could do much more to combat global warming. I do wish all the Yukon delegation the best of luck, solid discussions, safe travels and the ultimate success in Copenhagen. I just wish I knew how we were going to be represented by our minister.

Can the Minister of Environment summarize for Yukoners what messages she plans to deliver when she is on the world stage in Copenhagen next week?

Hon. Ms. Taylor: I'm very pleased to be able to take part in the worldwide discussions on the next protocol, the next treaty — international agreement — that will replace the Kyoto Protocol. I'm very pleased that members of the opposition have accepted our invitation to attend with us, alongside with members of the Yukon First Nations community and many others who will be representing the north on all fronts.

I have been very articulate in our response that it is our government's position to take our message that Yukon and the circumpolar north in the world is suffering from climate change effects and that we are having to adapt to changes as we know them now today — when it comes to our forests, when it comes to our water, when it comes to our highway infrastructure, wildlife migration patterns, when it comes to the health of our human populations. We are seeing changes before we know it, and we are taking the message that it is absolutely critical that we do our best efforts — that we put our best foot forward in establishing and striking an international agreement at the end of the day in Copenhagen. In the meantime, Yukon will also be demonstrating that Yukon is doing its work in addressing climate change.

Mr. Elias: Well, I'd like to know how we can put our best foot forward when we don't have all of the up-to-date information that Yukoners expect of us in the state of the environment report, for instance. We expect the minister to convey clear, decisive messages on the world stage about the state of Yukon's environment, how quickly our climate is changing,

how dramatically it is affecting our livelihoods and traditional lifestyles here in our territory. Yukon's *Climate Change Action Plan* is the most recent information produced by this government. Unfortunately, it's full of passive words, such as "encourage", "expand", "continue to explore", "develop scenarios" and "establish targets". There is little in terms of action in this plan. Yukoners are concerned about what this minister is going to say to the world on our behalf, and so am I. Why has the minister not explained to Yukoners what this government's position on climate change messaging is?

Hon. Ms. Taylor: I find it very interesting from the Member for Vuntut Gwitchin — if it was so very important to address climate change, why is it that the previous Liberal government did nothing to address climate change? Mr. Speaker, it is this government that launched the *Climate Change Action Plan* in February of this year, and alongside of that we also launched the climate change secretariat to provide government-wide leadership and coordination on Government of Yukon's response. When it comes to adaptation, we are continuing to invest in fish and wildlife inventory, which is critically important in the way in which we can and will adapt to climate change as we know it. We have invested in a new animal health program. We have invested through the northern strategy, enabling Yukon communities such as the City of Whitehorse and the City of Dawson to conduct work on community sustainability and adaptation plans. Last month the Yukon government, Yukon College and certainly the Council of Yukon First Nations opened the doors to the Yukon Research Centre of Excellence focused on climate change mitigation, ensuring that people in the Yukon receive the information they very much require in order to adapt.

Likewise, we've created the Yukon Cold Climate Innovation Centre, helping to develop research, development and commercialization. We're doing our part.

Mr. Elias: I'll tell you what Yukoners do not expect of our Environment minister, and that's to toe the federal Conservative line and that we're the laughingstock in this world right now on climate change action.

I had the privilege last year of meeting a minister of climate change from Scotland and his words resonated with me. He said this: "There are no excuses or alibis to avoid bold action on climate change, especially from industrialized nations." We must get focused on the greatest challenge of our time because we're facing a global warming catastrophe and the foot-dragging of rich and developing nations has to stop. Our country of Canada is included in that.

Mr. Speaker, Yukoners expect a clear and decisive message to be delivered by our Environment minister on behalf of all Yukoners and leaders in Copenhagen. We have so many issues in this territory, from Herschel Island falling into the sea to the glaciers in Kluane National —

Speaker: Question please.

Mr. Elias: Will the minister provide this House with a statement on the government's key issues and communication strategies for Copenhagen before she leaves for Copenhagen?

Hon. Ms. Taylor: Mr. Speaker, very much so. The Yukon government is very much committed to delivering a

multitude of messages. In fact, that is exactly why we have invited members of the opposition to come with the Yukon delegation. That is in fact why members from the Council of Yukon First Nations and many others will also be represented on the world stage. My message has been articulate and very clear and that is that Canada has to be decisive; Canada has to be more ambitious when it comes to setting targets for the country. In fact, all countries have to be more ambitious when setting targets and certainly when it comes to negotiating a next world international agreement to replace the Kyoto Protocol.

Our own country also ought to have a domestic climate change action plan, not unlike what we have here in the Yukon. But at the end of the day, in all my work with other sub-national governments, it is very clear that when it comes to effecting change, it is not only the national governments that have their parts to do; in fact, it is up to the subnational governments like the Yukon and many other territories, regions, states and provinces around this world that are responsible for up to 85 percent of those actions required to meet the United Nations target.

Question re: Land-based treatment centres

Mr. Cardiff: We understand that the Yukon government is fast-tracking a proposal by the Kwanlin Dun First Nation to establish a permanent land-based healing centre in its territory. Can the Premier explain why?

Hon. Mr. Hart: We are working with the First Nation on a land-based treatment centre and we have been for well over two years through the process. We have a working relationship and if that's fast-tracking — I hope we don't get too fast. We have just had a recent meeting with one of the First Nations and we are working with other First Nations on the template for this particular land-based system. We look forward to a positive result from that.

Mr. Cardiff: Self-governing Yukon First Nations applied for and received significant funding through the northern strategy trust fund to look into the feasibility of establishing a permanent regional land-based healing centre to serve all their needs. The report concluded that the former Teslin correctional centre was the most viable and economical option for a First Nation-focused residential treatment facility. The report also concluded the facility was only feasible if it received clients from other First Nations.

We understand there is very little support from other First Nations for a proposal that the government is fast-tracking now. Once again, the government's approach does not appear to be very collaborative or inclusive. Which First Nations have the Premier or the ministers of Health and Social Services and Justice met with to determine whether they will support the facility that's being fast-tracked?

Hon. Mr. Hart: As I stated, we've been working with the First Nations for well over two years on this particular land-based treatment centre. It has only been recently that we've been able to come to the conclusion that we will be able to move forth with a good template and something that we can utilize throughout Yukon — not just here in Whitehorse, but right throughout Yukon. It's something that we must take a

first step in toward improving the situation to enable all First Nations to enjoy this type of facility.

Mr. Cardiff: \$136,000 of public funds has already been spent to determine the feasibility of a permanent regional, land-based healing centre to address the needs of all self-governing First Nations. Another \$300,000 is now being spent to develop a permanent, land-based healing centre in Kwanlin Dun territory that may not have the support of all Yukon First Nations. We're not sure this is a wise use of public money without significant buy-in from other First Nations, and its chances of succeeding are jeopardized by this.

Will the government meet immediately with all Yukon First Nations to work out a comprehensive, responsible and sustainable strategy for land-based healing that addresses the needs of all Yukon First Nations?

Hon. Mr. Hart: That's exactly what we're doing. We've been working with the First Nations for well over two years on the land-based treatment centre, and we intend to provide a system that will provide enhanced services to all First Nations and to all Yukoners throughout the Yukon and enable us to deal with the very serious situation of alcohol and drugs. We hope to have something very shortly in the new year with regard to this situation. We're working with First Nations to that end. We have their support on moving forth on an issue we've been working on for well over two years.

Question re: Takhini River Road maintenance

Mr. Cathers: This year during the spring melt, Takhini River Road ended up with significant surface damage, including potholes and washboard. The worst of the potholes was near the start of Takhini River Road at the top of a large dip. A driver hitting that pothole at the wrong speed and angle could have rolled their vehicle and certainly it could have had possibly tragic results. Highways and Public Works had to repair that pothole several times this year as the hole kept recurring. There is no doubt that all these problems were the result of an abnormally high amount of snow last winter.

The question is how much lasting damage this spring's melt did to the road's surface and road structure. Has the Department of Highways and Public Works assessed the damage to Takhini River Road and determined where major repairs or reconstruction work is needed? If not, will the minister commit to doing so?

Hon. Mr. Lang: Mr. Speaker, the spring runoff affected many of our roads throughout the territory, whether it was in the Dawson City or Mayo area. In fact, the department spent well over \$1 million on repairing roads, but as far as the Takhini River Road is concerned, there was damage done and there were required repairs done. Some compacting issues were brought up. In other words, were they going to put on a compacting unit to rebuild the road? I think that was done, Mr. Speaker, but I could get back to the member to give him an update on that.

Mr. Cathers: I would appreciate it if the minister would follow up with me as he indicated he would.

Highways and Public Works did put a lot of work into rebuilding a hill and replacing a culvert on Takhini River Road a few years ago; however, there is still a bad hill that really needs

to be fixed on this road. When travelling in a westerly direction down the road, you arrive at a very steep hill rising up from river level. When it's icy, this hill can be very dangerous. Constituents have reported problems to me, including fuel and water trucks spinning out on the hill and vehicles with trailers jackknifing after slipping and becoming stuck across the road. I have raised this matter in the past and recognize that there are many projects that compete for funding under the rural roads upgrade program, but again, I have to emphasize to the minister that this hill is frequently inconvenient and sometimes extremely dangerous for the growing number of residents who live on the other side of it.

Will the minister commit to fixing this hill on Takhini River Road, and will he agree to make effort to seek funding for the project before next summer?

Speaker: Thank you.

Hon. Mr. Lang: Mr. Speaker, we work very diligently through the department to maintain all our roads. As the member opposite knows, there are going to be some resources put into the whole Takhini road system in the next coming two or three years. There is going to be a complete rebuilding of the Takhini Hot Springs Road, plus I imagine at that point there will be an overview of what we're going to do with the Takhini River Road, but that will come out in the planning work that's being done at the moment.

Mr. Cathers: As the minister indicated, the upgrades to the Hot Springs Road are very necessary. Takhini River Road itself has also seen a significant population increase over the past few years and is seeing increasing usage, in addition to that residential use, as it's becoming an increasingly popular route to access the TransCanada Trail, the Dawson Trail and other trails in the area. As such, it's being used more and more by people heading down it for recreation purposes.

I mentioned the damage that occurred from the spring runoff, but there's also wear and tear from increased traffic. At a certain point, the cost of repairing a gravel road due to that wear and tear becomes significant. Is the Department of Highways and Public Works looking at chipsealing the road? At what point do they believe the traffic volume and safety will warrant that improvement to the road, or part of that road?

Hon. Mr. Lang: Those questions will be answered in the study that's taking place this winter, understanding that volumes have to be monitored. Also, there's no business sense in chipping something that hasn't been upgraded to the chip level. All those kinds of things would be done, as we improve the actual surface of the road.

I understand what the member opposite is talking about. I utilize that road, and I know the hill he is talking about. There is going to have to be some work done on that. The point of chipping it would be redundant if, in fact, we didn't do the work that has to be done on the ground before we chip it.

Question re: Hospital Corporation project management

Mr. Mitchell: Earlier this year, the government made a decision to move the financing and construction of new health facilities off the books. There are three projects underway now, with a combined price tag of \$67 million. The re-

sponsibility and debt has been transferred to the Yukon Hospital Corporation. The minister knows full well that these construction projects have been a hot potato for this government.

First, they were under Highways and Public Works, then transferred to Health and Social Services, and then back to Highways and Public Works. Now these same hot-potato projects have been transferred to the Yukon Hospital Corporation, which means that the government will no longer report the construction costs as government spending. Why did the minister do this? Why did the minister relinquish his responsibility for building health care facilities in Yukon?

Hon. Mr. Hart: We haven't relinquished our authority with regard to the Hospital Corporation at all. The Hospital Corporation is working within the act, doing exactly what they're mandated to do under the act, and they're maximizing it to the benefit of all Yukoners to improve and enhance health care throughout Yukon.

Mr. Mitchell: Maybe the reason for the shift in responsibility is the fact that all of these projects will be financed by bank loans. The minister has effectively made this hot-potato problem go away. It's now someone else's problem. Yukon taxpayers deserve to know how this government's decision is going to affect them. With these projects now being managed by the Yukon Hospital Corporation, the costs no longer come before this House. The minister has refused to release the terms of the loan for the new Whitehorse hospital residence. We know millions of dollars will be paid in interest. We want to know exactly how much. The loans for the new facilities in Dawson and Watson are the same.

How does the minister intend to keep the Yukon public informed of the real costs for these projects?

Hon. Mr. Hart: I remind the member opposite that he can look at the Health and Social Services budget line with regard to that. We have a contribution agreement with the Hospital Corporation and that agreement provides services and monies to the Hospital Corporation for them to operate. Of course, that's our responsibility and we take it seriously. As I stated earlier, we're looking at ways to enhance and provide good health services for all Yukoners throughout the Yukon, including rural areas.

