

Executive Council Office – Fall Sitting Briefing Notes 2022

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Session Briefing Note

Arctic Security and Sovereignty and International Events

Executive Council
Office

Recommended response (Arctic Security)

- Working with our Arctic partners to find innovative solutions to ensure northern communities thrive is a priority. Now more than ever, Arctic cooperation is key to solving northern and global challenges.
- Furthering the pan-Arctic dialogue across borders is critical to a secure and sovereign North. I look forward to more cooperation with our circumpolar colleagues.
- It is critical that there should be no decisions made about us without speaking with us, and that meaningful investment in the North is key to our security and helping our communities to thrive.
- Our engagement with Nordic Ambassadors ahead of the Arctic Arts Summit has given the Yukon deeper connections to the circumpolar world. Our visits to Iceland and Greenland are extensions of that work.
- Canada's commitment to bolstering Arctic security is most welcome, and I look forward to conversations that include how Yukon will fit into those new plans.

Recommended response (Ukraine)

- We condemn President Putin's unprovoked and unjustifiable invasion of Ukraine.
- We urge the parties to sit down and undertake good-faith diplomacy to resolve this conflict.
- Putin's actions have caused immeasurable devastation to families and communities across Ukraine, as well as threatening international peace, energy and food supplies. This is unacceptable, and the most vulnerable people impacted by this need to be supported.

Session Briefing Note

Arctic Security and Sovereignty and International Events

Executive Council
Office

- Yukon welcomes Ukrainians coming to our territory, and we are supporting them to settle and be a part of the Yukon community.

Context—this may be an issue because:

- The three territorial Premiers were steadfast in public messaging about Canada's North throughout the summer conference season.
- The Russian invasion of Ukraine has been ongoing since February. Opposition may ask what Yukon is doing to support the people of Ukraine.
- Premier and other Yukon leaders participated in celebrations of Ukrainian Independence Day on August 24.

Background:

Arctic Security

- Northern Premiers have delivered consistent messages about investments in Arctic security, and the connections that strong communities have in Canadian sovereignty.
- These messages have been supported by other Premiers, and communicated to the Prime Minister, and other Arctic leaders.
- Global relationships and geopolitics have had to change since the invasion. Russia has been sanctioned and is economically isolated.
- NATO Secretary General Jens Stoltenberg visited several site in Canada during the week of August 22, 2022. As part of that trip, Prime Minister Trudeau accompanied him to the Canadian High Arctic Research Station near Cambridge Bay, Nunavut. No territorial Premiers were invited to that event.

Ukraine

- President Putin ordered a special military operation in Ukraine on February 24, 2022. Fighting has persisted since then, with millions displaced, infrastructure being destroyed, grain shipments stalled, and energy security being challenged in Europe.

Session Briefing Note

Arctic Security and Sovereignty and International Events

Executive Council
Office

- The invasion and occupation is now mostly centered in the east and south of Ukraine.
- As of August 4, 2022, Canada has provided over \$3B in support to Ukraine, including lethal equipment, training, humanitarian relief, development funding and loans for Ukraine.
- Canada initiated two special immigration streams for Ukrainians. Canada has seen nearly 80,000 Ukrainians enter the country, and over half a million applications for temporary residency.
- At least 28 Ukrainians have arrived in Yukon since the invasion.

Approved by:



Deputy Minister, Executive Council Office

September 13, 2022

Date

Session Briefing Note
Kudz Ze Kayah Mine Project (BMC
Minerals) - current status

Fall 2022

Executive Council
Office

Recommended response:

- The Yukon government is committed to continuing consultation with Kaska First Nations regarding the Kudz Ze Kayah project in a way that supports our commitment to build strong relationships with First Nations and meets our obligations.
- Our government supports responsible mineral resource development in the Yukon.
- The Yukon has a robust and effective assessment and regulatory regime that continues to uphold responsible development in the territory.

Additional response:

- The decision bodies for the project issued a decision document. The Yukon government is committed to meeting its obligations during the regulatory phase for this project.
- We will not comment further on this case while it is before the court. However, we look forward to the court providing clarity on the issues raised in the case.

Context—this may be an issue because:

- BMC Minerals started the application process for both the Quartz Mining License and Water License.
- Ross River Dena Council (RRDC) on its own behalf, and on behalf of all Kaska Nations, applied to the federal court for application for judicial review of the joint decision document.
- RRDC and Liard First Nation (LFN) identified concerns related to impacts of the project on the Finlayson caribou herd and to their Aboriginal rights and title, and how the Executive Committee addressed those impacts. The Kaska Nations requested the project be rejected.

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Kudz Ze Kayah Mine Project (BMC Minerals) - current status

Executive Council
Office

Background:

- On June 15, 2022 the Decision Bodies issued a decision document to vary the Executive Committee's recommendations that the Project to be allowed to proceed subject to terms and conditions specified in the Screening Report. Decision Bodies on the project were YG, Fisheries and Oceans Canada, and Natural Resources Canada.
- The decision document was issued more than a year after the legislated deadline of May 5, 2021 to allow for coordination with Federal Decision Bodies and consultation with Kaska Nations.
- The varied decision document included additional measures to address concerns raised around the Finlayson caribou herd and ensure First Nation participation in the development of monitoring and mitigation efforts to inform the next stages of the project.

Consultation with Kaska Nations

- In April 2021 the Kaska First Nations submitted a letter stating their view that "there is no viable option other than to reject the KZK Screening Report and Recommendations". The letter was signed by the Chiefs of the RRDC, LFN, Dease River First Nation and Kwadacha Nation and is the first correspondence received indicating a collective Kaska position.
- From July 2021 to June 2022, Decision Bodies consulted with Kaska First Nations to discuss the Project and modifications to the terms and conditions in an effort to address Kaska concerns. The Decision Bodies sent proposed modified terms and conditions and supporting documents for review to LFN and RRDC on September 21 and October 5, 2021, respectively.
- In response to a May 20, 2022 letter from LFN and RRDC, Decision Bodies sent a letter to LFN and RRDC on May 25, 2022 confirming that Decision Bodies were of the view that they had sufficient information to move forward on a decision. The letter further indicated the Decision Bodies' intention to issue a decision document by June 15.
- After considering a letter received from LFN and RRDC on June 14, 2022, Decision Bodies revised the rationale for the decision document and issued the decision

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Kudz Ze Kayah Mine Project (BMC Minerals) - current status

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Office

document on June 15, 2022. In the decision document, Decision Bodies committed to a follow up letter to respond to the concerns raised in the June 14 letter.

- On June 24, 2022, Decision Bodies sent a letter to RRDC and LFN organizing next steps following the release of the decision document and implementation of modified terms and conditions specific to the Finlayson Caribou Herd.
- On July 18, 2022, YG followed up by letter seeking to initiate work to establish a Finlayson Caribou Herd Oversight Committee and start implementing specific terms in the document.
- On July 20, 2022, the Government of Yukon was notified that RRDC, on its own behalf and on behalf of the Kaska Nations, filed a petition for judicial review of the decision.
- On October 11, 2022, the Government of Yukon sent a letter to RRDC and LFN that updated them on activities related to the Project including the implementation of the terms and conditions of the decision document and the regulatory process for BMC's application for a quartz mine license.

BMC Engagement

- In August 2022, BMC submitted applications for a quartz mining licence and water licence.
- The Department of Environment met and continues to engage with BMC and their consultant to discuss a path forward on BMC's work plan towards additional monitoring of baseline information.
- Environment and Climate Change Canada (ECCC) prepared a Risk Characterization of the Finlayson caribou herd to meet their requirements under the federal Species at Risk Act (SARA). BMC critiqued the Finlayson caribou herd draft risk characterization. In an August 26, 2022 response, ECCC acknowledged BMC's technical comments provided on the draft risk characterization and explained the conclusions were consistent with the YESAA conclusions, that ECCC's recommended offsetting measures provide mitigation approaches to help balance the effects of the project, and also meet SARA requirements.

Session Briefing Note
Kudz Ze Kayah Mine Project (BMC
Minerals) - current status

Fall 2022

Executive Council
Office

Approved by:



Deputy Minister, Executive Council Office

2022 10 12

Date

Session Briefing Note
Taku River Tlingit First Nation –
Issues and Initiatives

Fall 2022

Executive Council
Office

Recommended response:

If asked about Áashú Village

- The Government of Yukon is committed to advancing reconciliation with all First Nations including the Taku River Tlingit First Nation.
- We are advancing discussions with the Taku River Tlingit First Nation on a number of matters including consultation and their land interests in the Yukon.
- To support the ongoing discussions, our government has withdrawn the Áashú Village area – 11 square kilometres within Taku River Tlingit First Nation's asserted traditional territory in the Yukon – from mineral staking and land dispositions.
- We are committed to consulting with Carcross/Tagish First Nation about any potential impacts to their treaty rights that may arise from these discussions.

If asked about the Atlin Transmission Line

- The energy development corporation of the Taku River Tlingit First Nation has proposed to build an electric transmission line from Atlin, BC to Jake's Corner. As one of the decision bodies for the project, the Yukon government is considering its response to the recommendation from the Teslin Designated Office that the project be allowed to proceed, subject to terms and conditions.

Context—this may be an issue because:

- Executive Council Office and Energy, Mines and Resources are engaging with Carcross/Tagish First Nation (C/TFN) and third party interests regarding the potential transfer of the Áashú Lands as a settlement measure to resolve the litigation initiated in 2014. This may raise concerns.

Session Briefing Note

Taku River Tlingit First Nation –

Issues and Initiatives

Fall 2022

Executive Council
Office

- The Atlin Hydro project, which affects the Taku River Tlingit First Nation (TRTFN) and certain Yukon First Nations, has generated public interest as it advances.

Background:

- TRTFN is a transboundary First Nation based in Atlin, British Columbia (BC). TRTFN asserts a traditional territory in the Yukon that overlaps portions of the Traditional Territories of C/TFN, Kwanlin Dün First Nation, and Teslin Tlingit Council.

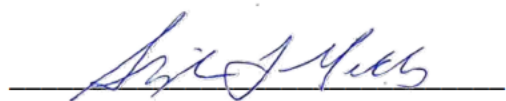
Statement of Claim

- In 2014, TRTFN filed a Statement of Claim requesting court declarations on three matters: consultation on mineral staking and exploration, the proposed Atlin Lake Campground and the issuance of hunting licenses and seals.
- The court granted two mineral declarations. A consent order which suspends mineral declaration 1 from coming into effect is currently in place. Declaration 2 regarding mineral exploration is in effect and was addressed through the implementation of the Class 1 notification system.
- In July 2017, YG and TRTFN filed an Abeyance Agreement with the Supreme Court of Yukon in which each agreed to provide notice prior to taking steps on the other matters set out in the 2014 Statement of Claim.
- In March 2019, YG prohibited entry for mineral staking and withdrew the Áashú Village area from land dispositions.

Tripartite Negotiations and Tlingit Nation Rebuilding

- 67(3)(a), 76(1)

Approved by:



Deputy Minister, Executive Council Office

September 13, 2022

Date

Prepared for Premier Silver
Executive Council OfficeDate prepared: September 9, 2022
Last Updated: September 13, 2022

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Session Briefing Note

Fall 2022

Support for First Nations for Papal Visit

Executive Council
Office

Recommended response:

- The Yukon government recognizes the lasting and widespread trauma caused by the residential school system.
- We offered to reimburse Yukon First Nations and transboundary Indigenous governments and groups up to \$10,000 each to support their citizens to attend the Papal visit to Canada in July of this year, for a total of up to \$180,000.
- The opportunity to attend the Papal apology was important to advance the healing of Survivors and communities affected by residential schools.

Additional response:

- Our government also supported the creation of the Yukon First Nation Governments' Burial Sites Investigation Committee.

Context—this may be an issue because:

- The Papal visit resulted in significant media attention and questions arose about former residential school students being able to attend one of the stops.
- The Yukon government committed to provide First Nations with travel funding support at the June 2022 General Assembly of the Council for Yukon First Nations (CYFN). The funding was later publicly announced by news release on July 20, 2022.

Background:

- Pope Francis visited Canada from July 24-29, 2022, including stops in Alberta, Quebec and Nunavut.
- Initially, Kwanlin Dūn First Nation inquired whether the funding provided by YG to support the work of the Yukon First Nation Governments' Burial Sites Investigation Committee (Committee) could be used to cover travel costs for Indigenous delegates to attend the Papal apology in person.

Session Briefing Note**Fall 2022****Support for First Nations for
Papal Visit**Executive Council
Office

- The Committee Co-Chairs responded that they would be unable to fund travel to the Papal apology, as it was outside of the Committee's mandate to identify potential burial locations, locate potential grave sites, and search the identified sites within the Yukon.
- At the June 28, 2022, CYFN General Assembly, YG committed to make funding support available for former students to attend one of the Papal visit locations.
- YG followed up with a news release and emails to First Nations committing up to \$10,000 per Nation for travel expenses, offered as a reimbursement for actual travel expenses based on receipts that can be submitted to Aboriginal Relations no later than October 31, 2022. As of October 6, 2022, Aboriginal Relations has received one request for reimbursement of \$2,200 from Tr'ondëk Hwëch'in and is working with them to clarify their supporting documentation.
- Aboriginal Relations estimates that this level of funding would have likely supported the attendance of two delegates per Nation at one of the Papal visits.

Approved by:

Deputy Minister, Executive Council Office

2022 10 11

Date

Session Briefing Note

Fall 2022

Alaska Relations

Executive Council
Office/Economic
Development

Recommended response:

- The Yukon and the United States, in particular Alaska, share many common interests and challenges.
- We regularly engage with our American and Alaskan counterparts as part of our long-standing positive relationships.
- I built and maintain a strong relationship with the US Ambassador to Canada, and highlighted the Yukon's interests on multiple occasions.

Additional response (Shakwak):

- The Alaska Highway is a critical component of highway infrastructure for life in the North and the tourism sector. Our work with American and Alaskan officials led to recognition of the Shakwak corridor in the *US Infrastructure Investment and Jobs Act*.
- It is disappointing that our application to the US government's Rebuilding American Infrastructure with Sustainability and Equity program was not successful this year.
- We will continue to work with our American partners to prepare a new application for 2023.
- This stretch of highway is essential to supplying Alaskan and Yukon communities. It is integral to the security of the North and the continent.
- We have had challenges with America meeting their obligations to this corridor for many years. With the highway's inclusion in the *American Infrastructure Investment and Jobs Act*, we saw an opportunity for improving the highway over the next few years.

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Fall 2022

Alaska Relations

Executive Council
Office/Economic
Development

- We were optimistic that this would change how the US is contributing to the highway.
- The Yukon government is heavily engaged, at political and officials' levels, in highlighting the importance of the Shakwak application.

Additional response (Port of Skagway):

- The Government of Yukon recognizes the Skagway ore terminal as a valuable export option for the Yukon mining industry - facilitating access to international markets.
- We respect the priorities and responsibilities of the Municipality of Skagway as they plan for the future of the ore peninsula post-2023.
- We have had very productive conversations with the Municipality of Skagway to identify shared interests and advance both Yukon's and Skagway's priorities relating to the ore terminal.
- We believe that our interests are broadly aligned with Skagway's, and will continue to work to find a solution.
- We are currently in negotiations with Skagway about the potential for new infrastructure development to support ore-loading equipment in its port redevelopment project.

Context—this may be an issue because:

- 67(3)(a), 74(1)(a)

Session Briefing Note

Fall 2022

Alaska Relations

Executive Council
Office/Economic
Development

67(3)(a), 74(1)(a)

- Alaska is having elections on November 8, 2022.

Background:

America Relations

- The Canada/US Roadmap is guiding relationships across borders. We are seeing more engagement with US officials since the Roadmap was announced.
- Premier engaged with Americans in the following meetings:
 - A video call with Ambassador Cohen in January 2022
 - A phone meeting with Senator Murkowski in April 2022.
 - An in-person meeting with Consul General Hardt in May 2022.
 - An in-person meeting with Ambassador Cohen in July 2022.
 - Panel conversations with Lt. Gov. Meyer of Alaska in July 2022.
- Consul General Hardt visited the Yukon twice since October 2021. He was most recently in Whitehorse for an Asian Heritage Month event the Consulate co-organized with the Commissioner's office.
- Consul General Monster was in Whitehorse for the Arctic Arts Summit.

Shakwak

- A new funding opportunity for the Shakwak project was identified in the US government's *Infrastructure Investment and Jobs Act*. The highway is now eligible for competitive grants administered by the US Department of Transportation.
- Yukon worked closely with Alaska to apply to the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program for \$25M USD over 5 years, the maximum available for an individual project. The proposal would have

Session Briefing Note

Fall 2022

Alaska Relations

Executive Council
Office/Economic
Development

funded reconstruction of permafrost-affected areas in an 80km stretch of the highway.