Mr. Mitchell: The government has relinquished its responsibility for constructing health care facilities in Yukon. Sending the Hospital Corporation to the bank to borrow \$67 million is the new policy. We're going to end up paying millions of dollars in interest. The government has made no effort to inform Yukoners about how these projects are being financed; in fact, they have fought at every turn when we have tried to have this information made public. When we try to get officials from the corporation to appear in this House to answer questions, our requests are refused by the minister.

The main reason for the change is responsibility, to get this debt off the government's books. Will the minister release the terms of the loans for these new facilities and will he tell Yukoners if the government has guaranteed these loans?

Hon. Mr. Hart: The Yukon Hospital Corporation reports to a board of directors. That board of directors makes that decision. They provide the assistance to the CAO and the

president of that corporation to make moves with regard to enhancing the welfare of all Yukoners and health care needed to achieve that process. The board of directors also provides the advice on what's required in infrastructure to achieve that process. They are doing that because they have the expertise to do so. Thus we hope they will carry through and achieve what we are looking for, and that's improved acute health care.

Question re: Carmacks-Stewart transmission line

Mr. McRobb: The Carmacks-Stewart transmission line was estimated to cost \$32 million. In the four short years between that estimate and today, that cost somehow skyrocketed to \$70 million. That's well more than double, Mr. Speaker. How did the Premier describe his government's cost overrun yesterday? Well, he said the costs have not skyrocketed. Obviously he's in denial. Then he added, and I quote: "Furthermore, the time lapse from 2005 to today can be calculated based on an annual increase in cost of materials and supplies."

Mr. Speaker, the cost of materials and supplies are generally cheaper today than during the overheated economy a few years ago. Does the Premier not recall when high steel prices forced a design change at the proposed Dawson City bridge from steel to concrete? So let's hear it from the Premier: what are the real reasons for this huge cost overrun?

Hon. Mr. Fentie: Mr. Speaker, what becomes more and more interesting each day of this sitting is how the Official Opposition comes up with these numbers. Yesterday, I believe the number from the Member for Kluane was \$67 million and today it's \$70 million. So overnight, in the member's mind it has grown by \$3 million. Now let me point out to the member opposite that he's actually combining two separate projects, adding the costs of those projects together and coming up with his number.

This is not going to serve the Yukon public in any purpose whatsoever because it doesn't represent the facts. The facts are that these projects have gone before the Yukon Utilities Board. On phase 1 for the Carmacks-Stewart transmission line, for the member's benefit, the early estimates and total reviews by the Yukon Utilities Board as of September 2007 were \$27.8 million.

After the YESA Board made changes to the pole line right-of-way, an additional \$1.8 million of increased costs were added to the project because of the decision body's recommendations. That meant using tractor-wheel vehicles was not applicable, and a helicopter had to be used to install every pole — a cost increase for phase 1. So the numbers the member opposite is providing are incorrect.

Mr. McRobb: We're talking about the cost of the whole project from estimate to the latest projections. The Yukon Party government made a big deal out of how much the much smaller cost overruns on the Mayo-Dawson line would be. We must have heard it a hundred times in this House. Instead of answering our questions, the Yukon Party ministers would criticize a previous government that is no longer around to defend itself about the Mayo-Dawson transmission line.

Let's examine what the Minister of Energy, Mines and Resources said, and I quote: "That's a good way to run a hydro line — good at any price," he said. Well, the cost of this gov-

ernment's project has ballooned by almost \$40 million. Is that a good way to run a hydro line? Good at any price? My, how times have changed, but what goes around comes around, Mr. Speaker. So, does the Premier still believe this project is "good at any price", or did that criticism apply only to the previous government?

Hon. Mr. Fentie: Let me go back to some of the facts. The member has now stated that there is a cost overrun. Well, on phase 1 of the Carmacks-Stewart transmission line, after a general rate application provided to the Yukon Utilities Board in 2008-09, there was an actual amount of \$29.7 million tabled for cost. The current estimate for phase 2 of the line is \$40 million, which includes the known escalators in the first phase of the project. Added together, you have approximately \$69.7 million. Where is the cost overrun based on the numbers the member just provided the House? I think the member should do a little more homework on facts versus crafting a question from a *Yukon News* story.

Mr. McRobb: The Premier is now blaming the media for these cost overruns. Yesterday he blamed the Yukon Utilities Board. It's time he stood up and took responsibility himself.

It wasn't that long ago when the Yukon Party promised Yukoners better financial management of energy projects. They declared that, under their watch, power lines would come in on budget. On May 15, 2006, the Energy minister said, "We are certainly not going to follow the last government's way of putting the Carmacks-to-Pelly-to-Stewart project together. We're going to get some firm prices." He also said, "...I feel it is very important that we as government, and I as minister, take full responsibility for the department."

Does the Premier now take full responsibility for this cost overrun?

Hon. Mr. Fentie: I hear a lot of noise here, Mr. Speaker. We did do things differently from the previous Liberal government. We brought the project before the Yukon Utilities Board and that will continue. Furthermore, we as a government take full responsibility for the decisions we make, and that applies to the Mayo B project. That responsibility includes, by the way, the territory avoiding a cost escalation in the price of power. That's not something we want the ratepayer to be impacted by.

The cost overrun here is in the member's mind based on the confusion of not figuring out that were two projects with different costs allocated to them. I just provided the member the evidence on where he's confused. If you add the two projects together you come up with a \$69.7 million approximation of costs — that's hardly a cost overrun. It's well within the estimates provided to the Yukon Utilities Board and the public.

Speaker: The time for Question Period has now elapsed.

Notice of government private members' business

Hon. Ms. Taylor: Pursuant to Standing Order 14.2(7) I would like to identify the items standing in the name of the government private members to be called on Wednesday, December 2, 2009: Motion No. 836, standing in the name of the

Member for Klondike and Motion No. 835, standing in the name of the Member for Klondike.

Speaker: We will now proceed with Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT MOTIONS

Motion No. 887

Clerk: Motion No. 887, standing in the name of the Hon. Ms. Taylor.

Speaker: It is moved by the Government House Leader

THAT the membership of the Members' Services Board, as established by Motion No. 7 of the First Session of the 32nd Legislative Assembly, be amended by rescinding the appointment of Brad Cathers and appointing the Hon. Glenn Hart to the board.

Hon. Ms. Taylor: Mr. Speaker, the following three motions are rather housekeeping items, not unlike what we did with — I'm trying to think of the other one that we did recently. This pertains to the Members' Services Board and, due to a shifting of seats, so to speak, we are asking that the following moves or the following decisions be made with respect to rescinding the appointment of the MLA for Lake Laberge and appointing the Member for Riverdale South in his stead. I will keep my remarks rather succinct and look forward to the support of the opposition side.

Mr. McRobb: Mr. Speaker, as the Government House Leader has indicated, this is a housekeeping motion, and we will support it.

Mr. Cardiff: Mr. Speaker, I'll keep my remarks brief. In fact, I will only make comments on the first motion. As the Government House Leader has indicated, this is a housekeeping matter to allow committees to do their work, and we will be supporting all three motions.

Motion No. 887 agreed to

Motion No. 888

Clerk: Motion No. 888, standing in the name of the Hon. Ms. Taylor.

Speaker: It is moved by the Government House Leader

THAT the membership of the Standing Committee on Rules, Elections and Privileges, as established by Motion No. 6 of the First Session of the 32nd Legislative Assembly, be amended by rescinding the appointment of Brad Cathers and appointing John Edzerza to the committee.

Hon. Ms. Taylor: My remarks will be very short and succinct. I think very it's self-explanatory. It's a means of ensuring that membership on respective House committees is up to date and accurate. This is calling for the removal of the ap-

pointment of the MLA for Lake Laberge and appointing in his stead the MLA for McIntyre-Takhini to this committee.

Mr. McRobb: Ditto.

Mr. Cathers: The Government House Leader is correct: this type of change is standard in nature when there is a change in a member's status. However, there is one issue related to these motions that does occur, particularly this motion and the next motion.

The change to SCREP begs the question: if there is no commitment to actually proceed with SCREP — and I mean a commitment by all members and all parties to actually do something — what is the point in even changing the membership? It's simply an exchange of hats.

The question of commitment to proceed comes with regard to areas that have been identified as issues, which I, as then Government House Leader, identified in discussions and that others have identified in discussions at SCREP at that time, which are related to things, including the fact that currently under the Standing Orders, Independent members do not have the ability to call motions or bills or debates.

Secondly, in terms of establishing a rotation, even from the three recognized parties, the establishment of the Standing Orders is weighted toward the parties, not toward the private members. They do not designate any specific opportunities for individual members to call motions and indeed allocate fully half of the opportunity to the government private member or private members and identify the rotation for the rest on the basis of the other two party caucuses.

These are issues that occur. Other matters, to name but a few, include the fact that I think most members in this House would agree that a change to the rules surrounding Committee of the Whole debate is in order to prevent the practice on both sides of the House of using 20-minute speech after 20-minute speech after 20-minute speech repetitively, which does very little to actually deal with an exchange of information and questions and answers. In fact, it leads to the government and the questioner respectively reading what are effectively political speeches very little different from those read in previous sessions from both sides of the floor.

Mr. Speaker, I will not belabour the point with regard to SCREP. I will simply make the point that if there is no commitment, as I believe there should be, by all members to address the issues that we all know occur, to actually make appropriate procedural changes, there is very little point in changing the membership of this committee. With all due respect to the Member for Whitehorse Centre and the legislative renewal committee proposed by that member and approved by this House, there are many changes related to the debate in this House which are very technical in nature. We the members know what occurs, what rules are abused, misused or lead to unproductive debate, and many of those changes should simply be worked on, agreed to and made, rather than spending another two years talking about making substantive change.

Speaker: If the member now speaks she will close debate. Does any other member wish to be heard?

Hon. Ms. Taylor: I appreciate all members' support on the opposite side for this particular motion. I could go on at great length about the number of all-party select committees that have been struck by way of motion, both on the government side and the opposition side, calling for discussion and review and debate on a number of different items, two of which we will be debating here on the floor of the Legislature tomorrow pertaining to cellphone debate and public safety on public corridors. Those are just two of many we have discussed on the floor of the Legislature.

Likewise, it wasn't long ago that we also referred to or agreed to moving ahead with the — I believe it was the Member for Whitehorse Centre, his motion calling for legislative renewal.

The agreement was to proceed with that and it pertains to independent status when it comes to all degrees of government business. We are very much open to looking at that on this side of the Legislature, but for now, we do have a number of House committees that have been struck and in place for many years. Again, this is to ensure that membership is current and is up to date.

Motion No. 888 agreed to

Motion No. 889

Clerk: Government Motion No. 889, standing in the name of the Hon. Ms. Taylor.

Speaker: It is moved by the Government House Leader

THAT the membership of the Standing Committee on Statutory Instruments, as established by Motion No. 9 of the First Session of the 32nd Legislative Assembly be amended by rescinding the appointments of Brad Cathers and John Edzerza and appointing the Hon. Patrick Rouble and Steve Cardiff to the Committee.

Hon. Ms. Taylor: Mr. Speaker, again without repeating what you have just said, I look forward to all members' support.

Mr. McRobb: I am prompted to say a little more this time because in the previous motion, we heard testimony about how the particular committee subjected by the motion wasn't being too effective in terms of meeting recently, so I would just like to close with this one question: can the minister tell us the last time this committee actually met?

Mr. Cathers: With regard to the change of the membership of the Standing Committee on Statutory Instruments, again, the actual membership change is fairly standard; however, the question again occurs: why is this House spending time changing the membership of the Standing Committee on Statutory Instruments if this committee is never going to meet?

This committee has not met in the life of this Assembly, in the life of the previous Assembly or in the life of the Assembly before that. I'm not sure which decade it was that the Standing

Committee on Statutory Instruments last met, but this committee is established by Standing Order 45(1) which requires at the commencement of the first session of each legislature that a Standing Committee on Rules, Elections and Privileges and a Standing Committee on Statutory Instruments shall be appointed. This committee was conceived with a role in mind. If members do not support its existence in the Standing Orders, the Standing Orders could be changed to eliminate it, but in fact this committee has a mandate that provides some value related to ensuring that regulations fall in line with the legislation they flow from.

This committee has not met in a great many years, and the question is not just for the government, but for all sides of this House, why it has not met, why the committee is not meeting to fulfill its mandate, and finally, will the Chair of the Standing Committee on Statutory Instruments call a meeting so this committee can get to the work it should be doing?

Motion No. 889 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Mr. Nordick): Order please. The Committee of the Whole will now come to order. The matter before the Committee is Bill No. 17, *Second Appropriation Act, 2009-10*, Department of Energy, Mines and Resources.