- The 2022 RAISE recipients were announced on August 11, 2022. None of the three projects Alaska submitted, including Shakwak, were successful.
- The RAISE program is set to spend \$7.5B USD over five years. With the \$2.2B allocated in 2022, there is \$5.3B left for project applications over the next 4 years.
- HPW and IGR are working to maximize the opportunity for political engagement and advocacy, and to strengthen the application ahead of next year's intake expected to be in April 2023.
- This corridor is key to the security of supply chains and continental defence.

Skagway Port Redevelopment:

- Skagway is undertaking a port redevelopment project that will eliminate its ore export capability by October 2023.
- Yukon proposed that a marine service platform capable of supporting ore loading equipment be constructed as part of the redevelopment project.
- Skagway's timelines are aggressive, and are organized around expanding the port's cruise ship capacity for the 2024 cruise season.

Port of Skagway

- The Port of Skagway is the closest ice-free, deep water port to most of the Yukon. Shipping using the Skagway ore terminal shortens the sailing time to Asian markets as compared to other western North American ports.
- The Skagway ore terminal's only current user is Minto Mine (owned by Pembridge Resources).
- Following the publication of requirements to modernize the ore terminal in October 2021, AIDEA announced it would allow their sublease to lapse in March 2023. Control of the ore terminal will revert to Skagway.

Session Briefing Note**Fall 2022****Alaska Relations**Executive Council
Office/Economic
Development

- Skagway informally indicated that it may not continue to operate the ore terminal after March 2023. It will demolish the ore loader in October 2023.
- Minto Metals is currently conducting outreach to Skagway to request that the ore terminal continue to operate until demolition begins.
- According to Minto representatives, Skagway officials have indicated that continuing operations would require a decision by the Borough Assembly.

Approved by:


Sept 14, 2022

Deputy Minister, Executive Council Office

Date



September 13, 2022

A/Deputy Minister, Economic Development

Date

Session Briefing Note

Premier's Visit to Greenland and Iceland

Executive Council
Office

Recommended response:

- Working with our Arctic partners on innovative solutions to ensure northern communities thrive is a priority. Now more than ever, Arctic cooperation is key to solving northern and global challenges.
- We are committed to building positive, productive relationships with our northern allies.
- Furthering the pan-Arctic dialogue across borders is critical to a secure and sovereign North. I look forward to more cooperation with our circumpolar colleagues.

Recommended response (Iceland):

- The meetings in Iceland were an opportunity to further discussions following the Nordic ambassadors' visit to Whitehorse during the Arctic Arts Summit earlier this year.
- In Iceland, I met with government officials, Icelandair, Startup Iceland, the CEO of Business Iceland and an engineering firm specializing in northern ports.
- The meetings were wide-ranging and covered clean energy, cultural exchange, tourism, air connections across the North, and port infrastructure in the Arctic. I also had conversations about fostering the technology and innovation sectors of our economy.
- From tourism to clean energy ambition, there is much that Yukon can learn from our friends in Iceland.

Session Briefing Note

Fall 2022

Premier's Visit to Greenland and Iceland

Executive Council
Office

Recommended response (Greenland):

- The Arctic Circle Forum in Nuuk brought together over 400 delegates from around the world to discuss issues from across the Arctic and beyond.
- Alongside the other territorial premiers, I stressed the importance of enhancing Arctic security through investments in our communities.
- In forum panel discussions, I emphasized the Yukon's ambition for healthy, resilient communities, and our role in supplying critical minerals that support clean energy and the transition to a green economy.
- It was a privilege to attend the Arctic Circle Forum in Greenland. Our friends across the North are working together for a peaceful and prosperous future.

Additional response (air travel):

- It is important for the Yukon to get back to in-person meetings to deliver our messages and champion our interests.
- We did very well over the last two years to conduct our business and conferences virtually, but nothing can replace the impact you can have by looking folks in the eye and listening to what they have to say.
- The meetings on this trip are a continuation of a pan-Arctic dialogue that the Yukon led in June. Since February of this year, the key organization in Arctic affairs, the Arctic Council, has not been able to meet or do its work, so other avenues of cooperation have to be used.
- I recognize the tension between when we talk about climate issues in the meetings and what it takes to get there in terms of emissions.

Session Briefing Note

Fall 2022

Premier's Visit to Greenland and Iceland

Executive Council
Office

- We are selective in the meetings we choose to attend, and try to attend virtually where it makes sense and when there is the opportunity to do so.

Context—this may be an issue because:

- The trip to Iceland and Greenland was the first international trip for Premier since before the pandemic.
- International travel may come with scrutiny on carbon impacts, especially when the meetings have climate change components to them.

Background:

- Premier Silver and three other YG officials travelled to Iceland and Greenland from August 23 to 30, 2022.
- Yukon was invited to participate in the Arctic Circle Greenland Forum, and developed two sessions for the Forum program. Premier had three formal speaking engagements at the Forum, alongside many other side-meetings and events.
- The trip to Iceland was an opportunity to develop connections and learn from companies and government officials, and build off connections from Arctic Art Summit.
- Commercial travel through Iceland or another European neighbour is necessary to get to Greenland.

Approved by:

Deputy Minister, Executive Council Office

September 13, 2022

Date

Session Briefing Note

Safer Schools Action Plan / Hidden Valley School

Executive Council
Office

Recommended response:

- There is nothing more important than the wellbeing, safety and protection of students when they are in our care, whether that is at Hidden Valley or any school across our entire system.
- We are continuing to undertake systemic changes to improve safety in all Yukon schools and are on track to implement all 23 commitments of the Safer Schools Action Plan by the spring of 2023.
- We have taken meaningful steps to improve government-wide coordination in response to critical incidents, address policy gaps and enhance safety and oversight mechanisms across all departments and with the RCMP.
- Key advancements since the release of the action plan include training for all school-based staff, establishing a Hidden Valley Parent Advisory Committee and developing policies to improve internal coordination and communication as well as prevention and responding to incidents in schools.

Additional response:

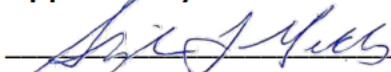
- We will continue to share public updates on progress ahead of next spring when all action items are due to be completed.
- The outcomes of this work are extremely important. We are taking action to build back trust and repair and restore confidence in our ability to respond to critical incidents.
- A full listing of all actions and their progress status can be found online at Yukon.ca/safer-schools-action-plan

Session Briefing Note**Safer Schools Action Plan /
Hidden Valley School**Executive Council
Office**Context—this may be an issue because:**

- After the release of the Hidden Valley Elementary School Independent Review Report, expectations are high to deliver on all commitments contained in the Safer Schools Action Plan by the spring of 2023.
- Additional lawsuits being brought forward and the arrival of reports from multiple Education reviews taking place will re-start the conversations about supports for students, staff, and families at Hidden Valley.

Background:

- In October 2021, Minister McLean launched an independent review of the 2019 incident at Hidden Valley Elementary School.
- The Government of Yukon and the RCMP acknowledged that mistakes were made in the response to the 2019 incident at Hidden Valley Elementary School. Minister of Education Jeanie McLean and Minister of Justice Tracy-Anne McPhee apologized to parents at Hidden Valley Elementary and acknowledged that steps could have been taken to better inform and support parents following the incident.
- The report of the internal review from Amanda Rogers was delivered on January 31, 2022 and the Department and parents/guardians received the report at the same time and Amanda Rogers walked through the report and her recommendations.
- The Yukon government released the Hidden Valley Elementary School Independent Review Report action plan on February 24, 2022.
- The committee overseeing the action plan response includes Deputy Ministers from the departments of Education, Justice, Health and Social Services, the Public Service Commission, Women and Gender Equity Directorate, and the Executive Council Office.
- The Safer Schools Action Plan was renamed as such at the request of the Hidden Valley school administration. The new name reflects that the policies and changes in this plan will improve safety in all Yukon schools.

Approved by:

Deputy Minister, Executive Council Office

September 13, 2022

Date

CONFIDENTIAL

ECO TAB #8

#99

Session Briefing Note**Fall 2022****Eagle Gold**Energy, Mines and
Resources

Recommended response:

- The Government of Yukon has increased the financial security for the Eagle Gold Mine held under the *Quartz Mining Act* from \$30.8 million to \$68.6 million, and Victoria Gold has fully met this security obligation.
- We recognize that Victoria Gold has sought leave to appeal the decision of the Yukon Water Board on the amount of security required under the *Waters Act*, and we remain committed to working closely with all the other parties to the proceedings once the results of the legal process are understood.
- It is important that all security determinations are carried out in a procedurally fair and transparent manner. We continue to work with the Yukon Water Board on opportunities for greater collaboration.

Additional response:

- Natural Resource Officers actively inspect the mine site for compliance with licences to ensure ongoing environmental protection.
- All reported spills are responded to, including follow up investigations in accordance with all regulatory requirements.

Context — this may be an issue because:

- Victoria Gold's court filing regarding the Yukon Water Board's security determination has drawn media attention.

CONFIDENTIAL**Session Briefing Note****Fall 2022****Eagle Gold**Energy, Mines and
Resources

Background:

- The Eagle Gold Mine is a large conventional open pit and heap leach gold operation located in north-central Yukon within the First Nation of Na-Cho Nyäk Dun Traditional Territory. Victoria Gold Corp. operates the mine. It has a current mine life of seven to eight years.
- Victoria Gold Corp. is advancing its “Eagle Gold Mine Extension Project” and has submitted an application to the Yukon Environmental and Socio-economic Assessment Board. The Extension Project proposes to extend the mine life to 15 years and will include development of a secondary heap leach facility, the new Olive Deposit open pits, a new waste rock storage area and a production rate increase from 29,500 tonnes of ore per day to 50,000 tonnes of ore per day.
- Victoria Gold Corp. and the First Nation of Na-Cho Nyäk Dun developed and implemented a Comprehensive Cooperation and Benefits Agreement in 2011.

Security

- In January 2021, both the Yukon Water Board and Energy, Mines and Resources signed off on a pilot project to coordinate the 2020 Reclamation and Closure Plan and Security review. The pilot project has concluded and is undergoing evaluation.
- Energy, Mines and Resources, in consultation with the First Nation of Na-Cho Nyäk Dun, issued a final security determination for \$68,662,300 and Victoria Gold has paid this in full.
- Yukon Water Board issued a final security determination for \$104,903,628 to be furnished no later than September 15, 2022. On August 1, 2022, Victoria Gold Corp. sought leave to appeal the Yukon Water Board’s decision on security to the Yukon Supreme Court.
- Victoria Gold [successfully filed](#) for an interlocutory (interim) stay of the Yukon Water Board’s security determination until the appeal is heard.

CONFIDENTIAL

Session Briefing Note

Fall 2022

Eagle Gold

Energy, Mines and
Resources

- Victoria Gold wrote to the Yukon Water Board on October 12, requesting their support for continuing to coordinate security determination processes between regulators in review of Victoria Gold's 2022 Reclamation and Closure Plan.
- Energy, Mines and Resources has begun its review of Victoria Gold's 2022 Reclamation and Closure Plan, having retained GRITT consulting to perform the technical review function.

Compliance and Enforcement Status (See BN #45)

- Natural Resource Officers conduct inspections at the Eagle Gold Mine site on a regular basis to ensure compliance with the Quartz Mining License and Water License.

Exploration

- Victoria Gold Corp. is conducting exploration activities under a Class 4 Mining Land Use Approval, adjacent to the Eagle Gold Mine at Dublin Gulch.

Approved by:



Deputy Minister
Department of Energy, Mines and Resources

22/10/12
Date approved

CONFIDENTIAL
Session Briefing Note
Minto Mine Status and
Update

Fall 2022
Energy, Mines and Resources

Recommended response:

- The Government of Yukon, after consulting with Selkirk First Nation, has increased the total financial security requirement for the Minto mine site from \$72 million to \$93.2 million.
- The company must pay \$21 million of this additional security by September 1, 2022.
- Until this additional \$21 million has been paid, the owners must follow restricted operating conditions to reduce environmental liability at the mine.

Additional response:

- The new restricted operating conditions are designed to ensure the mine site has enough storage capacity for contaminated water. The company must also regularly report progress to the Government of Yukon and Selkirk First Nation.
- The Government of Yukon may place the mine in a state of Temporary Closure if security is not furnished by September 1, 2022. The company would be required to continue to manage and treat water during Temporary Closure.

Context — this may be an issue because:

- Selkirk First Nation has raised concerns about the current state of the mine and the level of security currently held.
- The deadline for the Minto mine site owner to meet new conditions and provide the outstanding security is September 1, 2022.

CONFIDENTIAL**#8****Session Briefing Note****Fall 2022****Minto Mine Status and Update**Energy, Mines and Resources

Background:

- The Minto Mine is an underground copper mine with gold and silver byproducts located on the Selkirk First Nation's Category A Settlement Land.
- The First Nation holds surface and subsurface rights. The Government of Yukon collects royalty payments under the *Quartz Mining Act* and pays those royalties to Selkirk First Nation.
- Selkirk First Nation also receives additional financial benefits under its net smelter royalty arrangement with Minto mine owners, Minto Metals Corp.

Security

- The Government of Yukon holds just over \$72.1 million in security for Minto Mine and requested an additional \$32.2 million in January 2022 to cover increased closure and environmental liabilities on the mine site.
- The company increased water treatment capabilities and reduced liabilities on site since the determination in January 2022, and applied for credits for these activities. The Government of Yukon, in consultation with Selkirk First Nation, reviewed the application and revised the financial security determination to \$98 million, \$93 million of which must be furnished on or before September 1, 2022.

Licence Amendments

- The company's March 2021 preliminary economic assessment identified potential opportunities for extending the mine life to 2028.
- The Mineral Resources Branch amended the company's quartz licence on June 30, 2022. This licence authorizes mining and milling up to 2026 and includes all previously assessed phases of the project.
- Minto Metals Corp. must resubmit a consolidated application to the Yukon Water Board that includes the new information included in the amended Quartz Mine Licence.

CONFIDENTIAL**#8****Session Briefing Note
Minto Mine Status and
Update****Fall 2022**

Energy, Mines and Resources

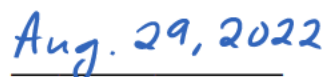
Compliance and Enforcement Status

- Natural Resource Officers continue to regularly inspect the site for compliance with all authorizations. (See BN #45).

Approved by:

Deputy Minister

Department of Energy, Mines and Resources



Date approved

Briefing Note**Fall 2022****Jim Smith Building Security
Contract**Executive Council
Office

Recommended Response:

- The safety of staff and the public who visit and work in the Jim Smith Building is of the utmost importance.
- The Legislative Assembly Office uses security contractors when the house is in session. One guard is posted outside the public gallery entrance and one guard is posted outside the entrance to the Legislative Assembly Chamber.
- Building asset security has recently moved to the Facility Management office where they will continue offering government ID services for all employees.
- There has never been dedicated security focused on the safety and wellbeing of employees in the public service, MLAs, and other appointed staff.
- The Government of Yukon has hired one security contractor to provide services within the Jim Smith Building, to focus on the safety and wellbeing of the public, government employees, MLAs, and other appointed staff outside of the the Legislative Assembly.

Additional Response:

- Over the last year, the Government of Yukon, in consultation with the RCMP, Department of Justice, and the Clerk of the Legislative

Briefing Note**Fall 2022****Jim Smith Building Security Contract**Executive Council
Office

Assembly Office, has been reviewing security needs for the Jim Smith Building.

- Public servants are generally able to respond to some minor security incidents, while more challenging situations require the requisite training in de-escalation, risk assessment and management, and crisis response.
- Enhanced security contractors for are best suited to provide this level of service.

Context—this may be an issue because:

- During the 2022 spring session, the Opposition was concerned with the level of security and requested the cost of the contract for additional security.
 - The departments occupying the Jim Smith Building have hired a contractor to provide ongoing security to staff members and the public who attend or work in the building.
-

Background:

After the conclusion of an open procurement process, the security contractor started on November 14, 2022 at an estimated cost for 2022-23 of \$24,000.00. The annual cost for the contractor is estimated at \$64,000.

The costs are split evenly between departments who occupy the building (ECO, HPW, Department of Finance and Public Service Commission and the LAO).

During the 2021-22 fiscal year ECO and LAO paid for additional security during session (fall and spring) for the Jim Smith Building (previously MAB) to respond to the numerous protests, threats to politicians, public servants and officials.

Briefing Note**Fall 2022****Jim Smith Building Security
Contract**Executive Council
Office

Approved by:



Deputy Minister, ECO

2022 11 15

Date Approved

CONFIDENTIAL
Question Period Response
Yukon Water Board MOU

Fall 2022
Executive
Council Office
Corporate
Programs

Question 1 Asked:

What is the government doing to keep the Water Board from overstepping its mark?

Question 2 Asked:

Reign in the Yukon Water Board and ensure it is not behaving in an overly adversarial way.

Final Question Asked:

Use the powers available in the MOU to reign in the WB and ensure they do not overstep.