Do members wish a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 17 — *Second Appropriation Act, 2009-10* — continued

Chair: The matter before the Committee is Bill No. 17, *Second Appropriation Act, 2009-10*, Vote 53, Department of Energy, Mines and Resources.

Department of Energy, Mines and Resources — continued

Hon. Mr. Lang: Welcome back this afternoon to general debate on the Department of Energy, Mines and Resources. We talked extensively on our last sitting day about Energy, Mines and Resources' request for the supplementary budget here today and have certainly gone over many aspects of what this department does and how important it is to the Yukon.

Again, we'd like to thank all the staff members of the department for the hard work they do. Of course, we have staff in all the communities, starting in Dawson City and as far south as Watson Lake — individuals who work on a daily basis with the department and with Yukoners to solve some of their issues, whether it's in forestry, energy, mineral — all aspects of the department. With the leadership they show here in the territory, as a minister, it's not hard to stand up here and represent the department with respect to the job they do, because it's a stellar job. You only have to go out and talk to the people they touch on a daily basis to see what a good job they do for all Yukoners.

We had a discussion yesterday around the *Energy Strategy for Yukon*, which was a plan that was put out by the government in conjunction with the *Climate Change Action Plan*. It was tabled here in the House. It was a go-forward plan of how our government would look at moving forward and become more reliant on our own energy resources and less reliant on Outside resources. We're doing that by expanding our energy resources in Mayo B, which is one project, Aishihik — the third wheel is going ahead — and of course the most important part of that investment is tying in the grid. The grid is very important because once that is completed we can manage our energy from Dawson City, Mayo, south to Whitehorse here and even south of Whitehorse to Teslin. It would make a better management tool for our hydro investment to have those grids completed and that project is going ahead. It's going to go in front of the Yukon Utilities Board, as the Premier was mentioning today.

Another misnomer, I guess, from the opposition side was the responsibility of the Yukon Energy Corporation and Yukon Development Corporation. That now falls under the Finance minister. It is no longer the Minister of Energy, Mines and Resources who speaks for the corporations, so again, I have limited access to the information. I certainly am aware of what is unfolding in the Energy Corporation and, of course, working with them on other issues that pertain to our energy strategy which is very important, because in the Yukon it has to be a partnership, and the partnership has to involve First Nations, corporations, us as public government and, of course, individuals to make the changes we need to make to make our community more energy aware and also more energy independent. So, Mr. Speaker, I will close with that.

Mr. Cardiff: I would like to thank the minister for his answers, be they all lengthy, and I'd appreciate it if we could try to move things along a little faster. After reading the minister's remarks from yesterday, I got the impression that the minister was satisfied with the mitigation that had been done on the Minto mine project and Capstone. I think the minister lost sight of the question I was asking on this matter. It's important, especially with respect to the recent report from the National Round Table on the Environment and the Economy. It's about the impacts of climate change on infrastructure and how government needs to pay attention to that. That includes roads, buildings, communications, towers, energy systems and waste disposal. It also talks about the need to change building codes and the standards to which we build. So what I'm asking the

minister is this: are there going to be any changes to the standards that are required? It's specifically around public safety and the protection of our environment, our water, our air and wildlife habitat when these large projects go forward.

The possible effects of climate change are taken into consideration and, to use the words of the Minister of Environment and the Premier and all those people, these things are mitigated or we are adapting to climate change when we're doing these projects so we're not going to have an environmental disaster and that the projects are built to the highest standard.

The minister kind of said that this was just a one-time event. He needs to talk to the Minister of Environment, because I think the Minister of Environment has been clear that this is an ongoing issue, that weather patterns are changing, we are going to see changes in precipitation, changes in snowfall and permafrost thawing. All of that affects not just public infrastructure but private infrastructure, including the construction of mines and all the associated infrastructure, including mills, slurry lines, tailings ponds, dams and reservoirs. All those things are going to be affected by climate change, and if we need to change national building codes and building practices, maybe we need to look at this too. So is the minister's department looking at those issues seriously?

Hon. Mr. Lang: It's important for us in the House to realize that the mine did the responsible thing. They went to work and reapplied for a new water management licence and worked with the local First Nation to get that done in July. They did react; they were concerned, and they have certainly moved forward to go in front of the Water Board and get a new licence that would accommodate the questions the member asked me here in the House.

Again, it's a changing issue. This situation only happened once to the Minto mine, which we all agree on, but it's something that has to be addressed, in the sense that, as we move forward, these are changing times and these are things that happen. But the mine was responsible, and the mine went to work and did what it had to do to mitigate the issue.

They also went before the Water Board to address exactly what we're speaking about. We know YESAB is concerned about these issues too, so these kinds of things will red flag YESAB, and some of these projects or some of these issues will be brought forward — but again, the company itself did the responsible thing in the situation they found themselves in. All the water, according to the reports I have as minister, was the snow load that they tried to manage on the mine site and the snow load was so massive that, in the spring, it filled up the pit itself. That was very much of a management issue and the mining company tells me they've mitigated that issue. There won't be the drainage problem next year, if they get the snow load they had last year. They went in front of the Water Board and did the work they had to do, along with the First Nation, to address the water licence that the mine has in place.

The member opposite in the discussion — the situation we find ourselves in the territory and in the north on climate change. A lot of these issues will have to be addressed. These issues are not only with the mining community but with highways, community services, our northern communities — like

Old Crow. How will we build in those areas? What will be the changes over the next 10-year period?

We have seen massive changes in the last five years on how we manage the permafrost issue — whether it's for a building site, a mining site or just our highway system. You only have to travel on the north highway to realize the permafrost issue is ongoing in the north highway system. We have been proactive on that and are now working with universities and other governments, with us as the government putting in test plots and being proactive on it, trying to get some semblance of reality from it on how we as a government or a society will deal with these kinds of issues as we go forward.

We can't constantly build roads, access to whatever, and find out we have to rebuild them every six months. That's why this government invested in the innovative pavement program in Dawson City. That is one of a kind in North America, and that is all about permafrost. That was resourced because we as a government representing our community thought that it would be a good experimental program. We all know Dawson City has a constant management issue with permafrost and has from the concept of the community itself.

As we move forward, my answer to the member opposite is that the corporation, Minto/Capstone Mining Corp., did the responsible thing. They went to work and mitigated the issue about the drainage system in the pit itself and went in front of YESAB working with the local First Nation to make sure that any kind of an issue could be resolved. I am told that it has been mitigated. They have worked on a technical plan so it won't happen again if we get the snow load we had last year.

Again, this issue has repercussions through our whole community. We have the same problems in our subdivisions. We do extensive work; we drill; we look at water tables; we engineer around those water tables and we find out four years later that they've risen by one metre.

Well, why did that happen, Mr. Chair, and how do you mitigate the issue? At the end of the day, it's an unknown and everybody does their good work at the start. We do engineering, we do all of this, but then we find we have issues down the road. What we have to do is grow into this issue in a responsible way. Certainly, the Environment minister is very aware of it. The *Climate Change Action Plan* has again been put out there for us as a community to have a footprint on how we could move ahead.

Certainly, the college has partnered with the government to move forward with how we will manage the environmental issues from constructing a building to putting in a road to managing situations we find ourselves in — whether it's a mine site or just a northern community that would like to expand and build homes on real estate that has some permafrost questions.

It's not an area where we can be comfortable knowing that we're doing all the right things, but I think we as a government and as a community now are aware of the changing climate and the changing issues we have on the ground.

This was an eye-opener for Minto mines or Capstone. This was something they never saw coming. When they did, they reacted in a proper fashion. YESAB and the appropriate Environment department, ourselves in Energy, Mines and Re-

sources — everybody was involved in the issue and we mitigated the issue. YESAB is aware of the situation that arose there.

In answering the question of whether or not we've changed anything, I say to the member opposite that I think YESAB will be looking at these more tightly and looking at the issue that arose at Capstone on the investment they had on the ground and what happened with the management of water — where that water came from and what that water did and how we would mitigate that in the future.

The mine today — Capstone — is a lot wiser in how they manage the water and they're much more aware of the snow loads and they have looked at doing it proactively, which is going in front of the Water Board and getting a new water licence to realize we're going to have more water to manage here and we have to get it licensed and do it in a proper fashion.

I think Capstone did a stellar job. It's something I again remind the member opposite wasn't something they planned. It was something that happened. I think that YESAB and the Water Board will be doing their good work in the future, and all these issues will be addressed in the same way. Of course, companies like Capstone, Carmacks Copper, Alexco or Yukon Zinc, are aware of these kinds of things because this is a very costly, costly endeavour for a corporation to go through. This is not something the corporation wanted to go through. This was something that was brought on by, as the member opposite said, a changing climate situation, abnormal snow loads and all of these things that happen throughout the territory.

I think we're a lot more aware in the industry now than we were 14 months ago. Certainly, the mining company is, we as a government are, and I'm sure YESAB is very aware of it too.

Mr. Cardiff: Once again, I don't think the minister listened to the question, so I'm going to try to make it clearer. Number one, YESAB is not the regulator. They don't regulate. They make recommendations. The government is the decision-making authority. They are the regulator. The minister is the minister of the department that is the regulator.

There have been reports about climate change and mining across Canada. The report points to issues of permafrost degradation in some areas, extreme precipitation that leads to situations where the environment is compromised. The report reads: "There is considerable uncertainty about the types of conditions mining in the Yukon will need to adapt to, and more detailed local scientific information on climate and climate trends would assist managers and decision makers in developing adaptation plans." That's the question.

Where are we at in terms of adaptation issues? The minister is the regulator. He's responsible for putting in place the rules about how mines develop, so where are we at in terms of adaptation issues for mining so they don't pose a threat to our environment?

Hon. Mr. Lang: In addressing the member opposite, where we are in redefining YESAB in the sense of its responsibility, it does make recommendations to government. Technical and climate issues are brought up by YESAB. Certainly it is a recommendation, and the minister does sign off on those rec-

ommendations and there are avenues where a person can approve it, set it aside or change it, so there are options there.

In fact, through their good work, they bring up a lot of these technical and climate change issues that we have to address. Certainly, YESAB is an organization that does recommend and work with government. Of course, we review the recommendations and we have access to licensing, Mr. Chair, so we put obligations on the licences we issue. We do our work. I am not aware of the study across Canada. I haven't read that. There are certainly many, many studies out on climate change, climate warming and all the other issues that are out there.

As far as the territory is concerned, however, as a government we put together the climate action plan, which is very important. We have an obligation — not an obligation, a commitment — to work with intergovernmental agencies so we're all working in the same direction.

In addressing the member opposite, I say to you that we live in a changing world. Different areas of the territory have permafrost issues. Dawson City definitely does. I'm not sure if Yukon Zinc has permafrost but I don't think so. Alexco in Mayo — as close as Mayo is to Dawson, there isn't the same effect on mining sites as in Dawson City.

Would we treat Dawson City differently from how we would treat Mayo? In the licensing process, we certainly would. We understand about the situation with permafrost. Permafrost has been an issue with governments and individuals in northern countries since the beginning of time. This has been an issue that has had to be managed, whether we were building a house in northern Russia or building a house in Dawson City. They have the same issues on the ground.

There are areas where permafrost affects areas more than others. We certainly don't have the permafrost issue here in the Whitehorse area, so we can build a little differently. If you were to build a home in Watson Lake and put a home in Dawson City, you would be building two different structures and two different foundation systems. I mean, we would start with the foundation. If you build a home in Dawson City, you have to be aware there has to be access to the building to level it and do other things. It adds costs to it. I understand that. There are other avenues to do it and they actually have worked very hard over the years in Dawson City on how permafrost can be extracted and refilled with rock in order to do another system. But it has been a practice of experimenting and trying to get the best management tool on the ground.

Now what are we doing as a government? We as a government look at the best management practices for industry to reduce greenhouse gases. In other words, we are doing our work. We have a very small footprint here in the territory; it doesn't mean it's not important, but also we have a very small industry — whether it's mining or population wise — we've only got 34,000 people in the territory.

We have a small population base; we've got a growing industry, and we've got a government that's being proactive on the environment. And what are we going to do about managing our greenhouse gas emissions? I think we're doing a good job. We're starting internally in the government, in the Department

of Highways and Public Works, and we can talk about that when the department comes up. We've done some pretty inventive things to try to jumpstart our responsibility as a department to make sure that we're going in the right direction. By leading by example, we see that other individuals or corporations are following the lead. In other words, Yukon Energy Corporation and other corporations are much more aware of their footprint than they were 10 years ago.

If you look at the territorial government's fleet today, you'll see a massive change in how we manage our emissions and how we buy the product. And don't stop at our small vehicles; you have to look at the whole dynamic. One of the things we look at when we purchase any kind of equipment: what is the environmental footprint of that piece of equipment? That's not a question that's not being asked by other jurisdictions. Cities are doing it; provinces are doing it; states are doing it. We're all much more aware of our surroundings, and so we should be.