Approved Response:

- The Government of Yukon and the Yukon Water Board signed Memorandum of Understanding in 2018 to clarify their roles with respect to looking after the territory's water.
- Both the Government of Yukon and the Yukon Water Board share the aim of balancing the conservation, development and use of water on behalf of all Yukoners and Canadians.
- The MOU reinforces the independence of the board in adjudicating licences and encourages dialogue between the parties in improving the regulatory process.
- Premier Silver met with the Chair of the Yukon Water Board on September 20th and discussed the MOU.
- We respect the quasi-judicial nature of the Board. However, it is important that governments and regulatory bodies operate within certain parameters to support predictable assessment and regulatory processes and reasonable outcomes.

CONFIDENTIAL
Question Period Response
Yukon Water Board MOU

Fall 2022
Executive
Council Office
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- We agree with Justice Wenckebach's statement that the "perception of impartiality is important" and "The Water Board...is not an adversarial party and should not act like one."
- We are considering further guidance and direction to support predictability and transparency in the regulatory process.

Additional response

- The Government of Yukon and the Yukon Water Board each have roles to play when it comes to regulating the use of water in our territory. We have worked closely together to develop an agreement that clarifies our respective roles and responsibilities while preserving the board's ability to make independent decisions on water licence applications.
- The agreement supports a constructive working relationship between the Yukon Water Board and the Government of Yukon and maintains the independence of the board in dealing with water licence application decisions. It also clarifies the staffing and administrative relationship between the Yukon Water Board and the Government of Yukon.
- The Board is quasi-judicial and we expect that they operate within certain parameters to support predictability and transparency within the regulatory process.

Background

In 1972 the *Northern Inland Waters Act* (Canada) came into force and provided for the establishment of the Yukon Territory Water Board and for a process to licence water use and waste disposal projects.

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Question Period Response
Yukon Water Board MOU

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In 1993, the Yukon Waters Act (Canada) came into force and replaced the Northern Inland Waters Act (Canada). The drivers for this change were to streamline the licensing process and more effectively manage Yukon water resources.

Following the devolution of the federal Northern Affairs Program in 2003, the Government of Yukon took on the control and administration of territorial waters, not including waters in federal conservation areas. The Waters Act replaced the Yukon Waters Act (Canada) as mirror legislation.

The board is responsible for issuing licences for using water and depositing waste in water. The board's role is also set out in Chapter 14 of Yukon First Nations Final Agreements.

The Yukon Water Board members and chair are supported administratively by the Water Board Secretariat. While Secretariat staff are Government of Yukon employees under the Public Service Act they take direction from the Board.

As set out in Yukon First Nations Final Agreements, Yukon Water Board members are nominated by the Government of Canada, the Government of Yukon and the Council of Yukon First Nations. The Yukon Government is responsible for appointing all Board members.

Existing Briefing Note(s):

- EMR note – Eagle Gold

Blues Transcript

Date: Thursday, October 13, 2022

CONFIDENTIAL
Question Period Response
Yukon Water Board MOU

Fall 2022
Executive
Council Office
Corporate
Programs

Question re: Yukon Water Board role and responsibilities

Mr. Kent: Mr. Speaker, last month, Victoria Gold brought the Yukon Water Board to court, alleging that the board's decision regarding their required security payment was unfair. As a result, the Yukon Supreme Court has paused part of the security payment. However, the judge also made a number of concerning comments about the Yukon Water Board. According to an article from CBC Yukon, she said — and I quote: "Although the water board claimed to take no position, its submissions amounted to clear opposition to the application. It sought to take on the role it believed Yukon or Na-Cho Nyäk Dun should have played.

"In doing so, it overstepped its mark and became too partisan. The water board must be careful: it is not an adversarial party and should not act like one."

These are extremely strong words from the judge.

What is the government doing to keep the Water Board from overstepping its mark?

Hon. Mr. Streicker: Mr. Speaker, a few things. First of all, I am not going to comment on the specific case that is in front of the courts at this very moment. I can say that we have done ongoing work with the Yukon Water Board around security assessment, just making sure that we are aware of each other's work and trying to see if there are ways to streamline the process. I can say, for example, that I was in conversation with Eagle Gold today. I talked to the president of the company not on this issue, but on other issues. We have an ongoing dialogue with Eagle Gold. When it comes to the Water Board, I respect their jurisdiction and their responsibility to assess securities. There are times, of course, when we have come up with different numbers. What we will always do is try to find out how to make sure that the process works as well as possible. I won't be speaking about the specific issue in front of the court right now.

Mr. Kent: Mr. Speaker, I can appreciate that the minister doesn't want to speak about the specific court case; however, these were very strong words from the Yukon Supreme Court Judge. According to the CBC Yukon article, she says clearly that the Water Board has been overstepping its mark and, in her words, "became too partisan." She goes on to

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Yukon Water Board MOU

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say that she will consider the board's submissions going forward with caution because its approach has been "overly adversarial."

This is very concerning to the mining industry as the Yukon Water Board is a very important part of the process of developing and operating a mine in the Yukon. So, what is the Yukon government doing to rein in the Water Board and ensure that it is not behaving in an overly adversarial way?

Hon. Mr. Streicker: Mr. Speaker, again, I will not comment about the specific case that is in front of the court; it is not appropriate for me to do so. I have said and will say again that we continue to work with the mining industry about issues like security and we always will. We will continue to do so. I and the Minister of Economic Development met recently with the Chamber of Mines this morning. I spoke with the president of the Chamber of Mines. There is always dialogue that is ongoing.

What I can say is that we have assessed the securities for Eagle Gold mine to go up by \$30.8 million. My understanding is that is security that is being paid. We will continue to work with the Water Board. We have had ongoing conversations with the Water Board about how to do that work with them. It's not specific to their ability to assess on a specific instance, because we respect the authority that they have to carry out that work. It's about process and how to streamline it.

Mr. Kent: I'm not asking for the minister to comment on the case itself. My concern is with what the judge has said about the Yukon Water Board. In 2018, the Government of Yukon entered into an MOU with the Water Board, which was meant to support a constructive working relationship and clarify roles and responsibilities between the Yukon Water Board and the Yukon government.

Now, in the words of a Yukon Supreme Court Judge, the Water Board is trying to take on the role that it believes the Yukon government should play. It's clear that the view of the Yukon Supreme Court Judge is that the Water Board is overstepping. The judge said, according to these local media reports, "Although the Water Board claimed to take no position, its submissions amounted to clear opposition to the application."

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Question Period Response
Yukon Water Board MOU

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So, will the Government of Yukon use the powers available to it in the MOU to rein in the Water Board and ensure that this confusion about roles and responsibilities does not negatively affect other mining projects in the territory?

Hon. Mr. Streicker: Mr. Speaker, the member opposite just talked about how we are working with the Water Board to address these situations. That is exactly what is happening. By the way, why listen to the media reports? Why not just go get the judgment directly? I have read the judgment; fine. It just seems incredible to me that the member is talking about a specific case which is in front of the courts and I will not comment on it.

What I will say, and will continue to say, is that both the Yukon Water Board and the Government of Yukon have the responsibility to assess and set securities for our mines. That is what is happening, and we will continue to work with the Water Board to make sure that process is efficient and streamlined.

Session Briefing Note**Fall 2022****First Nations Interest in Energy Projects**Executive Council
Office

Recommended response

- The Yukon government is committed to supporting the development of cost-effective renewable energy projects in a way that fulfills consultation and treaty obligations, promotes reconciliation, and provides energy security for the Yukon.
- Our government is developing new approaches to working collaboratively with Indigenous governments during the assessment and licensing of energy projects, and on an ongoing basis throughout their operation.
- An example of our new collaborative approach is the recently signed agreements between the Yukon government and Champagne and Aishihik First Nations, as well as the Yukon Energy Corporation, for the Aishihik Generating Station.

Additional response:

- Working with Indigenous governments on energy projects and production is foundational to meeting the Yukon's climate change and energy goals.
- Yukon Energy Corporation's application for a 5-year water licence for the Aishihik Generating Facility is now before the Yukon Water Board. A public hearing on the application is anticipated to be held in November 2022.
- We are also working with Carcross/Tagish First Nation to address any potential impacts to their treaty rights from the proposed Atlin Hydro transmission line and to facilitate discussions with the Taku River Tlingit First Nation about their interests in the project.

Context—this may be an issue because:

- In Fall 2022, the Yukon government anticipates that the Decision Document for the Atlin transmission line will be issued, and that the Yukon Water Board hearing for the Aishihik Generating Station relicensing will occur, both of which may raise public

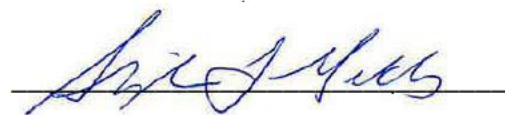
Session Briefing Note**Fall 2022****First Nations Interest in Energy Projects**Executive Council
Office

awareness of First Nations' interest in energy projects.

- 76(1)

Background:

- All of the existing hydro facilities in the Yukon will require licence renewals within the next five years, including the Whitehorse Rapids Generating Station, the Mayo Generating Station and the Aishihik Generating Station (**see Champagne and Aishihik First Nations Interest in the Aishihik Generating Station**).
- The Yukon Energy Corporation (YEC) is seeking to advance new projects to meet the climate change goals and policy requirements of the Yukon government (YG). The new projects that are under consideration are the Southern Lakes and Mayo Enhanced Storage Projects; the Moon Lake Pumped Storage Project; and the Southern Lakes Transmission Network.
- Private proponents are also advancing energy projects that have implications for YG as a decision body on assessments, as a regulator, and as defined under Final Agreements. These projects currently include the Atlin Hydro Expansion Project and the North Fork Hydro Project.

Approved by:

Deputy Minister, Executive Council Office

September 20, 2022

Date

Mineral Staking Prohibition in Response to Litigation

Executive Council
Office/Energy, Mines and
Resources

Recommended response:

- We have put mineral staking prohibitions in place within the Kaska asserted traditional territory in the Yukon to allow time to address court declarations made in the Ross River Dena Council and Kaska Dena Council mining cases.
- We also put a mineral staking prohibition in place for the Áashú Village site and surrounding area in the asserted traditional territory of the Taku River Tlingit First Nation to support our ongoing discussions.
- Our goal is to identify solutions that address our shared interests in land and resource matters, provide certainty to industry and benefit all Yukon communities.
- We anticipate that the work being done in collaboration with First Nations to develop new mining legislation will help address many issues, including the court declarations.

Additional response:

If asked about the Ross River Area:

- The mineral staking prohibition in the Ross River Area was put in place on March 27, 2013 and is in place until April 30, 2024. This is intended to allow time to advance consultation with the Ross River Dena Council and other Kaska on how best to address the declarations regarding mineral staking, exploration and development.

If asked about the southern portion of Kaska asserted traditional territory in the Yukon:

- The mineral staking prohibition in the southern portion of the Kaska

Mineral Staking Prohibition in Response to Litigation

Executive Council
Office/Energy, Mines and
Resources

asserted traditional territory in the Yukon was put in place on February 1, 2017 and is in place until April 30, 2024.

If asked about White River First Nation:

- We are addressing a range of issues through bilateral negotiations with White River First Nation, including consultation obligations related to the mineral declarations.

If asked about Taku River Tlingit First Nation:

- We are advancing discussions with the Taku River Tlingit First Nation on a number of matters including the mineral declarations, consultation and their land interests in the Yukon.
- To support these discussions, our government withdrew land associated with the Áashú Village from potential land disposition and mineral staking on March 28, 2019. This withdrawal is in place until September 30, 2023.

Context — this may be an issue because:

- Mineral staking prohibitions in asserted traditional territories remain a focus of discussions with affected First Nations and are of interest to other First Nations, industry and stakeholders.

Background:

- In 2012, the Yukon Court of Appeal made two declarations with respect to the *Ross River Dena Council v. Yukon* (2012 YKCA 14) mining case: (1) the Yukon government (YG) has a duty to consult with Ross River Dena Council (RRDC) in determining whether mineral rights on Crown lands within the Ross River Area are to be made available to third parties under the provisions of the *Quartz Mining Act*; and, (2) YG has a duty to notify and, where appropriate, consult with and accommodate RRDC before allowing any mineral exploration activities to take place within the Ross River Area.

Mineral Staking Prohibition in Response to Litigation

Executive Council
Office/Energy, Mines and
Resources

- In 2013, YG took steps to comply with the second declaration by amending the Quartz Mining Act and Placer Mining Act to implement a new regime for Class 1 mining activities.
 - In 2014, both the Taku River Tlingit First Nation (TRTFN) and Kaska Dena Council started court proceedings seeking the same mineral declarations granted in the Ross River Area for their respective asserted traditional territories in the Yukon. The declarations were granted by consent.
 - The three mineral staking prohibitions in the Kaska and TRTFN traditional territories cover approximately 23% of the Yukon. Of this, the Ross River Area prohibition covers ~13%; the prohibition in the Kaska assertion outside the Ross River Area covers ~10%; and the prohibition for the Áashú Village area covers a negligible percentage. Of these three areas, the Ross River Area has the highest mineral potential.
 - Additional staking prohibitions have been put in place for reasons such as land use planning, to create parks and protected areas, or to disallow staking within municipal boundaries. About 53% of the total area of the Yukon is currently under a prohibition.
 - 76(1)
-
- YG is making efforts to proactively engage Liard First Nation and White River First Nation, recognizing that they could seek and receive similar declarations.
 - Acho Dene Koe First Nation communicated to YG its view that the mineral staking prohibition in southeastern Yukon infringes on its asserted Aboriginal rights related to its transboundary claim.

Approved by:



Deputy Minister, Executive Council Office

October 31, 2022

Date



Deputy Minister, Energy, Mines and Resources

22/10/31

Date

Session Briefing Note
Truth and Reconciliation Commission
– Update on Calls to Action

Fall 2022

Executive Council
Office

Recommended response:

- Reconciliation is an ongoing process, and the Government of Yukon is continuing our work to respond to the Truth and Reconciliation Commission's Calls to Action.
- We are working collaboratively with First Nations to advance progress in key areas including health and social services, education, justice and heritage, through the Yukon Forum Joint Priority Action Plan.
- We are also working with Yukon First Nations to implement Yukon's *Missing and Murdered Indigenous Women, Girls and 2-Spirit+ People Strategy*, which will further advance reconciliation and address the Calls to Action.

Additional response:

- The Government of Yukon and Yukon First Nations governments are leaders in demonstrating a collaborative approach to reconciliation.
- Our government remains committed to working with Yukon First Nations to address the Calls to Action, including amending Yukon's *Child and Family Services Act* and implementing the *Putting People First* recommendations for health and social services.
- We are always willing to discuss and work with Yukon First Nations regarding opportunities or new ways to report back on the Yukon's response to the Calls to Action.

Context—this may be an issue because:

- The Premier's 2021 mandate letter references the government's intention to fulfill its commitments to the Truth and Reconciliation Commission's (TRC) Calls to Action.

Session Briefing Note

Truth and Reconciliation Commission

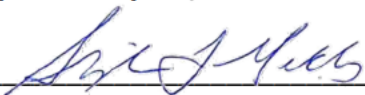
– Update on Calls to Action

Fall 2022Executive Council
Office

- At the June 4, 2021 Yukon Forum, Yukon First Nations requested that the Yukon government (YG) track and report back on the progress made on the Calls to Action.

Background:

- The TRC report, *Honouring the Truth, Reconciling for the Future*, was released in June 2015. It contains 94 Calls to Action focused on redressing the harms resulting from Residential Schools and creating better relations between the federal, provincial and territorial governments and Indigenous Peoples. Thirty-two of the Calls to Action relate directly to YG.
- YG and Yukon First Nations (YFNs) collaborate on addressing the Calls to Action through the Yukon Forum Joint Priority Action Plan.
- YG has taken steps to address the Calls to Action, including:
 - establishing the position of Assistant Deputy Minister of First Nations Initiatives at the Department of Education, signing an agreement to establish a YFN School Board, and entering into education agreements with all YFNs (speaks to Calls 7 and 10 directed to the Federal government);
 - supporting Indigenous athletes and the North American Indigenous Games (Call 88);
 - implementing the YFN Procurement Policy (relates to Call 92) and the Representative Public Service Plan: *Breaking Trail Together* (relates to Call 7);
 - working with Yukon First Nations and Yukon Indigenous women's groups to implement Yukon's *Missing and Murdered Indigenous Women, Girls and 2-Spirit+ People Strategy* (MMIWG2S+ Strategy) (relates to Call 41);
 - participating at the Trilateral Table on the Wellbeing of YFN Children and Families to address gaps for culturally-appropriate parenting programs (Call 5); and
 - receiving input from YFNs on Health and Social Services programming through the Mental Health Advisory Committee (relates to Call 19).