As the Premier and the Minister of Environment say, we have impacts up here on our territory that we're somehow going to have to manage. By proactive process with our climate action plan, and in conjunction with the energy strategy — which is very important — is how we as a society move forward and manage these issues.

I remind the member opposite it's not something that will happen overnight. It's something we as a community have to be proactive on. We have been proactive. How do we manage our solid waste in the territory? What are we looking at today we didn't look at five or 10 years ago? What are we looking at in agriculture? How can we create more of our food in the territory at a reasonable price, not only to benefit the consumer in terms of price and quality, but also to mitigate the footprint it takes to get our products into the territory? How will we manage our forests so we can benefit, have a secondary industry and create some of the energy we need to supply the energy, plus move that footprint from bringing truckloads of diesel into the territory for our remote operations? So at the end of the day it is a very proactive process.

I guess things people do are never fast enough, but certainly these programs, this climate action plan and the energy strategy lays a footprint out and by the way, the Minister of Environment also set up an agency to monitor how we as a government are doing or how we are doing as a community. I don't like to put this on the back of the government totally. This is a community issue. How are we as a community going to make our footprint smaller and make our communities more self-sufficient in energy and work with the environment so that the impact we see out there can be mitigated? As far as the mine sites are concerned, Capstone is one of the partners we had when we built the hydro line between Carmacks and Pelly. They contributed \$7 million to that project, and that \$7 million wasn't reflected on our bills.

That was a partnership with corporations and, by the way, they paid 100 percent of the cost of taking the energy from the highway to the mine site itself and, when they did that, they took I think it was 24,000 tonnes — or whatever the figure was — of CO₂ that is no longer being generated in the territory.

That's the kind of thing hydro energy can give to the territory — the independence of energy and the certainty of energy — but also it's a responsible way of generating energy when you have this kind of a resource running by your door and having the partnerships we have.

Mayo B is now a partnership among us and the federal government, and the local First Nations are involved. It's small steps, but I think if you were to look back in 10 years and we look back to our energy plan and our climate change plan and see where we are at that point, I think we're going to be a lot more self-sufficient and we're going to know a lot more about our environment, which is important.

Some Hon. Member: (Inaudible)

Quorum count

Chair: Ms. Taylor, on a point of order.

Hon. Ms. Taylor: Pursuant to Standing Order 3(2), I don't believe there is a quorum present.

Chair: If it has been drawn to the Chair's attention that there isn't a quorum, the Chair shall ring the bells for four minutes and do a count.

Bells

Chair: Order please. There appears to be a quorum.

Mr. Cardiff: Thanks to members for their attention in the Assembly today. I would like to start once again by thanking the minister for the almost 20-minute dissertation on what the department is doing to help mining companies in terms of adaptation issues for mining. Maybe we can move on from that issue and deal with another one with regard to climate change and mining.

We talked a little bit about this. I was asking questions about how we were going to meet the needs of these large projects that are being proposed out there, given the capacity on the grid. The minister, in talking about adaptation and mitigation for mining projects, talked about the truckloads of diesel and so I am just going to go back to a couple of the projects that I mentioned yesterday.

When we talk about truckloads of diesel, I am going to put it into a couple of different scenarios here. The first one would be Macmillan Pass — I saw the minister and officials agree with me — it's slated to be about 12.5 megawatts and there is no hydro line there.

So I'd like the minister to tell me about the carbon footprint of the truckloads of diesel that are going to go up and down the highway, what that is going to do, what adaptation and mitigative measures the department and the government are proposing for that project?

While I'm also at it — because I know I'm going to get a 20-minute answer to this question — I'd like to ask the minister about another project on which I saw nods of agreement — the Casino project. Can the minister tell me whether there were any conversations or discussions going on with the proponents of this project? How are they going to generate — because it's my understanding it is off-grid and the grid doesn't have the capacity to deal with a project of that size. So are they in dis-

cussions with the proponents of that project to generate the 100 megawatts through coal generation?

Hon. Mr. Lang: Certainly energy is a concern and is a very big part of any mining development decision.

As far as looking at how we as a government are going to look at supplying energy in the future, we certainly have the IPP and net metering policies out for public consultation now. That's a small part of our plan. Mac Pass is an issue where, again, energy will be an issue. Certainly, if they were to truck diesel into that area to supply the power that I'm told they would need, it would be an economic — I don't quite know if they could make that economic decision with the unknown price of the product into the future.

Howard's Pass and Mac Pass have looked at opportunities for a natural gas situation up the North Canol, where they would generate energy through natural gas, which would come in through the Mackenzie Valley. That was an option. They've also looked at hydro projects in the area that would be beneficial to both of the corporations. Again, I remind the member opposite that these are the kinds of decisions the corporations have to make. The cost is there, and this could be the difference between a mine opening and closing, in essence.

Yukon Zinc produces its own energy — or will be. Of course, they're not on the grid. Casino is owned by the same individuals or the same corporations that have an interest in Carmacks Copper and I think they have been talking to Yukon Energy — I'm not quite sure because I'm not privy to that at the moment, but I think there has been dialogue. Casino has always been an issue of energy and the corporation itself would be interested in how — they would recommend themselves putting energy into such a large investment.

If you look at Mac Pass, Howard's Pass and Casino, those are three of our larger deposits and three of our largest consumers of energy. We are not at any level right now, as we speak, ready to supply them with hydro potential. They themselves have been very proactive. They understand that the costs of putting that kind of infrastructure together would be daunting. We have been in consultation with them on the level of road structures, all sorts of things that would have to be addressed — especially in Mac Pass where the North Canol is in the shape it's in. If you were to open that up as a mine, there is a huge investment for Yukoners to bring that road up to a standard like we're doing on the Campbell Highway.

Those investments would have to be considered by the government, so there would have to be those kinds of considerations. As far as energy is concerned in those areas, at this point it's just conversation. The corporations are looking at options. Howard's Pass I do know had some options of hydro potential in the area of the mine. Whether that is anywhere near any kind of final decision, I'm not privy to that. I don't think so. It's the largest lead-zinc mine in North America, I'm told, so it's a huge deposit and would take the energy the member opposite is talking about. It would be a big investment, not only for a corporation but for a small government and a small community like us — it would be a huge investment.

It would be a big decision of any government to make those kinds of decisions. It's what the Energy Corporation has

done in the past, inventorying different sources of energy, looking at renewable energy, including hydroelectric projects, developing new policies for independent power producers — which I just talked about.

Net metering is another thing where people could create their own energy and then sell off the excess power into the grid. We're looking at a wood-based bioenergy industry and, of course, it is very important that we work with corporations like Yukon Electrical Company Ltd. and these other people who are out supplying energy to the territory. Those are all potential producers of energy.

Yukon Electrical today produces the power in Watson Lake, they did in Pelly, and they supply the power in Old Crow. They also own the McIntyre installation here in Whitehorse. The hydro installation is owned by Yukon Electrical, so they are supplying us with power or supplying the community with power. Certainly the mining community — we have kept abreast of the needs at the moment. As we say to people, we are looking at a 12- to 14-percent increase here on demand. Our demand is growing where our community is growing. Definitely our demands will go up. Our population has gone from just over 30,000 to 34,000, so will consume more energy.

It's going to be, as we see on page 14 in the *Energy Strategy for Yukon* — it is very important that we look at investing in additional electricity infrastructure to keep pace with the growing electricity needs of individuals, businesses and communities. We're doing just that with Mayo B. Mayo B is a small step forward, but it's a very important step forward. The member opposite was talking about the mining community. Well, we've tied in Minto mine — or Capstone it's now called; we're looking at commitments through the Energy Corporation on Carmacks Copper and we're also looking at Alexco. So the customer base is growing and we are aware of that. So what do we do as a community? By acquiring more customers, we are acquiring more revenue for the Energy Corporation. Of course we've done the hard work of leveraging territorial, federal and private funds and infrastructure investment to meet growing electricity demands.

Then again, Mr. Chair, I remind the member opposite of the partnership we had with Capstone on the extension between Carmacks and Pelly. They invested \$7 million in that capital cost. That made it possible for us to do the investment. It's very important because of our small population that we don't burden the ratepayer with these capital costs. We all know that energy is very expensive in the territory. How do we as a community create our own energy, without putting the cost of that energy infrastructure on the back of the consumer? That's very important.

As we move forward with the Yukon Development Corporation, Yukon Energy Corporation and Yukon Electrical Company Ltd. to develop an improved approach to managing electricity generation, with the objective of improving reliability, providing downward pressure on rates and expanding the system to meet the needs of a growing Yukon economy — that's another thing we can do. We can modernize what we have in place today, and that's part of what we're doing in Mayo B. We're looking at the modernization of that site so it's more

reliable, more modern and a tighter producer of energy. We could also look at — we're putting an investment in Aishihik and that, in turn, is doing exactly the same thing.

As we modernize our hydro and take a look at these other opportunities we have throughout the territory to make it viable for us as a community to invest, as I said yesterday, the lodge at 710 has been on its own power, probably for 10 years now. They produce their own hydro power. That's why they're open today — because they have that resource and they're not burning diesel. It's not about the environment as much as it is about the cost for a lodge.

Lodges today — if you're off the grid and in a remote area, your energy costs are astronomical. That's why, when we look at these lodges up and down the highway, we see more and more of them close because of the cost of energy. Energy has become one of the bigger costs for operating these remote establishments. But a place like 710 took the proactive move 10 or 15 years ago and invested in their own hydro project, plus quite an extensive power grid they put in — I think it's a couple of kilometres. So it was quite an investment. But I think if you were to ask those people today, they would look back at that and say, "The only reason we're open today is because of access to that kind of resource."

Anyway, those are the kinds of small things we can do as a community and as a government. Of course, the mining community has to be proactive too. We as a community — a small number of individuals here in the territory — can't bear the cost of putting the infrastructure in place for a thing as big as Casino. It's just not in our budget, but maybe on some terms we could partner with a mine like Casino, like we did with Capstone, where they put in capital investments and they partnered with us to make it viable to put the line in.

Those are all potential things that Yukon Energy can do in partnership with private corporations, also with the federal government, taking advantage of all the resources they can partner with us on and look forward to those kinds of partnerships because, without the partnerships, the consumers of the Yukon cannot put the capital costs on the ground that it would take to make this master plan work.

As far as what this government has done over the last six, seven years, we've taken the hydro situation from about an 87-percent customer base to 93 percent. We've taken a mine off diesel and put it on to hydro. We've extended the line to as far as Pelly with our first phase. We've resourced the next phase of the hydro line and committed to improve the line between Stewart Crossing and Mayo, putting in Mayo B so that we can manage the hydro grid.

Now is there potential between Mayo and Teslin for small hydro projects? I think if we were to look at that, maybe there is some potential to put other hydro projects — small scale — in partnership with the Energy Corporation, First Nation governments and industry. Again, companies or corporations are going to demand power. Capstone is better off today with that partnership on energy than they would have been if they were burning diesel at the site. First of all, they had a capital cost of \$2 million or \$3 million — whatever the figure was — to put together the generating units required to run the mine. Second

of all, that is a capital cost and then they had to operate the facility, man it and do all the things that have to happen if you have your own gensets or your own source of energy. So in saying what we are doing as a community, we are moving in the right direction. We are looking forward to Mayo B being completed here in the near future and very importantly that the line is being cleared for the next phase of the power line — Pelly-Stewart — and it's getting ready for the infrastructure that it's going to take to tie in the two lines. But that has been an ongoing project this government has really championed with the Energy Corporation over the last three years. It will bode well for our community as we see Carmacks Copper go on-line and we see Alexco go on-line — two more customers.

Then with the growing population, this isn't the end of the investment. With our energy strategy — where do we move from here, Mr. Chair? Those kinds of things have to be decided so we can move forward in a positive way and make sure that we are like we are today — one step ahead of the consumer in the sense of demand. The demand is there; we meet the demand as we move forward and see the opportunities. The Energy Corporation has done a lot of work on potential sites and potential ways of creating more energy. We have the resource; it's how we're going to manage that resource. Of course the Energy Corporation has to do their good work and put a business plan together. Again, we as a partner have to champion that business plan and First Nation governments, the investors and the corporate community have to champion it too, because without the partnerships this thing is not going to be a doable energy plan.

So far, we have had partnerships. So far, it has worked. The capital costs have not been borne by the consumer and that's very important for energy consumers in the territory, so we can have a downturn in costs and we can bring up the revenues of the corporation. Certainly, the return for the corporation is set, and we would hope that the consumer will see a bit of a downturn in the fluctuation of power bills.

Some Hon. Member: (Inaudible)

INTRODUCTION OF VISITORS

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

Mr. Mitchell: On a point of order, I would just like to ask all members of the Assembly to join me in issuing a warm welcome to Mr. Stephen Johnson, city councillor, from the great City of Dawson.