Approved by:

Deputy Minister, Executive Council Office

September 13, 2022

Date

Session Briefing Note**Fall 2022****United Nations Declaration on the Rights of Indigenous Peoples**Executive Council
Office/Justice

Recommended response:

- The Yukon government continues to support Canada's commitment to the United Nations Declaration on the Rights of Indigenous Peoples.
- The Final and Self-Government Agreements between the governments of Yukon, Canada and 11 Yukon First Nations reflect many principles and themes contained in the Declaration.
- Our government is working with all Yukon First Nations and other Indigenous partners to advance reconciliation by implementing the Final and Self-Government Agreements, negotiating new government-to-government arrangements, and collaborating on shared priorities including modernizing Yukon's mining legislation.

Additional Response:

- The federal *United Nations Declaration on the Rights of Indigenous Peoples Act* is Canada's new legislative framework for improving the lives of Indigenous Peoples and improving and strengthening its relationships with Indigenous governments.
 - The Yukon government is committed to actions that advance reconciliation, while recognizing that each province and territory has its own approach to reconciliation and the Declaration.
-

Context—this may be an issue because:

- The governments of Canada (Canada) and British Columbia (BC) have affirmed in legislation that the United Nations Declaration on the Rights of Indigenous Peoples (the "Declaration") applies to their laws, which has raised expectations that other jurisdictions will adopt similar legislation.
 - Questions about the Yukon government's (YG) intentions with respect to the potential implementation of the Declaration in Yukon have arisen in some contexts, including at the Yukon Forum and in discussions with some Yukon First Nations and the Inuvialuit.
-

Session Briefing Note**Fall 2022****United Nations Declaration on the Rights of Indigenous Peoples**Executive Council
Office/Justice

Background:

- The Declaration, adopted by the UN General Assembly in 2007 and fully endorsed by Canada in 2016, speaks to the individual and collective rights of Indigenous Peoples, taking into account their specific cultural, language, identity, religion, health, education, economic and social circumstances.
- The Declaration is an international set of standards that emphasizes Indigenous Peoples' right to live in dignity, to maintain and strengthen Indigenous institutions, cultures and traditions, and to pursue self-determined development in keeping with Indigenous needs and aspirations. It has been supported by 151 countries.
- The Declaration was designed as a guiding document rather than a specific legal instrument and may not be directly compatible with or easily implemented in Canadian or Yukon law.
- In 2016, Canada committed to developing legislation to implement the Declaration. In April 2021, the First Nation of Na-Cho Nyäk Dun and Champagne and Aishihik First Nations made submissions to the committee hearings on the federal bill requesting that the federal legislation be made to apply to the Yukon.
- On June 21, 2021, the federal *United Nations Declaration on the Rights of Indigenous Peoples Act* (the Act) came into force. It requires Canada to take all measures necessary to ensure that "the laws of Canada" are consistent with the Declaration.
- YG continues to assess the implications of the federal Act and how its implementation may affect federal laws in the Yukon such as the Yukon Act, the Yukon *Environmental and Socio-economic Assessment Act*, the Yukon *First Nations Land Claims Settlement Act* and the Yukon *First Nations Self-Government Act*.
- On December 9, 2021, Canada informed YG that it was initiating its process of consultation and cooperation with Indigenous Peoples on December 10. As required by the Act, Canada intends to develop an action plan to achieve the objectives of the Declaration by June 2023, to explore measures to ensure consistency of federal laws with the Declaration, and to table annual progress reports in Parliament.

Session Briefing Note**Fall 2022****United Nations Declaration on the Rights of Indigenous Peoples**Executive Council
Office/Justice

- In that letter, Canada also committed to engaging YG and other provinces and territories, either bilaterally or through existing federal/provincial/territorial processes, during the consultation process.
- On January 10, 2022, Minister McPhee confirmed YG's interest in engaging bilaterally on the implementation of the Act; however, Canada was not in a position to engage **until fall 2022**.
- 67(3)(a), 76(1)

The Yukon Context

- The Yukon Legislative Assembly passed a motion in 2014 supporting Canada's endorsement of the Declaration (when Canada's support was still qualified).
- In September 2021, the Deputy Minister's Review Committee established an Assistant Deputy Ministers Committee on Truth and Reconciliation to consider our approach to the Declaration.
- Once YG has concluded its internal work on this corporate approach, YG will engage with Yukon First Nations and transboundary Indigenous governments on the Declaration. This engagement would be distinct from federal engagement on Canada's Act.

YG's Commitments Related to the Declaration


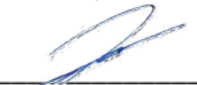
- Yukon's *Missing and Murdered Indigenous Women, Girls and Two-spirit+ People Strategy* includes a commitment to "explore options to consider the application of the Declaration in the context of Yukon's Final Agreements, other modern treaties, and the evolving relationship with First Nation governments without agreements".
- Strategic Priority 1 of the *Yukon Mineral Development Strategy and Recommendations* is to establish a modern mineral resource management regime that aligns with treaties,

Session Briefing Note**Fall 2022****United Nations Declaration on the
Rights of Indigenous Peoples**Executive Council
Office/Justice

Canada's Constitution Act, court-guided agreements, recommendations of the Truth and Reconciliation Commission (TRC), and the principles of reconciliation in the Declaration.

- The July 2021 mandate letters reconfirm YG's commitment to the TRC's Calls to Action, which include a call to federal, provincial, territorial and municipal governments to fully adopt and implement the Declaration as the framework for reconciliation.

Approved by:

	<u>2022-11-04</u>
Deputy Minister, Executive Council Office	Date
	<u>2022-11-02</u>
Deputy Minister, Department of Justice	Date

First Nation Court Case Updates

Executive Council
Office

Recommended response:

- The Carcross/Tagish First Nation and the First Nation of Na-Cho Nyäk Dun asked the courts to address issues related to Yukon government decisions regarding a subdivision application and a Class 3 mining application in their Traditional Territories. One of the issues identified is the need to complete land use plans.
- Our government committed to work with Yukon First Nations to accelerate the pace of land use planning in response to their concerns.
- Ross River Dena Council filed a petition for Judicial Review of a number of issues relating to the Kudz Ze Kayah Mine.

Additional response:

- We will not comment further on these cases while they are before the court. However, we look forward to the court providing clarity on the issues raised in each case.
- The Yukon Court of Appeal decision in *Dickson v. Vuntut Gwitchin First Nation* provides important clarity about the application of the *Canadian Charter of Rights and Freedoms* to Self-Government Agreements in the Yukon. We look forward to further direction from the Supreme Court of Canada.

Context—this may be an issue because:

- Court cases involving Yukon First Nations receive a high level of public interest. Two of the current cases reference land use planning, which may trigger negative recollections of the Peel Watershed planning process.

Background:

Ross River Dena Council v. AG (Canada), AG (Yukon), and BMC Minerals.

- On July 20, 2022, Ross River Dena Council (RRDC), on its own behalf and on behalf of the Kaska Nation, filed a petition for judicial review of a decision by Canada and

First Nation Court Case Updates

Executive Council
Office

Yukon to vary a decision made by the Executive Committee of the Yukon Environmental and Socio-economic Assessment Board related to the Kudz Ze Kayah mining project proposed by BMC Minerals.

- RRDC is asserting that decision makers did not adequately consider their June 2022 submissions and failed to fulfill the duty to consult on the project.
- YG served and filed an appearance.
- In August 2022 the application was moved to the Supreme Court of Yukon on consent, and the Federal Court proceeding was dismissed.
- **Next step:** The hearing is set for April 11 to 14, 2023.

First Nation of Na-Cho Nyäk Dun v. Government of Yukon and Metallic Minerals Corp.:

- On March 15, 2021, the First Nation of Na-Cho Nyäk Dun (FNNND) filed a petition for judicial review of a Yukon government (YG) Decision Document under the Yukon Environmental and Socio-economic Assessment Act to allow a proposed Class 3 quartz mining exploration program to proceed to the regulatory phase.
- FNNND asserts YG breached its duty to consult by failing to engage directly with community members and failing to complete land use planning pursuant to an Intergovernmental Agreement between YG and FNNND and under Chapter 11 of the FNNND Final Agreement.
- **Next step:** The judicial review was heard on June 28 and 29, 2022. The decision was reserved and is not expected before Fall 2022.

Carcross/Tagish First Nation v. Government of Yukon et al.:

- On March 8, 2021, Carcross/Tagish First Nation (C/TFN) filed a petition for judicial review of YG decisions under the Subdivision Act, which approved two subdivision applications in the Ten Mile area of Tagish.
- C/TFN asserts that YG breached its duty to consult and accommodate C/TFN in making the decisions, and failed to uphold obligations under Chapter 16 of the Final Agreement by neglecting to coordinate land and resource management activities with C/TFN in critical caribou habitat and by allowing decisions to be made in the absence of Chapter 11 land use planning for the area.
- YG and C/TFN counsel met on August 29, 2022 to discuss next steps.
- **Next step:** YG is anticipating further correspondence from C/TFN's counsel. The court has set a mandatory appearance to check in with the parties on January 17, 2023.

First Nation Court Case Updates

Executive Council
Office

Dickson v. Vuntut Gwitchin First Nation (2021 YTCA 3):

- Dickson appealed a 2020 decision of the Yukon Supreme Court, which found that a modified version of the requirement for elected members of the Vuntut Gwitchin First Nation (VGFN) Council to reside on Settlement Land did not violate s. 15 of the *Canadian Charter of Rights and Freedoms* (Charter).
- VGFN cross-appealed, arguing that the Charter does not apply to the VGFN Constitution. YG was an intervener on the appeal and made submissions arguing that the Charter applies to Yukon First Nation governments.
- The Court of Appeal issued a decision on July 21, 2021, dismissing Dickson's appeal. It found that the Charter applies to the residency requirement of VGFN's constitution, and while it infringes the equality rights under s. 15(1) of the Charter, it could potentially be justified under s. 1, which allows for reasonable limits on the guarantee of rights and freedoms. If the residency requirement cannot be saved by s. 1, it is still saved by s. 25 which specifies that no other rights guaranteed by the Charter can override or detract from Aboriginal or treaty rights established by current or future land claim agreements.
- Dickson applied for leave to appeal to the Supreme Court of Canada on September 29, 2021. The Supreme Court of Canada accepted the application for leave to appeal and cross-appeal on April 28, 2022. On June 24, 2022, YG filed a notice of intervention respecting a constitutional question.
- **Next step:** The hearing has been scheduled for February 7, 2023.

Approved by:



Deputy Minister, Executive Council Office

2022 11 09

Date

Session Briefing Note**Fall 2022****Reconciliation with First Nations**Executive Council
Office

Recommended response:

- As noted in our mandate letters, one of the top priorities of our government is to continue to build strong working relationships with First Nations.
- We are working with First Nations to address the harms caused by a long history of inequality and discrimination, and to achieve meaningful change and tangible benefits for all Yukoners through a range of environmental, economic and social projects.

Additional response:

- We continue to work with the Government of Canada and Yukon First Nations governments to implement the Final and Self-Government Agreements.
- In partnership with First Nations, we implemented the Yukon First Nations Procurement Policy, established a Yukon First Nation School Board, and developed and passed the *Act to Amend the Child and Family Services Act*. We are also implementing the Representative Public Service Plan and advancing land use planning.
- We are working with our partners to develop an implementation plan for Yukon's Strategy for Murdered and Missing Indigenous Women, Girls and 2-Spirit+ Peoples and recently reported on key actions the Yukon Government has taken to support the strategy.
- We are also continuing to work collaboratively with Yukon First Nations and transboundary Indigenous governments and groups to develop new legislation for lands and mining through the Successor Resource Legislation Working Group.

Context—this may be an issue because:

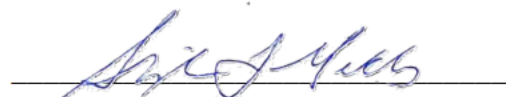
- The 2021 Mandate Letters reference the Yukon government's (YG's) commitment

Session Briefing Note**Fall 2022****Reconciliation with First Nations**Executive Council
Office

to reconciliation and strengthening relationships with Yukon First Nations (YFNs), and there is broad interest in knowing what YG is doing to support reconciliation.

Background:

- YG supports reconciliation with YFNs and transboundary Indigenous governments and groups in several ways, including:
 - Working with YFNs through the Yukon Forum and implementing the Joint Priority Action Plan (refer to “**Yukon Forum and Joint Priority Action Plan**”).
 - Presenting a united voice to the federal government (Canada) at Yukon Days.
 - Negotiating and implementing bilateral and trilateral agreements, including government-to-government accords that support shared priorities.
 - Meeting our consultation obligations and building shared expectations about how consultation will occur through the development of an electronic consultation system and corporate policies and procedures.
 - Developing an implementation plan for the Yukon Strategy on Missing and Murdered Indigenous Women, Girls and Two-Spirit+ People with YFNs, Indigenous women’s organizations, families, Survivors and representatives of the RCMP and Canada.
 - Implementing the Yukon First Nations Procurement Policy to enhance economic outcomes for YFNs and businesses.
 - Working with YFNs to address the Truth and Reconciliation Commission’s Calls to Action (refer to “**Truth and Reconciliation Commission – Update on the Calls to Action**”).
 - Extending the Indigenous hiring preference initiative that began in October 2020 until the end of 2029, in support of meeting the program goal of increasing Indigenous representation in the public service to 22 per cent.

Approved by:

Deputy Minister, Executive Council Office

Sept 13, 2022

Date

Fall 2022

Session Briefing Note

Support for Burial Sites Investigations

Executive Council
Office

Recommended response:

- The Yukon government recognizes the lasting and widespread trauma caused by the residential school system.
- We continue to support the Yukon First Nation Governments' Burial Sites Investigations Committee in their efforts to bring to light and record the history and impacts of residential schools.
- We remain available to the Committee as they lead this important work and will assist if requested, in ways that support healing and reconciliation.

Additional response:

- Funding for this important work is being provided by both Yukon and Canada and is administered by the Council of Yukon First Nations.
-

Context—this may be an issue because:

- There was extensive media coverage of the discovery of unmarked graves on the grounds of former residential schools in other jurisdictions in Canada. This spurred interest in the investigation of all residential school sites in Canada.
 - There were media inquiries about the Yukon government's (YG's) financial contributions to investigations of former residential school sites in the Yukon.
 - The Yukon First Nation Governments' Burial Site Investigation Committee (the Committee) provided an update on their work at the Council of Yukon First Nations (CYFN) General Assembly in June 2022.
-

Background:

- There were six residential schools in the territory and one in northern British Columbia (BC) for Yukon First Nations students: Choooutla School in Carcross; Coudert Hall, Yukon Hall and Whitehorse Baptist Mission in Whitehorse; the Shingle Point School in Shingle Point on Yukon's Arctic coast (predecessor to All Saints (Aklavik Anglican) School in Aklavik); St. Paul's Hostel in Dawson City; and the Lower Post School in northern BC.
 - At the Yukon Forum on June 4, 2021, the Yukon government (YG) committed to provide supports to Yukon First Nations (YFNs) for the investigation of Yukon residential school sites.
-

Session Briefing Note

Support for Burial Sites Investigations

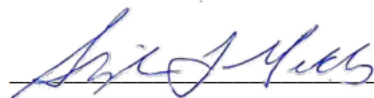
Fall 2022

Executive Council
Office

Yukon First Nation Governments' Burial Site Investigation Committee

- The Committee was established by Kwanlin Dūn First Nation (KDFN) Chief Doris Bill and the previous Carcross/Tagish First Nation (C/TFN) Haa Shaa du Hen, Lynda Dickson. The Committee has formal representation from nine YFN governments and continues to correspond with transboundary and Yukon First Nations and the Inuvialuit Regional Corporation. YG and Canada attend Committee meetings to assist in project planning when invited, though neither are official members of the Committee.
- The Committee's mandate is to identify and locate unmarked graves at former Residential School sites in the Yukon, and to implement a work plan on behalf of all 14 YFNs and transboundary Nations with the short- and long-term goals of resolving issues related to residential schools.
- In 2021, the Committee submitted a funding request to Canada and YG for fiscal years 2021/22 to 2024/25. The initial work plan focuses on C/TFN's ongoing work at the Choooutla residential school site in 2021/22, to be followed by work at the Whitehorse sites with KDFN starting in 2023/24, and work at the northern Yukon sites with Tr'ondëk Hwëch'in and the Inuvialuit Regional Corporation starting in 2024/25.
- YG committed \$225,000 in 2021-22 for the first year of operation of the Committee and \$595,000 in 2022-23 for the second year of the project.
- On May 27, 2022 the administration of the funding for the Committee was transferred from C/TFN to CYFN, with the full agreement of all parties including the Committee, YG, and Canada.
- YFNs will lead the search for potential burial sites, as provided for by the Umbrella Final Agreement (UFA) and the *Historic Resources Act* which specifies that activities related to burials are at the discretion of YFNs.

Approved by:



Deputy Minister, Executive Council Office

September 25, 2022

Date

Session Briefing Note
Carcross/Tagish First Nation
Proclamation**Fall 2022**Executive Council
Office

Recommended response:

- We are aware of the Carcross/Tagish First Nation's Land and Water Proclamation and are engaging with the Carcross/Tagish First Nation to better understand their goals and how the proclamation interacts with the Carcross/Tagish First Nation Final Agreement.
- We recognize the significant work that Carcross/Tagish First Nation, Elders, youth and others contributed to their Land and Water Proclamation.
- We are committed to consulting with the Government of Carcross/Tagish First Nation on matters that may affect their rights or Traditional Territory.