Applause

Mr. Cardiff: In the interest of getting some answers, I'm going to ask a different question. Just for the record, today is December 1; tomorrow is the first Wednesday of the month, and I'll be taking with me the answers that the minister provides to me today to the hamlet council meeting tomorrow night.

This issue is about land use planning. I tried to ask the minister this question in Community Services and he suggested that this would be the appropriate place to ask it. It's about commitments that have been made over the years at the Premier's meetings and at other meetings about moving forward

the land planning process in the Hamlet of Mount Lorne. That's all they've ever really asked for. They've had a plan for almost 20 years now, I believe. The regulations took years and years and years to be written and approved. Since then there have been issues regarding whether or not the regulations are consistent with the land plan. There was a proposed minor amendment to the plan to allow lot extensions to occur, even if they couldn't be brought up to the maximum lot size without infringing on other zoning.

But what's been asked for a number of years now — probably about a year and a half — what I believe was committed to by officials and the government members was a review of the plan. At one time, there was even a steering committee struck to guide the review of the plan. To the best of my knowledge, nothing has happened on this issue. I'm looking for what the minister is prepared to do to move this issue along, because in all my seven or eight years of being an MLA, the big issue for the community and for the hamlet council is planned and orderly development. They would like to move on with that, but there needs to be a review of the plan. Normally, they would be reviewed every five to seven years, and it has been much longer than that. If the minister could provide me with an answer to that question, I'll be taking that to the hamlet council meeting tomorrow evening.

Hon. Mr. Lang: According to the information I have on hand, there is a two-phase plan that we are working on with the hamlet. The first one is the number of land use issues that have emerged since the original plan was developed in the early 1990s, which, I agree, was a long process that we went through. The miner plan review was to take place in two phases. The first phase of this review regarding lot enlargements of course has been completed. That has been signed off.

There is an apparent difference in understanding between us and the hamlet council as to the depth of planning that was to be taken in phase 2. That is a negotiation that is going on now to address the difference which deals with an agricultural and rural residential development in the area known as the McGowan option, which is a piece of land that has been an issue in the Mount Lorne area for many years. We are working with the community or the hamlet to iron out our differences on that issue. We are proceeding with a technical feasibility study with the people of the McGowan option area to determine whether or not development is technically possible. In other words, there is some research going on to determine whether this is an option. The hamlet council will be involved and will have all that information available to them. That's all I can say to the residents of Mount Lorne today.

There is more information here, Mr. Chair. In the fall of 2008, Community Services held a public meeting in the community to discuss the idea of proceeding with minor plan reviews to address the following issues: the need to incorporate new wildlife and caribou habitat information; to clarify where new developments may or may not be permitted — that was in discussion — plan amendments required to proceed with the mixed agriculture and rural residential lot subdivision development planned in the northwest portion of the area — and I think that's the McGowan question — updates needed to clar-

ify how applications for lot enlargement should be treated in the areas where the plan specifies that new developments should not be permitted.

These were things that were brought up in the public meeting in the fall of 2008. Following the public meeting, the Hamlet of Mount Lorne advisory council requested that the review be undertaken in a phased manner. Phase 1 has been completed, which I just said to the member opposite, and will be followed directly by phase 2. There's more work to do on phase 2, so we're working with the hamlet and hopefully we can iron out our issues between our two governments.

Mr. Cardiff: I thank the minister for the answer, and I'll be happy to take that with me to the meeting tomorrow evening. I think the issue has actually been going on longer than that. I recall attending a meeting well over a year and a half ago to deal with some of these issues. I think the government, in its haste to pursue a land development option — it was my understanding, actually, from our discussions in Community Services, that there was actually a reduction in Community Services around land development because of not proceeding with some of the things around the McGowan land planning issue.

I know there is more planning. It needs to be collaborative and the minister needs to show leadership on this issue. Commitments have been made, and they need to be followed through on.

So I'd like to ask the minister about another commitment — the other day he talked a little bit about the land planning process in Marsh Lake. He committed, or said that they had brought the appropriate First Nations — the First Nations with land interests in the Marsh Lake area — to the table to deal with the land use planning issue, to get a local area plan for that community. I'm wondering if the minister could provide a little more information — we're looking for detail on that process, what the schedule is and what time frame we're looking at — recognizing, of course, that these processes do take time. Is there a schedule for starting, and what is the proposed time frame for completion of that process?

Hon. Mr. Lang: On the Marsh Lake issue, that does involve two First Nations, and they are KDFN and CTFN. The parties have reached an agreement on a proposed community boundary — first step — and the planning process is moving to establish a planning body this fall, after which planning will commence. So we're working — we've got the first step done, which is a community boundary issue. Now the planning process is moving. We've got to get the planning body up and working; we're doing that within the community and of course our partners will be the two First Nations.

So we're looking at this fall for that being put in place, after which planning will commence. The most important thing now is to get the group together and move forward with the planning.

Mr. Cardiff: I thank the minister for that answer. I'm sure residents of the beautiful Southern Lakes are going to be quite happy that this is finally happening. This is another place where it has been an issue. I'm glad that the government has gone out and got all the stakeholders together on this issue.

I'm just going to go back. One of the things he mentioned was a planning body, which is a steering committee, to guide the creation of a plan. It's my understanding from the meeting that I attended a year-and-a-half ago or more that there was a steering committee to guide the process in the Hamlet of Mount Lorne. Can the minister tell us when the last time that steering committee met?

Hon. Mr. Lang: We don't have that information on timing on that but we could get it back to the member.

Mr. Cardiff: That would be much appreciated.

I have a couple of other questions with regard to this issue. There was another issue raised at the Premier's meeting in September and the minister committed to deal with it expediently. Two lots are accessed from the Annie Lake Road, which goes through the Hamlet of Mount Lorne, that are not within the boundaries. When the boundaries of the hamlet were drawn, somehow they were excluded. It presents a problem because there are different zoning regulations for the Hamlet of Mount Lorne and the Whitehorse periphery.

So this was an issue that was viewed as a housekeeping issue. I'm just wondering if the minister can tell us what progress has been made on that.

Hon. Mr. Lang: In discussions with the department, that's work in progress. Again, I could get an update for the member opposite, but I know that we did discuss it. There is work to be done to do exactly what the member opposite is talking about, and the department was tasked to do that.

Mr. Cardiff: I look forward to that information. It would be about timelines — basically, when this could possibly happen. I believe the minister has committed to this issue, but it's about how much time it takes to resolve the issue for the landholders. Maybe the minister can tell me — there were supposed to be amendments to the regulations concerning the lot enlargements.

It has taken at least a year, and I'm just wondering: have those regulations actually been passed and proclaimed?

Hon. Mr. Lang: I would say I think I signed them off, but I'm not sure. I sign many things in a day. I will get back to him on that specific issue.

Mr. Cardiff: I thank the minister for those answers and I look forward to the correspondence on that issue. I'll be happy to provide it to the members of the hamlet council. I'd like to move on to another area briefly.

In the supplementary budget, there is another \$100,000 dedicated to agricultural land development. As the minister responsible for agriculture, I'd like to ask the minister if there are any plans for expanding community greenhouses.

Hon. Mr. Lang: Regarding the information for the \$100,000, I can get that at the moment on the investment the government's going to make. I tend to believe it's an opportunity in the Mayo area, where we're looking at some potential investment.

Certainly, the greenhouse issue is an issue that could be resolved or addressed through the GrowCanada program, could it not? There are opportunities for investments, as long as it has an agricultural base to it. The GrowCanada program would accommodate that.

The Yukon agricultural policy reflects Yukon values regarding agricultural land development and management, the environment, strengthening the agricultural economy, organic farming, science and innovation, food safety and quality, and how individuals, organizations and government work together to develop the Yukon industry. The goal of the Yukon agricultural policy is to encourage the growth of a Yukon agricultural industry that produces high-quality products for local consumption, in a manner which is environmentally sustainable, economically viable and contributes to the community well-being.

Again, greenhouses would be part and parcel of that kind of agricultural investment; the implementation of the *Multi-Year Development Plan for Yukon Agriculture and Agri-Food, 2008-2012* — the comprehensive MYDP presents strategy for industry-wide issues related to infrastructure, greenhouses, regulations, financing, marketing, information gathering as well as supporting the development in specific sectors such as meat and vegetable production. The overall goal of the program is to increase and sustain production, sales and profitability in the Yukon agriculture and agri-food industry.

So what I would say to you is, as far as a greenhouse opportunity for individuals, I see where that could fit very nicely into a business plan. It certainly would fall under this Growing Forward policy. Implementation of the Canada-Yukon Growing Forward policy agreement could provide up to \$987,000 per year on a 60-percent federal and 40-percent territorial cost-shared basis to provide programs that operate toward three strategic outcomes: a competitive and innovative sector, a sector that contributes to society's priorities and the sector that is proactive in managing risk. In other words, it does cover all aspects of the agricultural industry and certainly as we look to our neighbours, B.C. and Alberta, the greenhouse operation — whether it is silviculture in forestry or agriculture — is a big part of Growing Forward and becoming self-sufficient. The question the member opposite asked was about a \$100,000 budget increase for agricultural land development. I'll clarify this, Mr. Chair. This funding allocation supports the survey and planning work required to make an area of the Government of Yukon's surplus land in the Mayo area available for agricultural development. I was right; that resource is going into the Mayo area. We anticipate that these agricultural lots will be offered to the public through the agriculture branch as a value-added tender process within the coming year — the year 2010. This capital expense will be fully recoverable through the sale of agricultural lots. I hope the member opposite is clear on that investment. That investment will be spent in the Mayo area to expand the availability of agricultural land.

Mr. Cardiff: Well, it's a step in the right direction anyway. I thank the minister for the answer on the \$100,000 in the land development in the Mayo area and for the information about the Growing Forward program.

The minister talked about the agricultural policy and moving toward sustainability, but I'd be interested in — and if the minister doesn't have this information in front of him, I'd be more than happy to receive it by a legislative return at a future date — knowing if there are any statistics. Could the minister provide the statistics on the progress that has been made over

the last seven years, I guess, or since a new policy came into place? What progress have we made on food security in the Yukon in the last seven years or more?

Hon. Mr. Lang: We can get back to the member. It's something I don't have at my fingertips, but we have made great strides in becoming more and more aware of our potential in the territory, whether it's in Dawson City or here in the community of Whitehorse. Of course, we only have to go to the farmers market on the weekends to see the popularity of home-grown products.

If we were to look at the potential of agriculture — the potential of the territory — if you were to go back to 1898 or to the year 1900, we were pretty self-sufficient in the territory. We had a population of 30,000 or 40,000 people in the Dawson City area. The secret about it was that we had most of the people in one area. The biggest part of the population was in Dawson City. We have to remember that at that point we had horses, we had dairy farms, we had sheep farms, we had access to cattle and to wild game, and then we had gardens in the Dawson City area and we had the added burden of creating the food for all the animals for the winter.

We at one time were pretty good and self-sufficient, and as we grow into this I think you'll see as we invest this money on the ground you're going to see more and more of that kind of stability in the industry and more and more interest from young couples — not young couples, but young individuals going into the farming industry.

We're seeing a lot more people coming to the desk not looking so much for agricultural land to build a house on, but what is the future for us to do some farming, whether it's raising chickens or the cattle operations we see? Even to the potential we have, we see the elk farmers doing things and the hay raisers. All in all, we're supplying more and more of the food we need for our recreational horses and things like that.

I'll get the figures back to the member opposite, but we have made strides in the right direction.

Mr. Cardiff: I look forward to receiving that information from the minister. I think it is important. We have to recognize something here: we're not going to be able to meet all the needs — it's not so much all the needs, probably, but the expectations of Yukon consumers when it comes to the food we consume. There are definitely certain products that we can supply locally that are much healthier.

I think we need to be proactive in this area, and support the agricultural industry toward being more sustainable. I could have asked the minister questions about other incentive programs, and I won't even mention the name, because I don't want to hear — we know a lot about those incentive programs. There are a lot of indirect subsidies that go to other industries, and if we're truly committed to — and this is in the interest of the climate change issue, it's in the interest of health, because you've just got to believe that if the food has been on the truck for a week before it arrives here — for instance, the other evening, I stopped by my neighbour's and managed to pick up a couple dozen fresh eggs that were laid the day before. Actually, one dozen was two days old.

But you have to figure that they've got to be a lot better for you because they're fresher, and you know what your neighbours are feeding their chickens. It has to come to a certain level. There have been instances in the past in the territory here where there was large-scale egg production. Right now, there is fairly large-scale potato production. There is beef production happening and game animals as well, to some extent. I'm not sure exactly where that's at at this particular point in time, but there are examples of that, and it's about providing healthy alternatives to Yukoners. Is there a bit of a premium to be paid? There probably is. Should there be a premium to be paid or should those healthy alternatives be available to all people?

Should we look at providing further supports to the agricultural industry such as we provide to other industries? I'm not sure whether the minister has an opinion on that, but I'd like to know whether or not that is something that the government's agricultural policy is looking at. He was talking about the Growing Forward, so looking forward in the future, what kind of other supports — to the same level of some of the other industries in the Yukon — is the government looking at providing?

Hon. Mr. Lang: Addressing the member opposite and the conversation this afternoon of potential agricultural advancements in the territory and consuming of the product — my wife and I are pretty well responsible for agriculture — we get our chickens, we get our turkeys, we get our beef, we get, if we want, elk and bison that we have available to us to consume. We have that in our freezer and, of course, we have vegetables in season. I buy Yukon spuds throughout the year, until they run out of the resource later on in the spring, so we are a long ways from where we were in 2002.

We have a mobile abattoir that we operate for the convenience of the farmer. We're expanding our facilities so that white meat or chicken will eventually be slaughtered, too, so we can get more producers of chickens in the area. We also put together a process of acquiring about 60 hectares of land on the Mayo Road that the agricultural community will lease from us. They can put infrastructure together to better focus their industry and merchandise their product. But, to be honest, we couldn't have done that in 2002. My wife and I can buy our meat locally, buy our potatoes locally and, in season, buy our vegetables. So we've come a long way in seven or eight years.

As far as the investment and what we as a government invest — we invest, as I said, in the abattoir. We invest in the potential of the Agricultural Association to manage — to lease a piece of real estate off the government so they can expand their facility. The abattoir would have a permanent home and they could expand the abattoir to accommodate white meat.

I guess it's called white meat — chicken is a different process from beef. When I became responsible for agriculture in the year 2002-03, the only abattoir we had was outside Dawson at Partridge Creek Farm, and they did a stellar job for many years. But the distance was an issue and of course the cost of getting the product there, because it costs money to move the product around.

The mobile abattoir, which this government invested roughly \$250,000 in and now operates for the industry, gives us access to all this potential product. What the general public has to do is — the cost isn't the question as much as the foot work it takes to get out and find the product. Now with the abattoir, I think that they can sell their product — their red meat — in stores and other avenues. Before, three years ago, I had to buy the product from the gate. It was a gate sale, which meant you bought the product from the farmer and it didn't have the obligations of the inspection we have in place now.

The member opposite was talking about the potential of eggs. We buy as many fresh eggs as we can. The chickens alone — we have to work at getting the chickens. There are producers out there, but when we buy a chicken, we have to buy eight or 10 chickens at a time, which means we've got a storage issue too. It's a growing industry and it's going in the right direction.

Here are a couple of notes to see how we as a government have contributed. Implementing the Yukon Growing Forward agreement — which has provided over \$219,000 to agriculture industry projects in Yukon since 2009 — project funding has been allocated in the following areas: agri-environment initiatives, \$26,000; marketing and agricultural development, \$98,000; environmentally best management practices and farm planning, \$52,000; food safety strategy, \$6,500; human resource development, \$37,000; and northern agricultural innovations.

We are picking away at investing in the industry. We have committed and we put the resources together for the abattoir, which was really important for the industry. It's just a stepping stone to when, eventually, if we have the demand that I think is out there, we could eventually see a permanent abattoir put in place and the mobile abattoir would be retired. The positive thing about the mobile abattoir is that it's mobile. They can go to the farm, and they can work with the farmer, and the abattoir can be used on-site. Again, it's easier on the animals that you put through the process because of the lack of transportation, and it also saves resources for the farmer himself.

So it's a good-news story, and I'd certainly like to thank the individuals who work in the agriculture branch for the hard work they did with the federal government and the provinces regarding what we needed as far as a partnership with the federal government and how we could invest that money locally, because our needs were completely different from a province like Saskatchewan. Our individual people in the department went to Ottawa to work on that issue and came out the other end with a very good agreement with Canada, and it gave us the flexibility to work with our industry. By the way, Mr. Chair, this was all part and parcel of consultation with industry to see what they needed and to see where they could best make those investments.

The department did a very good job of taking that message to Ottawa, getting the provinces to listen to us. We're a very small part of the agricultural industry in Canada. Certainly, it's important to the Yukon, but when you get to Ottawa and you're talking to the Minister of Agriculture and all the other partners, we are a very small part of that production.

They did the good work and they came back with a great deal. Industry is happy with what the department did. I look forward to investing this money in exactly what the member opposite is talking about — potential greenhouses, potential expansion of abattoir facility, potential investments in our infrastructure through the Agricultural Association on the block of land that they're going to lease, and see how that's going to unfold because in 60 or 80 years when you come back and see that establishment, I think you're going to be amazed on what the Yukon produces and how many people it feeds.

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

Recess

Chair: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 17, *Second Appropriation Act, 2009-10*, Department of Energy, Mines and Resources.

Mr. McRobb: I would like to ask the minister a question about placer mining and property rights.

This was raised a year ago to his predecessor during this minister's brief reprieve from this portfolio and this issue has popped up again a few times in the past year, most recently in Dawson City. It's my understanding that the municipal government in Dawson City is quite concerned about placer mining operations currently operating within municipal boundaries. A year ago we asked this government about this very type of issue. We tried to bring amendments forward to the *Quartz Mining Act*, but the Yukon Party said no — repeatedly said no.

I would like to ask the minister, what does he propose to deal with this problem?

Hon. Mr. Lang: Going back to the Member for Mount Lorne on the planning and zoning initiatives in the government — I've got some interesting information I'm sure he'd be interested in and then I'll address the Member for Kluane's question.

The planning and zoning that the department is doing at the moment is Ibex Valley, Grizzly Valley, Jackfish Bay, Mayo Road, Deep Creek, Hot Springs Road, Golden Horn, Mount Lorne and the Carcross Road — working on issues, whether it's planning and zoning — Marsh Lake — working on that, as we talked about. Tagish is another area we're working on. We're working on the community of Carcross. Ross River — we're working with the community to put together a community priority list because of the makeup of that community. We're also working on the West Dawson and Sunnydale area.

So the department is doing a lot of planning and a lot of zoning throughout the territory. They're doing a lot of work. When we look at it, we have to put it into context. I know the member opposite was talking about Mount Lorne and the Carcross Road. There is a lot of work being done internally in the department, and we certainly try to get out and get these things done as quickly as possible, but we're getting pressure from all of these communities to get these planning and zoning issues resolved. So we do the work we have to do internally with the individuals we have internally to do the work.

We are proceeding on all these issues. Sometimes it looks like the department is not moving as fast as we'd like to have it move. But there are obligations for partnerships with First Nations, public participation and also the makeup of the department and the individuals we have in the department, and the numbers. They do the job they can do. We certainly look forward to resolving all these issues that we have here in front of us now.

It's an ongoing issue. Like the Mount Lorne issue, it is a commitment internally in government that we would look at every five years to modernizing, renewing and doing this kind of work. To give the individuals in the department — it sometimes catches up with us. We do as much as we can as a department. We do as much as the individuals can, but we really would like to get these behind us so we can move forward.

I hope that addresses some of the issues about why things move along a little slower than we can see. When you look at the long list of commitments we made on land planning and zoning, it is a big commitment for a fairly small department, a fairly small part of Energy, Mines and Resources. It is work in progress. We go out and we do the work on the ground. We have public consultation and we put groups together to work with us to make this thing work. Of course, it takes individuals and it takes commitments and First Nation governments, and their capacity to participate is important. It seems to be a long, drawn-out process, but we have had some successes and I look forward to those successes.

As far as the Dawson City issue with the mining on the Dome Road, we've been working with the City of Dawson on that issue and are certainly aware of it. We have been working through the potential of a subdivision in that area. So once the dirt is removed or the gravel is removed — they are not placer mining per se on the site, Mr. Chair; they're taking the dirt or the gravel down to a site on the lower bench, so it's not actually involved in a mining site. They're extracting their pay dirt or their potential pay dirt off the site. We have a commitment from the organization or the miner that once that is done — which will be done in the next period of time — they would work with us to rehabilitate it so we could put a subdivision on it. So it sort of complements what they're doing, which is what placer miners do, but they haven't been mining per se on the site. They're using it as a resource and they're moving the dirt down to the bench and they're doing the washing and the work they do down below. So we are aware of it; we've been working with the individual who is doing the work and we have a fairly good working relationship with that individual, and of course we're working with the City of Dawson to see what potential we have here to grow into a subdivision in the near future.

So it will serve the purpose of doing exactly that as we enhance the area for a subdivision, and also they can extract the gold — if, in fact, there is any gold. Certainly, we have a working relationship, not only with the City of Dawson, but with the individual miner.

Mr. McRobb: I'm wondering if there are any outstanding issues the minister didn't address. So, that's my primary question. I'll just give a bit of commentary. I recall the

big gravel pit up near the tank farm at the top of the hill here in Whitehorse. When that gravel was extracted and brought down to the Argus site, where Wal-Mart is located — I believe that the City of Whitehorse gained a royalty on that gravel. I'm just wondering about the royalty for this fill the minister speaks of. Would that provide a benefit to the City of Dawson? Can you just expand on that issue?

Also, have all outstanding concerns the minister is aware of been resolved by the approach he has already put on the record?

Hon. Mr. Lang: These claims have been long-standing placer claims. These aren't claims that were staked recently. The royalty is based on gold and the royalty is collected once the gold is sold.

Mr. McRobb: Well, Mr. Chair, that answer is inadequate to the question that was asked. Again, for the third time, the main part of the question: is the minister aware of any outstanding concerns that weren't addressed in what he has put on the record? Secondly, the issue about the royalty pertained to the mass of fill that would be moved down to the lower subdivision. I already cited the example that occurred nearly a decade ago here in Whitehorse, where the City of Whitehorse benefited from the sale of the gravel that was taken from the pit to the site.

I'd like the minister to just explain. Is there any benefit to the City of Dawson from that gravel?

Again, are there any other outstanding concerns that he did not address in the remarks he put on the record?

Hon. Mr. Lang: There are no concerns from the department on the operation. As we look through the supplementary budget, we have to look at the resources that the Department of Energy, Mines and Resources are requesting in this budget and this overview. It's going to be an increase of \$1.624 million for capital expenditures and that's very important in our department because we invest throughout the Yukon. You only have to drive around the territory and see the work that this department does.

Placer mining certainly is one of them and we've invested heavily in the placer authorization, the board, the committee, the working group and resolved many issues since 2003 to make sure the placer industry is a viable, environmentally friendly industry that can serve Yukoners into the future.

The member opposite is very much aware of the importance of the gold industry, the placer industry in the territory and with where the price of gold is at today, it looks like it has another future — a large future. This will, of course, benefit Dawson City, as the member opposite is worried about. Dawson City benefits from all the placer operations in the area. By the way, Mr. Chair, we're talking about a large deposit of Underworld Resources' exploration expenditures in the area for their gold operation in White Gold, which is a huge investment for the Dawson City area.

I've been talking to the business community in Dawson, which I do on a regular basis, and they were very complimentary of the corporation and the investment that flowed into the community, both from the placer operations in the area and

White Gold, which will be another resource base for the City of Dawson again next year.

Then, as we go through the supplementary budget, we look at the initiatives we're doing in different resource areas and it will certainly contribute to the Yukon government goal to build a strong and diversified economy that will benefit all Yukoners. We go back to the forest resources we talked about a couple of days ago.

A very important part of the Yukon's potential resource base is our forest. Certainly how we manage that forest is very important, and the strategic forest resource management plan has been completed in the area of Haines Junction and of course the Teslin area. Of course, those two areas have a very large forest potential. Southeast Yukon — we have a draft plan from the Kaska Forest Resources Stewardship Council in Watson Lake. So we look forward to moving forward with that recommendation.

By the way, Mr. Chair, planning is also underway in the Whitehorse and Dawson City areas to implement — and of course the implementation of the Haines Junction plan is well underway, which the member opposite would be aware of. That gives us a potential 250,000 cubic metres of wood now available. As I said the other day, in the Whitehorse area alone, roughly 7,000 firewood — my brain's gone soft on that — but anyway the potential is here. Of course the expanding use of our forest industry — whether we are looking at our — as I talked to the members opposite about the *Energy Strategy for Yukon* — wood to sell off as cordwood or we're selling it as a secondary industry.

We have a sawmill between here and Haines Junction that certainly is interested in creating a secondary industry and that could be a pellet operation, which would complement the sawmill there. The Dawson City sawmill certainly will be looking at that added value on to their sawmill, which would be the added value of creating heat for the potential waste-water system plant and heating of the domestic water in the Dawson City area. They would produce pellets for that and that would be managed locally. Mr. Chair, again as I remind the members opposite, we're looking at not only the production of the pellets, but the workforce who creates the pellets and also that the resources stay in the territory when we make these kinds of investments.