Additional response:

- Our government has a strong and enduring relationship with Carcross/Tagish First Nation.
- Our governments are working together on a number of areas including the Burial Site Investigation Committee, re-licensing of the Whitehorse Rapids Dam, new energy infrastructure and shared priorities related to the implementation of the Carcross/Tagish First Nation Final and Self-government Agreements.

Context—this may be an issue because:

- The Carcross/Tagish First Nation (C/TFN) Land and Water Proclamation (Proclamation) states that use of lands, waters and resources within their Traditional Territories requires consent, or will be legally challenged.

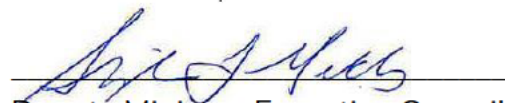
Background:

- On March 30, 2022, C/TFN adopted the Proclamation and issued Notice to all users of lands, waters and resources within C/TFN Traditional Territory in the Yukon and Northern British Columbia (BC).

Session Briefing Note
Carcross/Tagish First Nation
Proclamation**Fall 2022**Executive Council
Office

- The Notice and Proclamation refers to C/TFN jurisdiction over lands, waters and other resources across their Traditional Territory, in addition to Settlement Land.
- It further states that any future use of lands, waters, and other resources within their Traditional Territory requires their “free, prior and informed consent” (FPIC), though it does not explicitly reference the United Nations Declaration on the Rights of Indigenous Peoples or the specific articles that speak to FPIC.
- The interaction between the C/TFN Final Agreement and the Proclamation is unclear.
- The Proclamation was developed internally by C/TFN without involvement from the Yukon government (YG).
- YG continues to engage and consult with C/TFN on this and other matters related to lands, waters, and resources.
- C/TFN expressed concerns related to consultation on energy projects and referred to the Proclamation in relation to these projects.
- YG is engaging with C/TFN on issues related to the Proclamation, particularly the application to the development and maintenance of energy infrastructure and the resolution of transboundary Aboriginal claims in the Yukon and BC.

Approved by:



Deputy Minister, Executive Council Office

September 20, 2022

Date

Yukon Forum and Joint Priority Action Plan

Executive Council
Office

Recommended response:

- The Yukon Forum is an important venue for government-to-government collaboration.
- We will continue to work with Yukon First Nations governments at the Yukon Forum to identify and take collaborative action on shared priorities that improve the lives of all Yukoners and advance reconciliation.

Additional Response:

- On October 7, 2022, Yukon Forum leaders met in Whitehorse. They discussed the evolution of the Yukon Forum and the Joint Priority Action Plan, and ongoing efforts to strengthen collaboration between governments.
- Leaders also discussed collaborative approaches to the expansion of the Sexualized Assault Response Team to communities, partnerships to advance housing solutions throughout the territory, and the Government of Yukon's response to the Office of the Auditor General of Canada's report on the state of housing for vulnerable Yukoners.
- The next Yukon Forum meeting is planned for November 29, 2022 in Carcross.

Context—this may be an issue because:

- The Premier's 2021 mandate letter includes a commitment to advance the work of the Yukon Forum.
- The current five-year Yukon Forum Joint Priority Action Plan expires in fall 2022 and there may be interest in what happens next.

Background:

- The Yukon Forum is a regular meeting between leaders of the Yukon government (YG), Yukon First Nations and the Council of Yukon First Nations.

Yukon Forum and Joint Priority Action Plan

Executive Council
Office

- In accordance with the Joint Priority Action Plan, YG has:
 - Signed an agreement to clarify how resource royalties will be shared under Chapter 23 of the Final Agreements;
 - Advanced the Mining Memorandum of Understanding, including establishing the Progressive Reclamation Working Group and a Class 1 mineral exploration program notification system;
 - Advanced the implementation of the *Representative Public Service Plan: Breaking Trail Together*, a 10-year strategic plan to achieve a representative Yukon public service that is inclusive of Yukon First Nations people;
 - Implemented the Yukon First Nations Procurement Policy;
 - Initiated a review of the Yukon Fish and Wildlife Management Board to ensure it continues to be an effective component of the Final Agreements for managing fish and wildlife in the Yukon;
 - Created a new Joint Senior Executive Committee to support a one-government approach to collaboration with Yukon First Nations government partners; and
 - Established formal processes for collaboration on heritage management, making recommendations to improve the environmental and socio-economic assessment process and sharing education data with the Chiefs' Committee on Education.
- In accordance with the 2021 Confidence and Supply Agreement between the Yukon Liberal and NDP Caucuses, a request was put forward to First Nations Chiefs in May 2021 for the full participation of the Yukon NDP Leader in the Yukon Forum. First Nations leaders did not agree to the request.

Approved by:



Deputy Minister, Executive Council Office

2022 11 16

Date Approved

Session Briefing Note**Champagne and Aishihik First Nations Interest in the Aishihik Hydro Facility**Executive Council
Office**Recommended response:**

- Our government is committed to working with Yukon First Nations to find ways to meet Yukon's energy needs.
- The Aishihik hydro facility is a critical source of reliable renewable electricity in the territory. In the winter months, it generates up to 50 per cent of the electricity produced by the Yukon Energy Corporation.
- In July 2022, we entered into agreements with Champagne and Aishihik First Nations and the Yukon Energy Corporation which identify how the parties will work together to oversee the operation of this facility over the long term.
- These agreements establish a forward-looking, collaborative relationship which will allow us to advance shared priorities in the Aishihik Lake area.

Additional response:

- Long-term access to renewable energy remains a priority for our government. We will continue to work with our partners, including First Nations governments, to develop solutions that will ensure that Yukoners have clean energy now and in the future.
- This continued long-term collaboration is demonstrated through the offer to Champagne and Aishihik First Nations of a non-equity, passive investment opportunity in the Aishihik hydro facility so that they can realize an economic benefit tied to its continued operation and bring tangible benefits to their community.
- While the financial and specific details of the Aishihik agreements are confidential to the parties, Yukon government has supported Champagne and Aishihik First Nation in realizing benefits that are consistent with Chapter 22 of the Final Agreements.

Fall 2022**Session Briefing Note****Champagne and Aishihik First Nations Interest in the Aishihik Hydro Facility**Executive Council
Office

-
- Yukon Energy Corporation's application for a 5-year water licence for the facility is now before the Yukon Water Board. A public hearing on the application is scheduled for November 2022.
-

Context—this may be an issue because:

- The signing of the agreements generated media coverage and may result in increased interest in the water licence application from the public, media and other First Nations.
 - During the budget briefing, the Opposition expressed interest in the details of the investment opportunities offered to CAFN in the Aishihik agreements.
-

Background:

- The Haines Junction Designated Office of the Yukon Environmental and Socio-economic Assessment Board recommended a 5-year relicensing period, subject to 44 terms and conditions.
- A joint Decision Document was issued by the Yukon government (YG) and the federal Department of Fisheries and Oceans in October 2021, after extensive consultation with CAFN.
- YEC submitted an application for a 5-year water licence in June 2022 which included a "Concordance Table" identifying how the parties have agreed to address each term and condition in the Decision Document, not all of which fall under the authority of the Water Board.
- The trilateral agreement between CAFN, YG and YEC establishes processes and roles and responsibilities in developing and implementing a number of programs and plans including monitoring and adaptive management plans for both regulated and non-regulated parameters.
- The bilateral agreements between CAFN and YG are intended to provide assurance to CAFN that YG will collaborate with them to address shared priorities in the Aishihik area that fall outside of YEC's mandate, so that such issues need not be raised in the current and future assessment and licensing processes for the facility.
- The agreements are intended to improve the efficiency of those processes and the relationships between the parties, and to provide for predictability in the long-term relicensing of the facility.
- The public comment period for the 5-year water licence application closed on August 29, 2022. Both CAFN and YG submitted comments and requested "intervenor" status at the public hearing scheduled for November 2022.

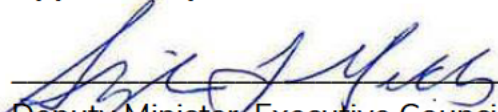
Session Briefing Note

Fall 2022

Champagne and Aishihik First Nations Interest in the Aishihik Hydro Facility

Executive Council
Office

Approved by:


Deputy Minister, Executive Council Office

2022 10 17

Date

Liard First Nation – Issues and Initiatives

Executive Council
Office

Recommended response:

- The Yukon government and Liard First Nation are working together to identify and advance shared priorities including capacity development, land planning, fish and wildlife management, consultation and a renewed government-to-government relationship.
- We understand Liard First Nation is interested in exploring approaches to reconciliation outside the Umbrella Final Agreement, including self-government. We look forward to participating in those discussions along with the federal government.
- Our government has maintained the mineral staking prohibitions within Kaska asserted traditional territory in the Yukon, and is now collaborating with First Nations to develop new mining legislation that addresses mineral staking, exploration and development.
- We are aware of Liard First Nation's request that non-resident hunters refrain from hunting in the Kaska traditional territory and have clarified that Yukon's *Hunting Regulations* apply throughout the Yukon. We remain committed to working collaboratively with Liard First Nation to address our shared goal of wildlife conservation.

Additional response:

- We will continue to consult Liard First Nation on activities that may affect their asserted Aboriginal rights in the Yukon, including mineral exploration and development proposals.
- We are aware of the petition for judicial review of the Kudz Ze Kayah decision which was filed by Ross River Dena Council on behalf of the Kaska Nation, and will not comment while this issue is before the courts.

Liard First Nation – Issues and Initiatives

Executive Council
Office

Context—this may be an issue because:

- On July 15, 2022, Ross River Dena Council (RRDC), on its own behalf and on behalf of the Kaska Nation (RRDC, Liard First Nation (LFN), Dease River First Nation and Kwadacha Nation) filed a notice of application for a Judicial Review of the decision made by Natural Resources Canada, Fisheries and Oceans Canada and the Government of Yukon (YG) regarding the Kudz Ze Kayah (KZK) project.
 - On October 11, 2022, YG informed LFN that BMC Minerals' quartz mining license application for the KZK project was advancing to the regulatory review stage.
 - In an August 26, 2022 media release to the Whitehorse Star, LFN requested that hunters who do not live on LFN's traditional territory refrain from hunting in that area, due to concerns about a reduction in the wildlife population.
-

Background:

Bilateral Negotiations

- YG and LFN are engaged in bilateral negotiations to address LFN's concerns regarding the potential impact of new residential, commercial and industrial lot development on their asserted rights and title in the vicinity of Watson Lake. The parties are also discussing integrated land planning and the collaborative management of fish and wildlife.

Official Community Plans (OCPs)

- Aboriginal Relations and Community Services are working with the Town of Faro to support the Town's consultations with the Kaska Nations on their upcoming OCP amendment.

Mineral Staking Prohibition

- YG consented to two mineral declarations in the Yukon portion of the Kaska asserted traditional territory outside the Ross River Area. A mineral staking prohibition in this area is in place until April 30, 2024 (refer to "**Mineral Staking Prohibitions in Response to Litigation**").

Land Use Planning/ Mineral Development

- In response to concerns raised by LFN during the assessment of the 3 Aces advanced mineral exploration project, YG and LFN have begun discussions about a sub-regional planning process for the upper Hyland River area / Nahanni Range Road corridor.
-

Session Briefing Note

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TAB 36

Fall 2022

Liard First Nation – Issues and Initiatives

Executive Council
Office

Capacity Funding and Consultation

• 76(1)

Approved by:



Deputy Minister, Department

2022 11 15

[Date approved]

Session Briefing Note**Fall 2022****Ross River Dena Council – Issues
and Initiatives**Executive Council
Office

Recommended response:

- We are pleased to be working collaboratively with Ross River Dena Council and other First Nations to develop new mining legislation that addresses mineral staking, exploration and development.
- We will continue to consult Ross River Dena Council on activities that may affect their asserted Aboriginal rights in the Yukon, including mineral exploration and development proposals.
- We are aware of Ross River Dena Council's request that hunters obtain a permit from them and have clarified that Yukon's *Hunting Regulations* apply throughout the territory. We remain committed to working collaboratively with Ross River Dena Council to address our shared goal of wildlife conservation.

Additional response:

- Our government has maintained the mineral staking prohibitions within the Kaska asserted traditional territory in the Yukon.
- We are aware of the petition for judicial review of the Kudz Ze Kayah decision which was filed by Ross River Dena Council on behalf of the Kaska Nation, and will not comment while this issue is before the courts.

Context—this may be an issue because:

- On July 15, 2022, Ross River Dena Council (RRDC), on its own behalf and on behalf of the Kaska Nation (RRDC, Liard First Nation, Dease River First Nation and Kwadacha Nation) filed a notice of application for a Judicial Review of the decision made by Natural Resources Canada, Fisheries and Oceans Canada and the Government of Yukon regarding the Kudz Ze Kayah project (see "**Court Cases Update**").
 - In a July 29, 2022 media release to the Yukon News, RRDC requested that non-Kaska hunters obtain a permit directly from the First Nation.
-

Session Briefing Note

Ross River Dena Council – Issues and Initiatives

Fall 2022Executive Council
Office

Background:

Mineral Staking Prohibition

- In 2013, YG implemented a notification regime for Class 1 mining activities in the Ross River Area (RRA) and withdrew the RRA from mineral staking. The staking prohibition was extended to April 30, 2024 to continue discussions with RRDC on implementing the two mineral declarations (see “Mineral Staking Prohibitions in Response to Litigation”).
- In August 2021, YG informed RRDC that the Successor Resource Legislation development process is expected to address the issues covered by the two court declarations.
- In June 2022, RRDC advised YG that they will not support any further advanced mineral exploration within the RRA until YG meets its obligations under the two declarations.

Major Projects and Infrastructure

- Pelly Construction, in partnership with RRDC’s development corporation (Dena Nezziddi Corporation), has a contract estimated at \$44 million for the multi-year North Fork Rose Creek diversion channel realignment project at the Faro Mine site.
- Since April 2020, Canada, YG and RRDC have been in negotiations on granting exclusive mineral rights to RRDC and an entity of their choosing for the Vangorda lands.
- YG is considering options for a new Pelly River crossing in Ross River that will meet the requirements of a federal Fisheries Act Authorization (see HPW Session Note “Pelly Barge”).

Capacity Funding and Consultation

- YG has offered support to address RRDC’s resource and capacity challenges. To date, RRDC has declined to engage with YG to address these issues and has focused on their litigation strategy and on engaging with their community members.
- Despite the active litigation on KZK, YG is hoping to advance discussions regarding funding arrangements and capacity support with RRDC in September 2022.
- Executive Council Office and Community Services are working with the Town of Faro to support the Town’s consultations with the Kaska Nations on their upcoming OCP amendment.

Approved by:**September 13, 2022**

Session Briefing Note
Ross River Dena Council – Issues
and Initiatives

Fall 2022

Executive Council
Office

Deputy Minister, Executive Council Office	Date
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Session Briefing Note**Fall 2022****White River First Nation – Issues and Initiatives**Executive Council
Office

Recommended response:

- The Government of Yukon and White River First Nation are actively working together, and with the Government of Canada, to advance shared interests and priorities.
- We have a government-to-government accord with White River First Nation focused on capacity development, education, justice, health, infrastructure, emergency planning, hunting and relationship building.
- We are committed to working with White River First Nation and nearby First Nations to find constructive solutions to issues that affect overlapping areas within their asserted traditional territory.

Additional response:

- We understand that White River First Nation signed an Impact-Benefit Agreement with the Newmont Corporation regarding the Coffee Gold project and indicated their support for the project to the Executive Committee of the Yukon Environmental and Socio-economic Assessment Board.
- We are encouraged to see this positive example of a proponent and First Nation working together to address their shared interests.
- We look forward to further consultation and discussion with White River First Nation as the project moves into the regulatory phase.

Context—this may be an issue because:

- White River First Nation (WRFN) has indicated that it expects the governments of Yukon and Canada to deal with accommodations and larger/cumulative impacts that are not addressed in the Impact-Benefit Agreement with Newmont.
- In March 2017, WRFN revived its assertion of a traditional territory with different boundaries than those used during Final Agreement negotiations.

Session Briefing Note**Fall 2022****White River First Nation – Issues and Initiatives**Executive Council
Office**Background:**Government-to-Government Accord

- On June 5, 2020, WRFN and YG signed a Government-to-Government Accord which identifies priorities and action items.

Approach to the WRFN Assertion

- WRFN asserts traditional territory that extends beyond their UFA Traditional Territory. YG commissioned reports by an archaeologist and an ethno-historian to better understand WRFN's asserted area in the Yukon.
- YG prepared an interim approach to consultation based on the commissioned reports, and is working with WRFN to consider longer-term solutions.