As we move forward with the *Forest Resources Act* and the accompanying regulations, we've just come back from a very lengthy consultation on the regulations. We're looking forward to the recommendations, getting the regulations out and ready and put in place so the *Forest Resources Act* can be brought forward and implemented, so we can go to work and better manage our forest.

Of course, those are important for us in the territory. We talked extensively about agriculture this afternoon, and the potential of our groups to participate in that industry. I've committed to the Member for Mount Lorne to look at the percentage of growth in that industry. I'm certainly looking forward to those figures to see what the growth is; not only the growth on land available for agriculture, but also on our production. Then, as we move forward with our mineral resources — and, of

course, the member opposite was talking about the extraction of the gravel on the Dome Road. That, of course, is all about mineral resources and potential.

We remain, as a government, committed in these challenging economic times to continue to improve the investment climate by providing regulatory certainty and streamlined regulatory regimes. Now, as we've been talking for the last three days, it's certainly important for us that we looked conservatively at the world economy last year, and the potential of exploration dollars spent in the territory.

We as a department came up with a figure of \$30 million to \$35 million from exploration. That was too conservative. We had roughly a \$90-million investment on the ground. White Gold was a big part of that because, as we all know, that has been highlighted in the territory as one of the finds of this year. I'd like to compliment the corporation and the individuals who did the prospecting in that area that brought this deposit to where it's at today.

Then we can't forget we have Yukon Zinc investing on the ground. They're finishing their \$250-million investment for mill and operation in Yukon Zinc, which should be up and operating. They are setting dates of July of next year that they will have ore. The other scenario to this equation with mineral resources is that today in the territory we have roughly 500 individuals working in the hard rock mining industry and hundreds of them work seasonally in the placer operation, mostly in the Dawson and Mayo areas where those kinds of investments are taking place.

There is some placer mining on the South Canol Road and across Lake Laberge in the past there has been some potential placer mining.

What did we do as a government to improve the investment climate by providing regulatory certainty and streamline regulatory regimes? Well, we took a look at the *Quartz Mining Act* — and that is one of the commitments we made — and modernized it. The royalty provisions of the *Quartz Mining Act* hadn't been modernized for many years. It now enables the government to be more responsive to the dynamic and evolving industry and will provide direct benefits to claim holders and mine developers. In other words, Mr. Chair, it's a modern act now that we can work with — not only us, but the people that are affected by the act itself.

Similarly, the finalization of the amendment to the *Miners Lien Act* — another modernization tool that provides industry with better tools to quantify risk. It's very important that we understand that the *Miners Lien Act* reflects not only on the mine itself but on the lender and how the lender secures his charge on the property.

But it was very, very important that we as a government didn't diminish the rights of Yukon suppliers to lien mines for unpaid bills. It was very important that Yukoners weren't left out of the scenario and that the suppliers were still part and parcel of the equation when it came to the *Miners Lien Act*. In looking at the act, it is improved. It gives security to the lenders, to the mortgage holders, and it also balances off how we would address Yukon suppliers in the lien situation if in fact

something happened to the mine and it was in receivership or whatever.

During the first day of debate here on Energy, Mines and Resources, we talked about the Yukon mining incentive program. There were questions about whether we would or would not continue it. This government was very committed in 2003, when we put our first budget together, to resource this. This hadn't been resourced for many years, and because of that — because the need wasn't there — it certainly didn't need the investment that we put into it last year. There were questions on whether it would continue, and I would like to tell the House that it will be continued. It's probably one of our better programs in Energy, Mines and Resources. It does produce product, and that product is out there.

There were a total of 106 mineral exploration projects approved through this program. There is a need out there. This year, the government provided a substantial increase in funding to the program. In a one-time increase, in one year, we increased it by \$1.1 million. What an investment.

That made the total investment in the program \$1.8 million. This provides significant help to prospectors and mineral exploration companies seeking to advance their exploration projects. In other words, this has been the most successful program in how we can help the small prospector and small exploration company to put their projects out there and do the work that has to be done.

By the way, White Gold was part and parcel of this YMIP investment. The prospector was resourced by this program and did the hard work it took to bring White Gold to where it is today. Thanks to the program, it's there today.

As we go through the placer operation, the member opposite was talking about the placer situation here in the territory.

In 2003, when the government changed from the Liberal government of the day to our government, the placer mining industry was fairly well doomed at that point, because of the lack of communication and the lack of working relationship we had with Fisheries and Oceans Canada. I would like to say that the hard work that was done on that file to bring Fisheries and Oceans Canada to the table with us and the Council of Yukon First Nations — I'd like to compliment the Council of Yukon First Nations because without them and their capable help, we wouldn't be where we are today.

Certainly, we involved our senator at the time and our Member of Parliament, and we put this Yukon Placer Secretariat to work as a coordinating body for the new system. In other words, we negotiated, under the *Fisheries Act*, with the Department of Fisheries and Oceans and our partners, the Council of Yukon First Nations. Today, we have a placer operation that can work in the Klondike and in the Mayo area with the new act that's in place. We also have committed to keep the Yukon Placer Secretariat up and running so we can do the job that has to be done throughout the territory, because there are other areas of placer potential that have to be addressed too. I look forward to that work being finished, but that is again work in progress.

Of course, the new habitat management system is designed to recognize the importance of the sustainable placer mining

industry in Yukon. Again, the environment is being looked at. Of course, the *Fisheries Act* is a very important part of fisheries obligations to all Canadians. It makes sure things are done in a responsible way.

Then of course, we can't forget about the Energy Solutions Centre. We have that in the department and it has done a stellar job in the energy part of Energy, Mines and Resources. It plays a key role in helping homeowners, businesses and communities reduce their energy costs. Delivering a broad range of energy efficiency and renewable energy programs, the Energy Solutions Centre shows us how increased energy efficiency can have a real impact on reducing energy costs. In other words, it's a small part of our department but a very, very important part. They have stickhandled the new program, the good energy program the Yukon government has put out there. They are providing \$100 to \$500 rebates for Yukoners to upgrade their domestic appliances and of course that has been a successful program.

Not only do people invest in new appliances but it gives industry or local businesses the opportunity to bring those kinds of appliances into the territory. It's very important — the program is not beneficial if we don't have access to the appliances that would trigger this kind of investment. That in itself has been very successful and we're looking forward to more of those kinds of investments.

The last Minister of Energy, Mines and Resources did his homework and brought in outboard motors. Outboard motors are now part and parcel of this good energy program and in turn, there are investments there for individuals to get credit for upgrading their efficiency as far as outboard motors are concerned.

As we move through the department, Mr. Chair, there are many things we could talk about. We could talk about all the things the department has done. Of course, this is only the supplementary budget and I look forward to next spring when we bring the whole budget forward — the go-forward plan that this department is looking at — to make sure that this department is run in an efficient way and has the resources to do the work that it is charged with doing.

Another part of this department is type 2 mine sites. This is a big investment in the territory. This money is 100-percent recoverable from Canada because we accepted the responsibility — not the environmental responsibility but the responsibility of managing for the federal government as we clean up these sites.

This money is being spent in places like Faro, Mount Nansen, Clinton Creek — an investment in some of the mines like Minto which, of course, is in production now. Any of the mines that have been licensed under the federal government and have an environmental issue are in the type 2 category. I think there were seven sites when we started two years ago.

Clinton Creek is getting close to being cleaned up. The other sites — Mount Nansen they're working on; the biggest one we have is Faro. We've invested in that. We have a group together that is overseeing the closure plan and that is work in progress. We're working with the local First Nations on that issue.

I'm looking forward to more questions from the members opposite. My overview of it has been very structured, so we certainly have more to talk about this afternoon on Energy, Mines and Resources.

Mr. Cardiff: I'm sure the member for beautiful Kluane will be pleased with all of those answers about gravel and royalties to do with placer mining.

I'm going to go in a little different direction, now that I'm back in the debate. The government recently initiated, just this month, actually — it was promised that there would be a consultation and a process around independent power production. I'm going to list off some questions arising from the documents that the government has provided. It invites stakeholders, experts, and members of the public to become involved in the process and provide comments.

It's to provide information about policy work and it started with a review of the government's energy policy — Yukon's electrical system and practices in other jurisdictions. On page five, when it talks about priorities, it talks about how the energy strategy sets out the government's energy policies and priorities. The purpose of developing this new policy is to facilitate the purchase of electricity from independent power producers and allow individuals to connect renewable energy sources to the grid. The initiatives are part of that energy strategy's priority action to update and develop a policy framework for electricity that emphasizes efficiency, conservation and renewable energy. I think I understand why there needs to be a public process, but there's a little confusion. On the website there's a comment — deadline of January 15, and I'm not sure whether that's been extended, because in the actual consultation document, it says January 29.

Given the importance of this issue that we're facing, there are a couple of important issues — one is the supply of power and the other is green power, I guess, and that whole idea of conservation and renewable energy. Is the January 29 deadline actually adequate to allow for a full consultation, especially given the holidays? We're into the holiday season here in another three weeks and I'm sure that people will have other things on their mind. I'd also like to know whether the government is actually going to be solicit submissions from certain groups or sectors of society and the economy — the chambers of commerce, labour groups, conservation groups, mining companies, forestry companies, or whether they're just advertising this and leaving it to word of mouth and advertising.

I'm wondering why it only allows for written comments. There are no public meetings so it's not really a discussion that's being had out there in the public. I think there is public interest in it and I think it warrants some debate in the public. So why are there only written comments being accepted? I'd like to know what the process is going to be for determining which submissions are actually going to make it as a policy and whether or not the government will commit to publishing all of the comments they receive during this consultation. So those are the questions I have around the independent power production process and the net metering process. I'd like to hear the minister's response.

Hon. Mr. Lang: In addressing the member opposite about energy and about our go-forward plan on the discussion paper — independent power production and net metering — the consultation is underway until January 29.

We've invited comments and we've received comments on the energy strategy. There are several stages of consultation. The first one will be to get input; the first one is what we're moving out to do now. The next one, stage 2, is consultation on the actual policy, so people will be able to comment and there will be a public process.

We have forwarded letters to those who commented on the energy strategy, because we already have the inventory of names of those who worked with us on the energy strategy itself — and that would be our local First Nations — industry is interested and different NGOs have participated in the actual plan for the energy strategy. That was an extensive consultation process.

Look at the discussion paper and the megawatts that Yukon Energy Corporation produces. Another bit of information for the member opposite, before I go on to this other issue here, is that we're looking at holding a public workshop in late January, so there will actually be a workshop people can go to.

That will be well advertised in the communities and certainly that will benefit individuals who are interested in participating in this discussion.

If you were to look at going on to the generation of power in the territory, Yukon Energy produces the bulk of the power. On the WAF grid we produce 40 megawatts; Aishihik is 30 megawatts and Mayo is 5.4. I'm not quite sure if that will be improved on. I imagine it will be — 5.4 is what they are doing now.

Now the diesel: Whitehorse is 25 megawatts; Faro is 5.4 megawatts; Dawson City is 6.0 megawatts. These are all standby situations. Mayo has a diesel plant that produces 2, and Minto of course has a standby which is 6.4. That has been acquired by the Energy Corporation. Haeckel Hill is 0.8 — that's a wind turbine.

If you were to look at Yukon Electrical, which is a private company — Fish Lake is hydro, 1.3. Of course, all of their other investments are diesel. You have Carmacks, Haines Junction, Teslin, Ross River — Watson Lake is 5.0, which is the largest structure they have.

There are also Beaver Creek, Destruction Bay, Old Crow is 1.1, Pelly Crossing is 1.0. Again, at this point, that would be backup. Stewart Crossing is 0.2; they have a standby operation there. Swift River is 0.2. As you can see, it's a mix of Yukon Electrical and Yukon Energy Corporation producing power.

As far as the discussion paper is concerned, we will certainly be sending it out and looking forward to the consultation and input we're going to get from individuals, First Nations, NGOs and people who are interested in looking at our future.

I compliment the department for moving so positively forward on the workshop idea for the end of January. I think that's important that we spend the time with individuals, first of all, so they understand our power needs. I'm not quite sure that the individuals in the territory understand what the needs are

and what this IPP policy would do to the potential expansion of power in the territory.

It certainly is an education, and I think it is all part of educating. Other jurisdictions do it. I see British Columbia has a standing-offer program. Alberta — independent and small power regulations and the *Small Power Research and Development Act*. In other words, they're investing in it. Saskatchewan has a small power producer policy. Manitoba has an independent power producer program. Ontario had a standing-offer program — again, another twist on the same thing. Quebec has a request for wind power proposals. They're going out to look at the potential of wind.