Bilateral and Trilateral Negotiations

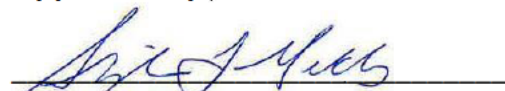
- WRFN and YG have developed a Negotiation Agreement to guide bilateral negotiations on topics such as the mineral declarations.
- YG, WRFN and the Government of Canada engage in trilateral discussions about shared priorities, including economic development and land management regimes.

Interim Protected Lands (IPLs)

- Approximately 136 land parcels have been protected since 1989 for a future treaty with WRFN. The current protection orders expire on March 31, 2025. It is anticipated that potential replacements for the IPLs will be discussed at the trilateral table.

Major Projects

- YG and WRFN signed a Coffee Gold consultation plan in September 2018.
- A December 17, 2021 [Yukon News article](#) states that the Impact-Benefit Agreement with Newmont creates a framework for consultation and economic participation, including training, employment and business opportunities as well as environmental monitoring and mitigation measures that integrate traditional knowledge.

Approved by:

Deputy Minister, Executive Council Office

September 20, 2022

Date

Session Briefing Note
NWT and BC Transboundary First Nations– Issues and Initiatives**Fall 2022**Executive Council
Office

Recommended response:

- The Yukon government is committed to advancing reconciliation with all Indigenous Peoples, including with Indigenous governments and groups with established or asserted transboundary claims.
- We consult with transboundary Indigenous governments and groups on matters which may impact their treaty rights or asserted Aboriginal rights.

Additional response:

- Our government's preference is always to resolve matters outside of court, through negotiation or other mutually-agreeable processes.
-

Context—this may be an issue because:

- The Yukon government (YG) is increasingly engaging with, consulting, and otherwise involving transboundary Indigenous governments and groups on a range of topics, such as the successor resource legislation working groups.
-

Background:

- A number of transboundary Indigenous governments and groups assert rights in both the Yukon and the Northwest Territories (NWT) or British Columbia (BC).
- Prior to 2014, YG did not consult with transboundary Indigenous governments or groups; this approach changed following litigation by the Taku River Tlingit First Nation (TRTFN).
- YG's approach to transboundary Indigenous governments and groups is guided by the common law, Chapter 25 of the Umbrella Final Agreement, and federal approaches towards the recognition of Indigenous rights.

NWT TransboundaryInuvialuit Regional Corporation (IRC)

- IRC has a settled land claim, which includes wildlife management authorities on the North Slope.
- IRC is negotiating with the Government of Canada (Canada) to conclude a Self-

Session Briefing Note**Fall 2022****NWT and BC Transboundary First Nations– Issues and Initiatives**Executive Council
Office

Government Agreement. YG will participate in that process if requested.

- The Yukon Department of Health and Social Services is negotiating a Coordination Agreement for Child and Family Services with IRC at their request. The federal act that empowers IRC to legislate on this topic is before the Supreme Court of Canada to resolve questions from the Governments of Quebec and Alberta about its constitutionality.

Gwich'in Tribal Council (GTC) and Tetlit Gwich'in Council (TGC)

- GTC has a settled land claim, which includes a transboundary agreement covering Gwich'in lands in the Yukon.
- GTC is negotiating a Self-Government Agreement with the Governments of NWT and Canada. YG has participated in that process when requested.
- TGC also claims to represent Gwich'in rights holders in the Yukon and as such, YG also consults with TGC about potential impacts to their rights.

Acho Dene Koe First Nation (ADKFN)

- ADKFN asserts a traditional territory across four jurisdictions.
- YG consults with ADKFN and engages with them to better understand their assertion and interests in the Yukon.

BC TransboundaryTlingit

- Carcross/Tagish First Nation (C/TFN) and Teslin Tlingit Council (TTC) are at Stage 4 of the British Columbia Treaty Process. ⁷⁶⁽¹⁾
- TRTFN has suspended intensive discussions at the Recognition of Indigenous Rights and Self-Determination table while TRTFN and YG work to resolve the 2014 litigation.
- These three Tlingit governments have established a nation rebuilding process to discuss overlaps, economic development, and cultural revitalization, which is funded by Canada.

Kaska

- Four Kaska rights-bearing groups assert the same rights and title in southeast Yukon: Liard First Nation and Ross River Dena Council (based in the Yukon) and Dease River First Nation and Kwadacha Nation (based in BC).

Session Briefing Note

NWT and BC Transboundary First Nations– Issues and Initiatives

Fall 2022Executive Council
Office

- No modern land claim agreements cover this area, which affects YG's efforts to resolve outstanding issues in this region.
- In 2019, the Supreme Court of Yukon declared that the Kaska Dena Council is not a Kaska rights-bearing group and that the Daylu Dena Council is a sub-group of Liard First Nation, not a rights-bearing Kaska entity or an *Indian Act* band.
- In 2020, YG advised KDC that it would not directly engage with KDC regarding implementation of two mineral declarations unless one or more Kaska rights-bearing group pass a Band Council Resolution appointing KDC as their representative for discussions related to their asserted rights and title (refer to "**Mineral Staking Prohibitions in Response to Litigation**").

Tahltan Central Government (TCG)

- TCG represents Tahltan Nation rights-holders, who assert rights in southwest Yukon.
- YG consults with TCG and has engaged with them to seek to better understand their assertion and interests in the Yukon.

Approved by:

Deputy Minister, Executive Council Office

September 20, 2022

Date

Fall 2022**Session Briefing Note**Executive Council
Office**Gwich'in Tribal Council / Tetlit
Gwich'in Council - Issues and
Initiatives**

Recommended response:

- The Government of Yukon is committed to advancing reconciliation with all Indigenous Peoples, including the Gwich'in.
- Our government is working with the Gwich'in Tribal Council and the Government of Canada to implement the Gwich'in Comprehensive Land Claim Agreement as it applies in the Yukon.
- We are engaged in discussions with both the Gwich'in Tribal Council and the Tetlit Gwich'in Council on a number of shared interests and priorities.

Additional response:

- The Government of Yukon consults with transboundary Indigenous governments on matters which may impact their established or asserted rights in the Yukon.

Context—this may be an issue because:

- The Premier and relevant Ministers are tentatively scheduled to meet with the Gwich'in Tribal Council (GTC) Grand Chief during the week of October 17-21, 2022 ; a joint agenda is being determined.
- GTC requested to negotiate a new communication and consultation protocol with the Yukon government (YG) and affirm that GTC represents all Tetlit Gwich'in.

Background:**Gwich'in Comprehensive Land Claim Agreement**

- The Gwich'in Comprehensive Land Claim Agreement (GCLCA) was signed in 1992 by GTC, representing the Gwich'in of the Northwest Territories (NWT), and the Government of Canada (Canada).

Fall 2022**Session Briefing Note**Executive Council
Office**Gwich'in Tribal Council / Tetlit
Gwich'in Council - Issues and
Initiatives**

- Appendix C of the GCLCA is the Yukon Transboundary Agreement (YTA), which established Gwich'in rights in the Yukon and fee simple title to Tetlit Gwich'in Yukon Lands.
- YG is not a signatory to the GCLCA but has implementation responsibilities under the 2003 Devolution Transfer Agreement, and attends GCLCA Implementation Committee meetings with GTC and Canada.

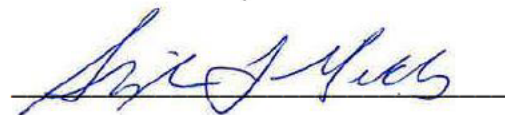
Consultation

- YG consults both GTC and TGC when there is potential for adverse impacts to Tetlit Gwich'in treaty rights as defined in the YTA.

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Self-Government

- GTC is negotiating a self-government agreement with Canada and the Government of NWT for the NWT portion of the Gwich'in Settlement Area. YG is not involved in those negotiations.
- The GCLCA directed Canada to enter into self-government negotiations with GTC; this obligation that does not apply to YG, though any negotiation towards GTC self-government in the Yukon would require YG involvement.
- GTC has previously requested to negotiate a self-government agreement in the Yukon.

Approved by:

Deputy Minister, Executive Council Office

September 20, 2022

Date

Session Briefing Note

Fall 2022

Projects in Executive Committee Pre-submission Engagement Process

Executive Council
Office

Recommended response:

- The Government of Yukon is working with the Yukon Environmental and Socio-economic Assessment Board to ensure the effective implementation of the Pre-Submission Engagement (PSE) process.
- The Government of Yukon is ready to participate in the pre-submission engagement process to share our views, knowledge and expertise on projects going through the process.
- There are three projects currently in the PSE process including the Eagle Gold Mine Extension Project, Brewery Creek Mine Project, and the Mount Nansen Mine Remediation Project. YG is actively participating in all of them.

Context—this may be an issue because:

- There are some concerns that the PSE process will not meet its objective of providing a more streamlined and efficient assessment process, and may in fact make the assessment process longer.
- As the PSE process is new, there is limited guidance for its implementation and it is not yet well understood by participants. We anticipate that there may be some frustration from participants (governments, industry, First Nations) during the early implementation of the PSE.

Background:

- The PSE process came into effect on June 1, 2022, after YESAB spent approximately three years developing the process.
- YESAB conducted extensive consultations with industry, First Nations, governments and NGOs to develop the PSE process. YG was an active participant in the development of the PSE and provided comprehensive comments during all stages of consultation.

Session Briefing Note

Fall 2022

Projects in Executive Committee Pre-submission Engagement Process

Executive Council
Office

- PSE is a proactive, front-end process that occurs before a project proposal is submitted for screening by the Executive Committee.
 - The purpose of pre-submission engagement is to bring interested and affected parties together to review project requirements well in advance of a detailed proposal being submitted for assessment. The process is intended to identify gaps and issues of concern, to define values and baseline information requirements and ensure a timely and efficient screening process.
 - YG creates Interdepartmental Working Groups (IWGs) for each project entering into the PSE process. These IWGs are comprised of relevant branches and departments across YG. IWGs will review materials and provide comments as required throughout the entire assessment process from PSE, through screening, decision-making, and into the regulatory stage.
-

Projects currently in the PSE process:

Eagle Gold Mine Extension Project (2022-0125)

- The Eagle Gold Mine Extension Project officially entered into the PSE process on August 4th, 2022. It is currently in the 'Project Proposal Guideline' phase of the PSE, which is the second of six PSE phases.
- YG submitted comments on the Project Description to the Executive Committee on September 13th, 2022.

Brewery Creek Mine Project (2022-0134)

- The Brewery Creek Mine Project officially entered into the PSE process on August 24th, 2022. It is currently in the 'Project Proposal Guideline' phase of the PSE, which is the second of six PSE phases.
- YG submitted comments on the Project Description to the Executive Committee on October 4th, 2022.

Session Briefing Note**Fall 2022****Projects in Executive Committee
Pre-submission Engagement
Process**Executive Council
OfficeMount Nansen Mine Remediation Project

- The Mount Nansen Mine Remediation Project officially entered into the PSE process on August 31, 2022. It is in the "Project Proposal Guideline" phase of the PSE which is the second of six PSE phases.
- YG submitted comments on the Project Description to the Executive Committee on October 7th, 2022.

Approved by:

Deputy Minister, Executive Council Office

October 26, 2022

Date

Session Briefing Note**Fall 2022****YESAA Reset Oversight Group**Executive Council
Office

Recommended Response:

- The YESAA Oversight Group is a joint effort between the Governments of Canada, Yukon and Yukon First Nations to work together to find efficiencies and ongoing improvements to the YESAA process.
- The Oversight Group made progress in identifying a targeted amendment to the *Yukon Environmental and Socio-economic Assessment Act* to address the issue of whether an assessment is required when a project's authorization is amended or renewed.
- The Oversight Group approved a consultation plan and a work plan for advancing this amendment. Phase one consultations on the concept of the proposed amendment are currently underway. An engagement workshop with industry and First Nations was held on October 25 and another is planned for November 16, 2022.
- Yukon has also raised amendments to the YESAA 'Activities List Regulations' as a possible next project for the Oversight Group to advance.
- We expect the Oversight Group will facilitate the review and continue to work with the YESAA Board to advance further improvements to the YESAA process.

Additional Response:

- The most recent YESAA Forum was held January 26-29, 2021 on the topic of cumulative effects. A follow up Forum on Cumulative Effects is scheduled for late fall 2022.
- A comprehensive review of YESAA by 2027 is a commitment of the Reset MOU. The Oversight Group will define the scope and approach for the future review. In the interim, the Oversight Group is advancing

Session Briefing Note**Fall 2022****YESAA Reset Oversight Group**Executive Council
Office

the targeted amendment on the assessment of amendments and renewals.

Context - this may be an issue because:

- Some industry representatives may be frustrated with the length of time it has taken the Yukon government (YG) and the Oversight Group (OG) to make progress on YESAA amendments.
-

Background:

- The Oversight Group (OG) exists to “...oversee the development assessment process in Yukon and promote its ongoing improvement.”
 - The OG adopted joint priorities which focus on three main areas:
 - revitalizing the YESAA Forum;
 - improvements to consultation and engagement; and
 - policy development and targeted technical working groups.
 - YG took over as Chair and Secretariat of the OG on July 30, 2020. The OG meets regularly to continue its work under the YESAA Reset MOU.
 - The YESAA OG representatives include:
 - Kate Durand – Chair (Government of Yukon)
 - Dionne Savill (Canada)
 - Daryn Leas (Council of Yukon First Nations)
 - Emmie Fairclough (Council of Yukon First Nations)
 - YG and the Council of Yukon First Nations (CYFN) sent a joint letter to Minister Vandal in December 2020 requesting a focused review of the YESAA.
 - In February 2021, Minister Vandal indicated his commitment to working with members of the OG on amendments and renewals.
-

Session Briefing Note**Fall 2022****YESAA Reset Oversight Group**Executive Council
Office

- The purpose of the review will be to propose amendments to address issues surrounding the need for an assessment when a project's authorization is amended or renewed.
- Yukon First Nations maintain that any decisions concerning determining the need for an assessment of project amendments and renewals within First Nations' traditional territories will require the agreement of that First Nation. YG supports the Yukon First Nations' position.
- The OG approved a terms of reference to establish a technical working group with representatives from CYFN, YG, the Government of Canada and YESAB to recommend, for the OG's consideration, legislative changes to address the issue of whether an assessment is required when a project's authorization is amended or renewed.
- The OG met on May 4, 2022 and approved the work plan and consultation plan for the concept of the proposed amendment regarding assessment of amendments and renewals, as well as planning for the upcoming YESAA Forum on cumulative effects.
- The OG last met on September 7, 2022 to continue to advance work on assessment of amendments and renewals, as well as YESAA Forum.
 - On September 7, 2022, CYFN brought forward regional land use plan conformity checks to the YESAA Oversight Group.
 - The YESAA OG members asked that the YESAA technical working group do a scan of where the conformity check issue is being discussed and make recommendations on whether to further work through the OG or another forum.
- The Technical Working Group supporting the OG held engagement workshops with industry and First Nations on the targeted YESAA amendment to address the assessment of amendments and renewals on October 25, with another planned for November 16. The engagement period closes November 16. A What We Heard Report will follow.
- The OG is targeting early in the new year to advance a recommendation to the Minister of Northern Affairs on a YESAA amendment.

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Session Briefing Note

Fall 2022

YESAA Reset Oversight Group

Executive Council
Office

- With work on a targeted amendment for assessment of amendments and renewals well underway, Yukon's representative on the OG has raised a review of the YESAA Assessable Activities, Exceptions and Executive Committee Projects Regulations (the 'Activities List Regulations') as a possible next project for the OG to advance and for initial discussion at the next YESAA OG meeting.

Approved by:



Deputy Minister, Executive Council Office

2022 10 31

Date

CONFIDENTIAL**ECO TAB #48****#3****Session Briefing Note****Spring 2022****Yukon Wetlands Policy****Environment****Quick Facts:**

- Roundtable discussions on the development of a policy for the stewardship of Yukon's wetlands involved over 60 organizations representing federal, territorial and municipal governments, Yukon First Nations and Indigenous governments, boards and councils, industry, and non-governmental organizations.
- Out of the 115 online public survey respondents, 44 percent agreed or strongly agreed that the draft policy reflected how they would like to see the Government of Yukon approach wetland stewardship.
- Of the responses, 88 written submissions were received – 61 from members of the public and 27 from participant organizations.

Recommended response:

- I am pleased to share that we are nearing the completion of a policy for the stewardship of Yukon's wetlands.
- Since 2017, we have been working with Indigenous partners, industry, non-profits, and the public to develop a policy that reflects Yukoners' diverse needs.
- The policy is designed to provide much-needed direction to achieve sustainable and responsible development in and around wetlands while ensuring adequate environmental protections.
- Wetlands are important in the Yukon because they are essential to maintaining water flows, protecting us from floods, purifying water, recharging and discharging groundwater, storing carbon, and providing habitat for fish and wildlife.

CONFIDENTIAL**#3****Session Briefing Note****Spring 2022****Yukon Wetlands Policy****Environment**

- In addition, wetlands can be integral to traditional subsistence and cultural activities, such as harvesting and recreation.
- We have worked diligently to prepare a policy that balances these interests to support the long-term stewardship of wetlands in our territory.

Additional response:

- Since public engagement ended on December 3, 2021, we have been incorporating the feedback we have received into the policy.
- Many participants in the engagement process spoke about their connection to wetlands and their understanding of why they are important.
- We are now incorporating feedback we received through consultation with our First Nations and Indigenous partners.
- Our government is committed to releasing a policy for the stewardship of Yukon's wetlands that reflects Yukoners' diverse needs and interests by the end of 2022.

Third response:

- The policy for the stewardship of Yukon's wetlands is one of several tools available to manage human impacts on wetlands.
- It is intended to align with and complement existing planning processes, such as regional land-use planning, and the work by assessors and regulators like the Yukon Water Board and the Yukon Environmental and Socio-Economic Assessment Board.
- In addition to this policy:

CONFIDENTIAL**#3****Session Briefing Note****Spring 2022****Yukon Wetlands Policy****Environment**

- We are managing placer-mining impacts on the Indian River area wetlands using sector-specific policy guidance (see BN #90). We are evaluating the wetlands-management guidance within the Dawson Regional Land Use Plan (see BN #6).
- We have completed detailed mapping for the Indian River and Beaver River watersheds, and a similar mapping project focused on the Mayo and McQuesten watersheds was recently completed. This detailed mapping will assist future planning, assessment and regulatory processes in these areas.
- We have also completed a regional wetland mapping exercise for the Peel Watershed planning region.

Context — this may be an issue because:

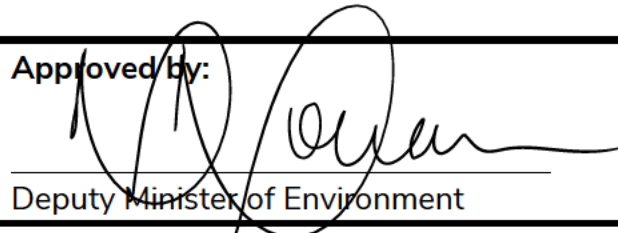
- There may be questions about progress towards the commitment to complete a Yukon wetland stewardship policy, as the Minister's mandate letter states the policy will be completed by May 2022.
- Management of wetlands, and acceptable levels of development versus protection, is of high interest and often a polarizing issue to Indigenous governments, industry, non-governmental organizations and members of the public.
- Most Indigenous government responses during the 2021 public review period raised concerns about the policy. They requested the policy provide greater protection of wetlands and better alignment with their knowledge, rights and title.

Background:

- Developing a wetlands policy is a commitment under the 2014 Yukon Water Strategy and Action Plan, including support for wetland inventory and monitoring, in partnership with other governments, stakeholders and the public.
- The Yukon wetlands policy began under a roundtable partnership approach, with collaborative development among many partners and shared responsibility to develop solutions and decisions related to the policy content.

CONFIDENTIAL**#3****Session Briefing Note****Spring 2022****Yukon Wetlands Policy****Environment**

- Four in-person roundtable meetings and one virtual roundtable meeting were held with the policy development partners, including Yukon First Nations, transboundary Indigenous groups, municipal and federal governments, boards and councils, environmental non-governmental organizations and industry.
- The Government of Yukon conducted an online public survey from October 3 to December 3, 2021, to gather feedback on the draft policy. During this engagement period, the Government of Yukon received 207 responses from Yukoners in the form of emails, detailed responses on the policy and survey responses.
- A What We Heard report summarizing feedback received was publicly released on March 1, 2022.
- The deadline for First Nations engagement is **September 15, 2022**, but the Department may receive requests for an extension.

Approved by:
Deputy Minister of Environment2022.09.08
Date approved

Session Briefing Note

TAB 49**Fall 2022**

Executive Committee Faro Mine Remediation Project Canada

Executive Council
Office

Recommended response:

- The Government of Yukon supports responsible remediation of historic mine sites including appropriate assessment and regulation.
- Through the *Yukon Environmental and Socio-economic Assessment Act* screening process, the Faro Mine Remediation Project's environmental and socio-economic effects will be considered and evaluated.
- As a decision body for this project, Yukon government is consulting with the Kaska First Nations, Selkirk First Nation and Little Salmon/Carmacks First Nation in a way that meets our obligations and our commitment to build strong relationships with First Nations.

Additional response:

- We are committed to continuing our participation in all stages of the assessment of this project.
-

Context—this may be an issue because:

- The project is of broad interest to Yukoners, particularly to the communities of Faro and Ross River and other Kaska First Nations, Selkirk First Nation (SFN) and Little Salmon/Carmacks First Nation.
-

Background:

Project Information

- The Faro Mine was an open pit lead-zinc mine that began operations in 1969. The site was abandoned in 1998 and is currently in care and maintenance.

Session Briefing Note

TAB 49**Fall 2022**

Executive Committee Faro Mine Remediation Project Canada

**Executive Council
Office**

-
- In May 2018, the Government of Canada assumed responsibility from the Yukon government (YG) for the care and maintenance operations at the mine site.
 - A Transition Agreement between the Government of Canada and YG has been signed by YG and has the support and agreement of the Ross River Dena Council (RRDC) and SFN.
 - The Faro Mine Remediation Project is an important initiative of the Government of Canada – Crown Indigenous Relations Northern Affairs Canada (CIRNAC) – to improve the existing conditions at the Faro mine site.
 - The project includes active remediation for a 15-year period to stabilize contaminants in place.
 - A news release noted that the Vangorda plateau portion of the Faro mine site will be acquired by RRDC's Dena Nezziddi LP and Broden Mining partnership. The Vangorda plateau is not included in the Faro Mine Remediation project.

Assessment Process

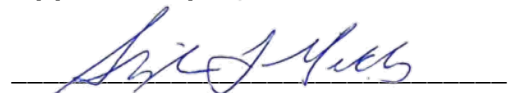
- The screening of the project has commenced. The Executive Committee (EC) issued their 8th Information Request (IR) on September 20, 2022. The proponent has previously responded to seven other IRs issued by the Executive Committee.
- IR8 requested additional details relating to emergency works that the proponent has undertaken with regard to water treatment. The EC is currently reviewing and considering all of the information submitted to date, and anticipates receiving additional information in response to IR8 in the next few months.
- As part of the project's adequacy review and screening, the EC held six technical sessions: water (December 2020); scope of the assessment (January 2021, February 2021, March 2022 and June 2022); and adaptive management (October 2021). YG participated in each of the technical sessions as well as submitting detailed comments during the adequacy review and public comment periods

Session Briefing Note**TAB 49****Fall 2022****Executive Committee Faro Mine
Remediation Project Canada**Executive Council
Office

- CIRNAC issued a call for supplemental participant funding in 2021 for individuals and groups including Indigenous people and governments participating in the assessment of this project. SFN and LFN received funding for 2021/22.
- Groups that were previously funded by the CIRNAC Northern Participant Funding Program for this project include LFN, RRDC, SFN and the Yukon Conservation Society.

Consultation with First Nations

- YG is consulting Kaska First Nations, as the project is located within the Kaska Traditional Territory.
- SFN and Little Salmon/Carmacks First Nation are being consulted as well due to potential downstream effects from the Faro Mine on treaty rights.

Approved by:

Deputy Minister, Executive Council Office

2022 10 06

Date

CONFIDENTIAL**EMR #1 / ENV #4****Session Briefing Note****Fall 2022****Dawson Regional Land
Use Planning**Energy, Mines and Resources
Environment

Recommended response:

- The Dawson Regional Land Use Planning Commission delivered the Recommended Plan to the Parties (Tr'ondëk Hwëch'in and the Government of Yukon) on June 10, 2022.
- We appreciate the Commission's efforts to achieve a balance between the many competing interests in the Dawson region.
- Public consultation on the Recommended Plan began on September 20, 2022 and is being led by the Parties in accordance with the Tr'ondëk Hwëch'in Final Agreement.
- Input gathered during public consultation will inform the Parties' decision whether to accept, reject or modify the Recommended Plan.
- If required, a Final Recommended Plan will be prepared by the Commission based on the outcome of the consultation process and input provided by the Parties on the Recommended Plan.

Additional response:

- Areas identified for conservation and as Integrated Stewardship Areas in the Recommended Plan are withdrawn from staking until December 1, 2023.
- This interim withdrawal will remain in place until the plan is finalized; we anticipate the final Dawson Regional Land Use Plan in 2023.

Context – this may be an issue because:

- Questions may be raised regarding the Dawson Regional Land Use Plan status, the Government of Yukon's response to the Recommended Plan, and the future of the interim withdrawals.

CONFIDENTIAL**EMR #1 / ENV #4****Session Briefing Note****Fall 2022****Dawson Regional Land
Use Planning**Energy, Mines and Resources
Environment**Background:**

- The Government of Yukon and Tr'ondëk Hwëch'in formed the Dawson Regional Land Use Planning Commission in December 2018.
- The Umbrella Final Agreement Chapter 11 process provides the Commission with the autonomy to develop and recommend a plan to the Parties for their consideration.
- The Yukon Land Use Planning Council provides administrative and technical support for the Commission.
- The Commission conducted a public consultation on the Draft Plan from June 15 to November 1, 2021.
- The Government of Yukon's response to the Draft Plan in November 2021 focused on six key topics: Designations and Land Management Unit Boundaries, Cumulative Effects, Wetlands, Culture and Heritage, Missing and Murdered Indigenous Women, Girls and Two-Spirited People, and Implementation.
- Interim withdrawal of land proposed by the Commission was approved by Order-In-Council on June 15, 2021. This Order was amended on September 7, 2022 to reflect the Recommended Plan. The interim withdrawal is in effect until December 1, 2023.
- White River First Nation is not a party to the plan. ⁷⁶⁽¹⁾

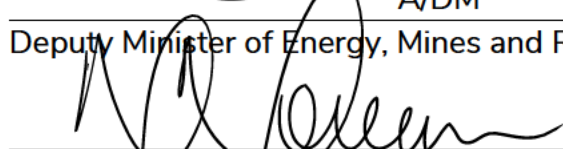
Approved by:

A/DM

Deputy Minister of Energy, Mines and Resources

September 15, 2022

Date approved



Deputy Minister of Environment

2022-09-09

Date approved

Prepared for Ministers Clarke and Streicker
Departments of Environment and Energy, Mines
and Resources

Date prepared: September 14, 2022
Last Updated: N/A

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CONFIDENTIAL

ECO TAB #51

#105**Session Briefing Note****Fall 2022****Successor Resource
Legislation - Mining**Energy, Mines and
Resources**Recommended response:**

- The Government of Yukon is developing new mining legislation in collaboration with our Yukon First Nations partners.
- Industry and environmental organizations are also involved in the process. They share their perspectives and interests on key policy issues and provide feedback on ideas and options generated.
- New made-in-the-Yukon legislation will improve the regulatory system, strengthen our economy, protect the environment and support the modern day needs of the Yukon.

Additional response:

- This spring we anticipate entering into a public engagement and First Nations consultation on the ideas and options being generated by the government-to-government work.
- New legislation will improve the management of the Yukon's mineral resources in a way that respects First Nations' relationships with the land and supports a modern and sustainable mineral industry.

Context — this may be an issue because:

- Developing new mining legislation is a high priority for the Government of Yukon and First Nations governments.
- Numerous commitments to develop new mining legislation have been set out in the 2003 Yukon Northern Affairs Program Devolution Transfer Agreement, Energy, Mines and Resource Minister's 2021 mandate letter and 2021 Confidence and Supply Agreement.

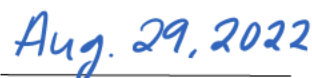
CONFIDENTIAL**#105****Session Briefing Note****Fall 2022****Successor Resource
Legislation - Mining**Energy, Mines and
Resources**Background:**

- A Steering Committee for New Mining Legislation was struck in September 2021 that includes representatives of Government of Yukon, Council of Yukon First Nations, Yukon First Nations and Transboundary Indigenous groups.
- On average, 16 First Nations governments actively participate in the Steering Committee.
- The Steering Committee is currently in Phase 2 of its workplan where it is developing options on key policy issues for new mining legislation.
- The Steering Committee is actively engaged with both the Industry Table and Environmental Non-Government Table and is seeks their feedback on draft policy options.
- Phase 3 will involve public engagement and First Nation consultation on options for a new regime. We currently anticipate this phase will begin in February 2023.
- A separate steering committee has been set up for the development of new public lands legislation.
- The Confidence and Supply Agreement timeline would see tabling of new legislation subject to meaningful consultation with First Nations.
- The Mineral Development Strategy Panel's final report focused on six strategic priorities and sets out 125 specific recommendations for a future mineral development and management regime for the Yukon; about half of the recommendations are related to, or contingent upon, development of new mining legislation.

Approved by:

Deputy Minister

Department of Energy, Mines and Resources



Date approved

Prepared for Minister Streicker
Department of Energy, Mines and ResourcesDate prepared: August 17, 2022
Last updated:

Session Briefing Note
Casino Mine ProjectExecutive Council
Office

Recommended Response:

- YG is aware that Casino Mining Corporation (CMC) recently provided YESAB with 9-month notice of their intention to submit their Environmental and Socio-economic Effects Statement (ESES). The submission would signal their re-entering of the panel review process.
- Our government supports responsible mineral resource development in the Yukon. We will be ready to engage and participate in the panel review process.
- The Yukon has a robust and effective assessment and regulatory regime that continues to uphold responsible development in the territory.

Additional Response:

- YG will continue to prepare for the panel review process, including considerations of the scope of the project and access road, preparations for consultation with First Nations, and the identification of Decision Bodies.

Context - this may be an issue because:

- Casino Mine Project would be the largest mine in the history of the territory, and one of the largest in the world, and will be the first Panel of the Board review undertaken since the enactment of YESAA. As such, there is considerable public interest in the new process and in the project itself.
-

Background:**Project Overview**

- The Casino Project (the Project) is a proposed large-scale copper, gold, molybdenum and silver mine located approximately 150 km northwest of

Session Briefing Note
Casino Mine ProjectExecutive Council
Office

Carmacks in west-central Yukon. It is owned by Casino Mining Corporation (CMC), a subsidiary of Western Copper and Gold.

- The mine would process about 125,000 tonnes of ore per day over a 25 year mine life, making it the largest mine by production in Canada's history. The project proposes a conventional open pit mining operation, and processing using a mill and flotation circuit and heap leach facility.
- The mine would generate close to 1 billion tonnes of tailings and 650 million tonnes of waste rock.
- A large-scale tailings management facility (TMF) with a partial water cover and cyclone sand dam would permanently store tailings and waste rock. CMC has indicated the plans for the tailings management facility has been updated since the original submission.
- The mine is expected to employ approximately 1,000 people during construction and approximately 800 people during operations.
- Liquefied natural gas (LNG) will be trucked to the project site and gasified to provide natural gas to fuel a 150 MW power plant. (For perspective, the total capacity of Yukon Energy is currently 116 MW.)
- The proposed mine, and its access road and infrastructure, are within the Traditional Territories of Selkirk First Nation, Little Salmon/Carmacks First Nation and Tr'ondëk Hwëch'in and within the White River First Nation asserted area. Kluane First Nation Treaty rights may also be impacted by downstream effects.

Panel Review Process

- In early 2014, Casino Mining Corporation (CMC) submitted a Project Proposal to the YESAB Executive Committee for screening. After two years in the Adequacy Review stage, in February 2016 the YESAB Executive Committee determined that the Project requires a Panel review for the following reasons;
 - a) the project involves technology that is controversial in Yukon; and
 - b) the project might contribute significantly to cumulative adverse environmental or socio-economic effects in Yukon.

Session Briefing Note
Casino Mine Project**Fall 2022**Executive Council
Office

- YESAB issued guidelines for the development of the ESES for the Project in 2016 and required CMC to submit the ESES based on the CMC proposed schedule of December 31, 2017. YG provided input on the guidelines.
- In subsequent correspondence (2018, 2019) CMC advised YESAB it would submit the ESES prior to December 31, 2021. In December, 2021, CMC provided YESAB with a revised schedule for submission of the ESES, to occur in Q2 2023.
- The Minister of the Executive Council Office is the YG decision body for a YESAB Panel Review. There will be several federal decision bodies.
- The Panel will be comprised of three YESAB members, excluding the chair. Its membership will be determined once the company files its submission. Details of participant funding and related processes for the Panel Review have yet to be determined.

Freegold Road and Yukon Resource Gateway Project

- The proposed access route is a two-lane upgrade to the 80 km Freegold Road to Big Creek, and a 132 km extension of the Freegold Road, which passes through Little Salmon/Carmacks First Nation, Selkirk First Nation Traditional Territories and White River First Nation's asserted area.
- The Freegold Road upgrade is no longer identified as a project under the Yukon Resource Gateway Project, (with the exception of three bridge replacements), but the proposed extension, the "Casino Road," is identified under Yukon Resource Gateway Project as an industry-lead project.