Yukon Energy has done a lot of work on the potential in the territory. I know when I was involved in Old Crow there was a large investment — or, not investment so much as an experimental program in the Old Crow area to see what the Yukon Electrical — or Yukon Energy, I guess, were the ones that were doing the programming — to see about the potential of wind in that area. I'm not quite sure, but I think it wasn't successful because of the location of the community itself. Plus, the wind itself was sporadic, and there was the cost of storing power after the wind process. Also, in the wintertime, when you needed the power, that's when there was very little wind at times, so it didn't work out as well as Yukon Energy was hoping for.

New Brunswick has electricity from renewable resource regulation, requests for wind power — they're looking for wind power too. Newfoundland energy strategy commitment — in other words, they're doing much like we are doing here. Northwest Territories is currently considering independent power production, so I guess you would say that's work in progress. Nova Scotia's renewable energy standard regulations call for renewable energy projects. In other words, they have regulations and now they're going out looking for potential options.

Nunavut has an energy strategy commitment. Prince Edward Island has a *Renewable Energy Act* and minimum purchase price regulations. They do an interesting thing with their solid waste. They have an operation where not only do they create their energy, but they heat a hundred and some buildings in downtown Charlottetown and that's heat generated by their solid waste. That in itself is again another way to manage not only your solid waste, but your energy question in the community. That solid-waste operation has been in operation, I've been told, I think, 20 or 25 years.

It has been very successful. It started localized, focusing on the hospital. When they first started the operation, it was to create heat for their brand new hospital. It turns out now that they have over 100 government buildings that are heated through their solid-waste program. They substitute the solid waste with some wood product — some wood waste. When I was there, I went on a tour and it was quite an eye-opener. They create enough electric energy to run their operation, which is all the pumps and the entire infrastructure you need to move that heat around — that's taken care of internally. In the off-season, they do sell power to the grid. So they do have a small surplus in the off-season. But it seemed to me to be a pretty efficient way of managing your solid waste and also cre-

ating secondary surplus power — a secondary use for the waste.

If you go to B.C.'s net metering program and rates, they have something in place. Alberta has microgeneration regulations, so they've been working on the idea of net metering. Saskatchewan is proactive; they have a net metering policy and a program, so that would be interesting to look at.

Manitoba has a net metering policy; Ontario: net metering regulation feed-in tariff program — in other words, they have a whole program there. By the way, there's a science or engineering to how this net metering works. It is a bit of a capital cost when you get into it but, if you're generating your own power, you soon acquire that capital cost back because of the resources you get from the excess energy.

New Brunswick, Quebec — a net metering program; net metering program in New Brunswick; Newfoundland doesn't have any; Northwest Territories has a pilot project and interconnection standards — in other words, they're looking at a pilot project and at another aspect of net metering to see how it could benefit their jurisdiction. Nova Scotia has a net metering program; Nunavut doesn't have it; Prince Edward Island, net metering system regulations — they have a program; and we have the energy strategy commitment.

It's not something that we have to invent. It's something that's out there. We can piggyback on other jurisdictions to get what works out of this, but this will all come out in the discussions we're going to have on this paper the member opposite has been asking questions on.

If we were to look at the timelines to the end of January, there are some tight guidelines to it and understanding, as the member opposite has just mentioned, it is a holiday season and everything. In any of our discussions that I have been working on within the government, if there is more time needed and people request extensions, very rarely are they turned down. We want to get the best overview of this discussion paper we can, so by putting guidelines around it, it's not written in stone that these guidelines are going to be — we might find that we have to add another 20 to 30 days on it. Maybe, you know, whatever, but I want to make sure the department — I'm sure the department wants to make sure that we have a thorough discussion on this discussion paper, because it is going to be potentially — I know we are only looking at independent power and net metering in the Yukon, but it is going to be another part and parcel of the energy strategy for the territory.

So again, I recommend to everyone in the territory as we move from step one to step two, that people get involved and of course the workshop will be well advertised and we will have the discussions there, and we will certainly take the advice or the comments from the individuals who will be working on it to make sure that, when we come out, we have an acceptable program that will encourage people to discuss the net metering, and of course the IPP policy.

So, as we move forward — in the many discussions we've had over the three days — the thing that is the most overriding concern of Yukoners is energy. Now, it's not just the energy itself, but it's the dependability of energy and also the cost of energy. That's where we, as a community, have to be very con-

scious. Right now, we again have 93 percent of our customer base on hydro. But as we read what the corporation and Yukon Electrical produces, we have a shortage of resource. So, out of this comes a business plan on how we, as a community, will plan the expansion of our electric grid and also of our potential electrical production. How is a community like Old Crow going to address the cost of energy going forward?

How is the community of Watson Lake? Now Watson Lake as a community has again proactively, with the help of the corporation — Yukon Electrical — added to the production of power another secondary part, which is heat. That heat, as I speak today, heats public buildings in Watson Lake. The interesting scenario about this heat, if you look at how it works and if you look at a map of the buildings and everything else that it heats, it heats the high school, it heats the recreation centre and then it comes back around and does whatever, but it only drops the temperature of the water by five degrees. In a remote community like Old Crow, what is the secondary thing that we could add to their energy production that would benefit the community and take some of the environmental footprint off the community? That would be a potential opportunity for a community like Old Crow to add that secondary component, which is heat and that heat is generated by your diesel plant, but it alleviates the obligation of the community to have other diesel-heated facilities like their public buildings and their schools.

I'm not quite sure what the plan would be, but it's something that the people in Old Crow should discuss, and Yukon Electrical and ourselves, to make these communities — they are so off-the-grid that the potential of them ever being on the grid is very slim, and they will be dependent on diesel generation for awhile into the future. But if we could just add another component to it, so it isn't quite so expensive for the community. Certainly, we all want to work at improving our carbon footprint, and that's one way a community like Watson Lake or Old Crow could do it because of their remoteness from the grid, and those kinds of things are important.

Again, we're looking at this remoteness, but then independent power producers — maybe it's something the Old Crow First Nation would look at from the point of view of an investment, where they could produce energy. Again, we're talking about partnerships in the energy field. Atlin, B.C. is now totally serviced by the Tahltan First Nation, which has a partnership with B.C. Hydro to supply power to the community of Atlin.

Now there is a source of revenue for the First Nation and by the way, a cleaner product — hydro power — and it's serving all of Atlin today. So there is potential out there for partnerships. These partnerships are important, because Atlin or ourselves, being small communities — how do we as small communities get the resources together without a partnership to do exactly what we have to do if we're going to be serious about climate change, energy dependency or energy efficiency? And there's energy independence, more than anything else.

So what Yukoners are going to be discussing over the next month or two months is the discussion paper on independent power and net metering. I look forward to the workshop that is

going to be held and I look forward to the comments that are going to come back, because that's going to be important for the discussion. Certainly the commitment the government has made through its energy strategy is to do exactly this. That is part and parcel of the commitment that this energy strategy has put forward, not only that we tie the grids together, we expand Mayo B, we finish the third turbine in Aishihik, but we also get the net metering and the IPP policy behind us so that individuals, corporations and First Nations can make the investment and add to the grid and also add to their communities, so that we can live in a better community and have a more responsible footprint as far as carbon is concerned.

So, Mr. Chair, I look forward to the questions from the members opposite.

Mr. Fairclough: It was nice to have that little break with the minister.

I see that the community planning is part of this department and when the minister was in the community of Keno, along with the Premier, they laid out their issues with the member opposite. One of their big issues was Lot 960 in the community of Keno and the fact that four homes on that lot ended up in somebody else's hands. It is still a big issue. It has been raised over and over and not resolved in the community members' minds. What is the minister going to do to resolve this and when? When does he have a timeline to bring some resolution to this issue of Lot 960?

Hon. Mr. Lang: To correct the member opposite, it never ended up in somebody else's hands. It was always part of the assets of the corporation. Of course, the corporation that has responsibility for the receivership or buying the assets of the corporation — court ordered, by the way — is doing what any corporation would do. They hold the title to that lot. The mine has always had the title to that lot, ever since it was made into a lot.

Also, there are some environmental issues there that the new mining company has to issue. There's an adit there that has some environmental question to it. So, there is no process in place. There has been a court order. The court order has been acted on. The mining company has the responsibility for those lots. Those lots are titled to the company at the moment. I'm not sure what the individuals are doing with the corporation, but all the assets of the corporation, through a court order, were transferred to the mining company that's there today.

I remind the member opposite that there is some responsibility — I don't know how much — but there's an old adit there that has been closed for many years, but I think it's part of the responsibility of the corporation to either maintain the environmental issues or eventually clean up the environmental issues.

I'm not privy to their master plan on how they're going to do this. I know that they're working on a regular basis with a plan on how they're going to rehabilitate the Elsa mine site and we're looking at the Hector mine, we're looking at Keno 400, we're looking at these other adits and they're moving forward with another investment, so the corporation is going to finish up on the mill investment that they started this year.

If the members or individuals have issues, it's a corporate issue — the company has title — but I remind the member opposite, there are some environmental issues that have to be resolved on that property or around that property before I would say anybody would want to acquire that property. I recommend to the member opposite that the individual work with the owners of the property and see what mobility there is with them, but certainly the government wouldn't get involved in that.

Mr. Fairclough: There are four private homes, and it is an issue. It is a property issue that has been brought forward to the minister's attention, and I thought perhaps, with this being an unincorporated community, that the minister would have taken the issue forward on behalf of the residents of Keno City. Those residents have also brought forward the issue of lots, in general, in the community of Keno. I know it's a small community. There have been some new homes built there. There has also been a lot of interest from people around the territory to build in the community of Keno, whether it's for retirement or whatnot. But they are asking government to free up some lots.

I looked at some of the maps that they produced to me and have probably shown to the minister himself, right back from the 1920s, where a lot of the lots were identified. I'm wondering if the minister could tell us what is being done to reassure the community of Keno that lots will be available for purchase by the general public.

Hon. Mr. Lang: The block of land that he is talking about that is owned by the mine and was part of the receivership — the houses that were built on the land don't diminish the fact that somebody owns the land. The land is still titled to the mining company and they still have an obligation on that title to be responsible for any environmental cleanup that has to be done in the future. It would be part and parcel of their closure plan, and it would be an obligation that the company would have through the courts that this would be addressed.

I haven't talked to the corporation about it. It is a piece of titled land, but I would say to the member opposite there are obligations in place for the mining company to do exactly what is court ordered in that receivership. In addressing it, I haven't got any power as Minister of Community Services — again this is a Community Services issue — to direct the corporation in any way on how they would handle a court-ordered process.

This was done by the courts, Mr. Chair; it wasn't done by us as a government. This was done by the courts.

In addressing the watt potential in Keno, I'm working with the Department of Community Services to get some form of communication with the community so that we can plan issues like this. We have some options in front of the community. Hopefully, in the new year we will have more meetings and we'll get some communication back and forth on how we'll move forward.

We have had requests for lots in the area. I can't tell the member opposite where those lots would be. I would certainly recommend to the community that when Community Services people are in the community, they get involved in some form of community club or association that we as a government can work with. There are things like solid-waste issues, water is-

ues that we still manage. Obviously, the lots are a question and certainly we can work with the community to resolve the issues that they have on the ground in the community.

The issue has always been numbers of people in the community, and certainly that's going to change, I imagine, as more of this potential development goes ahead. We're going to see more and more people, so we're going to get more and more pressure. I would like to see the community association up and running in the new year, and working positively with the department to address some of these issues. The lot issues — there has always been an issue. I've been involved in Energy, Mines and Resources for going on eight years, and the question has always been out there. I understand the need for some planning to go forward. I'm not quite sure, when the member talks about lots in 1920, where they are. Obviously, I just see Keno City as where it is today, but I imagine at one time there was a busy community with many more investments on the ground than there are today.

As I say, we're open to dialogue with the town on their issues. There are issues that overlap into Highways and Public Works. We're looking at the highway between Mayo and Keno as we move into this development. There's going to have to be some investments put on the ground.

We're also building an access road so the community doesn't have to be put in a position of having heavy equipment or otherwise going through the community — so the community can be independent of the development of the mine. Those are things that — the mine, I think, is investing in the road across their claims because, again, they are responsible for that.

But I'm looking forward to working with the Town of Keno in the new year to make sure that we have a dialogue and try to check these issues off as we move forward. There is nothing worse than getting into a situation where we have 300 or 150 or 135 people working in an area without doing the work we have to do to get some planned lots — planned potential investment areas — in the territory.

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

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

Motion agreed to

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

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

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. 17, entitled *Second Appropriation Act, 2009-10*, and directed me to report progress.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Ms. Taylor: I move that the House do now adjourn.

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

Motion agreed to

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

The House adjourned at 5:27 p.m.