Approved by:

Deputy Minister, Executive Council Office

October 24, 2022

Date

Session Briefing Note
COVID-19 Research Funding**Fall 2022**Executive Council
Office

Recommended response:

- The Government of Yukon is committed to an evidence-informed recovery from the impacts of the pandemic.
- That is why, with the support of the federal government, we established research-funding opportunities to study the impacts of COVID-19 and to inform our path forward, primarily through the COVID-19 Recovery Research Program.
- The Recovery Research Program funded 12 research projects to help us better understand the social, economic, health and cultural impacts of the pandemic so we can emerge better and stronger than ever.
- The projects will help us address outstanding information gaps and emerging issues.

Additional response:

- This initiative advances the Government of Yukon's Science Strategy and its commitment to evidence-informed decision making, including surveys of Yukon businesses and individuals.
- The Recovery Research program's focus on Indigenous-led research, Indigenous methods and Indigenous knowledge, values and perspectives supports the advancement of reconciliation in research.

Context—this may be an issue because:

- Investments in COVID-19 initiatives may be of high public interest.
-

Session Briefing Note
COVID-19 Research Funding**Fall 2022**Executive Council
Office

Background:Recovery Research Program

- The Recovery Research program is funded entirely by the federal government, via a \$1 million contribution from Crown-Indigenous and Northern Affairs Canada.
- A broad call for expressions of interest was announced in November 2020, followed by an invitational call for proposals in February 2021, and one final targeted call for proposals in April 2022. A total of 12 projects are funded under the program.
- The Recovery Research program initially provided up to \$75,000 in funding to each successful project. Top-up funding was offered to the 11 active project recipients in August 2022 to allocate remaining funds and address funding shortfalls, making up to approximately \$91,050 in total in funding available to each project.
- The Recovery Research program development was guided by a group of leaders from Yukon government (YG), First Nations organizations and academia. The group identified thematic priorities, program objectives, guiding principles and evaluation criteria and will guide funding decisions.
- Funded projects address priorities agreed on by the program leadership team, but in broad terms focus on research that supports recovery from the social, cultural, environmental, economic and health impacts of the pandemic.
- The funded projects and recipients are as follows:
 - *The impacts of the COVID-19 pandemic on Selkirk First Nation's traditional food-related pursuits (Selkirk First Nation):* This project is exploring the collective impacts of COVID-19 on cultural events, socializing, food sharing and related activities among SFN citizens, as well as the adaptations and resilience that may have been demonstrated in relation to these impacts.
 - *Enhancing access for rural Yukon First Nations citizens to culturally appropriate mental health supports during COVID recovery (The Firelight Group / Tr'ondëk Hwëchin):* This research is exploring challenges that First

Session Briefing Note**Fall 2022****COVID-19 Research Funding**Executive Council
Office

Nations citizens have encountered in accessing mental health supports during the pandemic to support decisions on culturally appropriate services during emergencies and otherwise.

- *Yukon First Nation Emergency Response – Through a First Nation COVID-19 Response Team (Council of Yukon First Nations):* This project is investigating the function of federal, territorial and First Nation intergovernmental collaboration during COVID-19, to support identification of lessons and best practices for emergency response.
- *The impact of COVID-19 on the livelihoods and well-being of women in the Yukon: toward a resilient and inclusive recovery (Yukon Status of Women Council / University of Northern British Columbia):* This project is looking at the impacts of COVID-19 on both market and non-market work of women and gender diverse individuals, including an exploration of factors that have contributed to these impacts and how these may differ for specific sub-groups.
- *The impacts of the COVID-19 pandemic on the health and well-being of educators in Yukon (Lakehead University):* This project is investigating impacts of the pandemic on educators' well-being, as well as gathering educators' perspectives on how the pandemic has impacted learning for students (kindergarten to grade 12).
- *The Yukon Entrepreneur Adaptability Project: Business Model Transitions during the COVID-19 pandemic (Kari Johnston):* This project aims to gather information on operational changes and adjustments for Yukon businesses during the pandemic, and to identify policies and supports that may serve this sector during future emergencies.
- *Understanding COVID-19 impact on housing insecurity among LGBTQIA2S+ Yukoners (Queer Yukon Society):* This project provides a literature review on existing research and data related to housing hardship among LGBTQIA2S+ Yukoners during the pandemic.

Session Briefing Note**Fall 2022****COVID-19 Research Funding**Executive Council
Office

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- Looking back and moving forward: investigating pandemic impacts on recreation & physical activity in rural communities and exploring their roles in pandemic recovery (Ann Morgan/RPAY): This project will research how the pandemic impacted the recreation and physical activity of residents in communities outside of Whitehorse, and looks at how physical activity can assist with pandemic recovery.
 - COVID-19 Impacts on Yukon Trappers (Shannon Powell): This project will research trappers' experiences during the pandemic as well as impacts to trappers during the pandemic.
 - Addressing the unintended consequences of pandemic-related housing-related policies experienced by unhoused or precariously housed women and families in Whitehorse (Yukon Status of Women Council/ Kate Mechan): This project will investigate the direct and indirect impacts on women and families living in Whitehorse of housing-related policies and programs implemented during and after the pandemic, with the goal of informing policy and program solutions.
 - Assessing the impact of the pandemic on mental health for First Nations youth in the Yukon (Liard First Nation): This project will look at the current mental health and wellness needs of Yukon First Nation youth to inform leaders and policymakers on supporting pandemic recovery.
 - The impacts of COVID-19 on Yukons frontline health care workers (Liris Smith/ Michelle Leach): This project will examine the impacts of the pandemic on frontline healthcare workers in the Yukon and identify challenges and opportunities and lessons learned going forward.

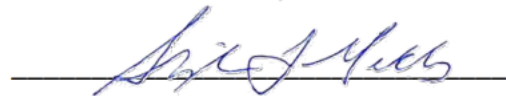
Other COVID-19 Recovery Initiatives

- In 2020, In addition to the COVID-19 Recovery Research Program, YG established a partnership with Mitacs Canada for a pandemic-focused Student Internships Program.
- While originally created to help Yukon businesses and non-profit organizations assess pandemic impacts and adaptation strategies, the Yukon-Mitacs Internships

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COVID-19 Research Funding**Fall 2022**Executive Council
Office

partnership was expanded to support for innovation-related research internships that will benefit Yukon's economy. This year funding focuses on research that promote business innovation as well as commercialization within the Technology & Innovation sectors.

- 21 internship units were supported under the original partnership agreement with Executive Council Office. A new agreement with Economic Development is established for the 2022-23 funding year, focusing on technology adoption and business strategy internships.

Approved by:

Deputy Minister, Executive Council Office

2022 09 08

Date

Yukon government's approach to Traditional Knowledge

Executive Council
Office

Recommended response:

- The Yukon government is committed to working collaboratively with Yukon First Nations to deepen our understanding of their knowledge, values and perspectives so our actions and decisions respect and reflect Yukon First Nation's ways of knowing, doing and being.
- Government of Yukon had conversations with Yukon First Nations and transboundary Aboriginal groups, as well as across all our departments, to learn how we can best respect and reflect Indigenous ways of knowing, doing and being in our actions and decisions.
- An intergovernmental working group with representatives from seven Yukon First Nations and three transboundary Aboriginal Groups had its first meeting in September, setting the groundwork for confirmation of guiding principles and implementation priorities.

Additional response:

- Ten representatives are identified for the Intergovernmental Working group so far, and we continue to work on recruiting additional members.
- Yukon government also initiated discussions on an Indigenous knowledge digital tracking solution, which aims to ensure that First Nations and Indigenous data and knowledge shared with Yukon government are appropriately managed and protected.

Context: this may be an issue because:

- Government reiterated its commitment to this work in the July 2021 mandate letter and recently reached out to Yukon First Nations and Transboundary

Yukon government's approach to Traditional Knowledge

Executive Council
Office

Aboriginal groups staff and leadership regarding the working group and initiating meeting.

Background:


- The Government of Yukon does not have a corporate approach to working with Yukon First Nations and transboundary Aboriginal groups to access and apply traditional knowledge in our actions and decisions.
- The December 2019 Yukon Forum reinforced the importance of this work, as well as the need to proceed carefully and sensitively on conversations and concrete steps.
- The Office of the Science Advisor led a comprehensive pre-engagement process with Yukon First Nations and transboundary Aboriginal groups, as well as Government of Yukon departments.
- An ad hoc intergovernmental working group guided the conversations to date. This group advised that a gathering of Elders, youth and government representatives could work collaboratively on guiding principles to serve as the basis for both multi-lateral and bi-lateral agreements.
- With ongoing uncertainty about when a gathering could be safely held, a decision was made to move forward with establishing a formal Intergovernmental Working Group, which will work with the Yukon government to determine appropriate next steps.
- The Premier issued invitations to Yukon First Nations and Transboundary Aboriginal groups in summer / fall 2021. Ten members are designated so far, representing seven Yukon First Nations (Champagne and Aishihik First Nation, Carcross/Tagish First Nation, Kluane First Nation (new), the First Nation of Na-Cho Nyäk Dun (new), Ross River Dena Council, Tr'ondëk Hwëch'in and White River First Nation and three Transboundary Aboriginal groups (Acho Dene Koe First Nation, Gwich'in Tribal Council (new), and Inuvialuit Game Council & Joint Secretariat).
- Yukon government remains open to bilateral conversations with First Nations that do not wish to participate in multilateral group discussions, and to those that are not ready to proceed with this conversation at this time.

Yukon government's approach to Traditional Knowledge

Executive Council
Office

- In addition to advancing the work towards the approach, and the Indigenous knowledge tracking solution, we are applying what we have learned to other areas of work, including support for Indigenous-led research and research methods through the COVID-19 recovery research program, and funding for the Indigenous Knowledge research chair at Yukon University.

Approved by:



Deputy Minister, Executive Council Office

2022 11 15

Date

Youth Directorate Funding to Community Organizations

Executive Council
Office

Recommended response:

- The Youth Directorate supports youth programs and services that promote wellness to help youth reach their full potential.
- The primary clients of the Youth Directorate are youth-serving organizations including First Nations, non-government organizations, municipalities, and other Government of Yukon departments.
- The Youth Directorate provides annual contributions of over \$1.6 million to youth-serving organizations and community groups through several funding programs.
- The Youth Directorate has started a new youth mental wellness grant for fiscal year 2022/23 with \$400,000 of available funding.

Additional response:

- The Yukon government is committed to supporting organizations that provide valuable supports and services to our youth and communities.
- Youth-serving organizations are experiencing increased demand for programming delivery as their youth clients come out of the pandemic.
- The Yukon government contributions helped support these organizations to keep Yukon youth engaged.

Context – this may be an issue because:

- There may be interest in the Yukon government's support for youth organizations during the current phase of the pandemic.
-

Youth Directorate Funding to Community Organizations

Executive Council
Office

Background:

- In 2022/23, the Youth Directorate is providing over \$1.2 million to support operational funding to:
 - Association franco-yukonnaise
 - BYTE-Empowering Youth Society
 - BGCY
 - Heart of Riverdale Community Centre
 - Youth of Today Society
- In 2022/23, these organizations are receiving the following funding increases to offset Covid-related expenses and other operational expenses.
 - Association franco-yukonnaise + \$6000/year (**\$31,000 total/year**)
 - BGCY + \$20,000/year (**\$297,000 total/year**)
 - BYTE-Empowering Youth Society + \$20,000/year (\$294,000 + \$10,000 = **\$304,000 total/year**). BYTE receives an additional \$10,000 of funding to support their Leaders in Training conference which will be amalgamated into their operational funding agreement commencing in 2022-23.
 - Heart of Riverdale Community Centre + \$20,000/year (**\$298, 000 total/year**)
 - Youth of Today Society + \$20,000/year (**\$291,000 total/year**)
- In 2022/23, all of these organizations requested increases to their annual funding.
- Discussions on additional operational funding for future fiscal years is underway with the organizations.

Youth Directorate Funding to Community Organizations

Executive Council
Office

- The Youth Directorate also provides up to \$422,000 of annual project funding to support:
 - The Youth Developmental Asset Program - \$320,000 for youth activities, training and employment for Kwanlin Dün First Nation and 16 Yukon communities.
 - The Youth Investment Fund - \$102,000 that is a dedicated fund for youth projects. It recognizes the value of community-driven initiatives aimed at marginalized youth ages 18 and under.
- For 2022/23, the Youth Directorate is implementing a new youth mental wellness grant with \$400,000 of available funding.
 - \$272,000 of funding will be shared between the BGCY, BYTE – Empowering Youth Society, the Heart of Riverdale Community Centre, and the Youth of Today Society.
 - \$128,000 of funding will be distributed to the following nine organizations for smaller projects valued between \$10,000 and \$20,000.
 - Big Brothers Big Sisters of Yukon – *Connect Across Generations Project*
 - Industrial Arts And Technoloy Society – *after school – woodworking, welding, sewing and carving*
 - Kluane First Nation – *Wellness Wednesdays*
 - Learning Disabilities Association of Yukon – *ADHD Support Program*
 - Lorne Mountain Community Association – *outdoor recreation, family activites, storytelling and arts*
 - Marsh Lake Community Society – *winter arts activities*
 - Town of Faro – *drum making, carving, beading and woodwork*
 - Village of Teslin – *spring bison hunt*
 - Yukon Theatre for Young People – *weekly workshops on positive acceptance, self-expression and teamwork*

Youth Directorate Funding to Community Organizations

Executive Council
Office

- The youth mental wellness grant funds projects that are rooted in the 40 Developmental Assets Model which are values, traits and experiences that are essential to a young person's success.
- Projects must be completed by March 31, 2023.
- A selection panel with representatives from the Youth Directorate, Aboriginal Relations, Health and Social Services and the Youth Achievement Centre evaluated the projects and selected the successful applicants based on the strength of the application and the project alignment with the 40 Developmental Assets Model.

Approved by:



Deputy Minister, Executive Council Office

2022 11 15
Date

Session Briefing Note
Notable Yukon Water Board
Applications**Spring 2022**
Executive Council
Office

Topic: Current Yukon Water Board licence applications of note.

QUARTZ UNDERTAKINGS	
APPLICANT	DETAILS
Minto Explorations Ltd. (Minto Metals Corp.)	<ul style="list-style-type: none">• Minto Explorations Ltd. has a current Type A Water Licence and in August 2016 filed an amendment application for its Reclamation and Closure Plan as per an existing licence condition. In addition the company applied to licence its new underground workings (Phase VII).• The public comment period for the application closed in April 2021.• YG and Selkirk First Nation advised the Board that activities applied for have not been assessed.• The company submitted updated application documents on August 26, 2022 and the Board is seeking additional information from YG and Selkirk First Nation related to assessment.• The company applied to assign the water licence from Minto Explorations Ltd. to Minto Metal Corp. and the Board has approved the assignment.
Victoria Gold Corp.	<ul style="list-style-type: none">• The company has a Type A Water Licence and in November 2020 submitted an updated Reclamation and Closure Plan (RCP) and security costing.• The Board and EMR signed an agreement in January 2021 to pilot a process in which the two regulators conducted a collaborative review of the submission and hold joint meetings with the company. A review of the pilot is still to be completed.• On June 17, 2022 the Board determined to not approve the RCP and Ordered \$104,903,628 in security inclusive of security held under the Quartz Mining Act.• On August 1, 2022 the company filed documents (an appeal) with the Yukon Supreme Court related to the Board's determinations. The court proceedings are on-going.• On September 28, 2022 the Court ordered that the Water

Session Briefing Note
Notable Yukon Water Board
Applications**Spring 2022**
Executive Council
Office

QUARTZ UNDERTAKINGS	
APPLICANT	DETAILS
	<p>Board Order dated June 17, 2022 be stayed, insofar as it required the company to furnish an additional \$36,241,328 in security, until 30 days after a decision is released by the Court on the appeal.</p> <ul style="list-style-type: none">On October 3, 2022 the company submitted an updated RCP and security costing which the Board is reviewing.
Elsa Reclamation and Development Company	<ul style="list-style-type: none">In February 2021 the Elsa Reclamation and Development Company applied to renew its Type B Water Licence for the United Keno Hill Mines Reclamation Project which expired on August 8, 2022.The purpose of the renewal is to implement the site-wide Reclamation Plan and associated long term monitoring.The Board deliberated the application at a special sitting on September 13 and 14, 2022 and will be releasing its decision shortly.
BMC – Kudz Ze Kayah	<ul style="list-style-type: none">In November 2020 the company created an application for a Type A Water Licence on Waterline and began submitting documents in support of the application.On November 30, 2020 the company was provided a letter advising that the application was incomplete. This was largely due to the project still being assessed under YESAA and a Decision Document (DD) was not issued.A DD was issued for the project on June 15, 2022.On August 23, 2022 the company submitted updated documents which are currently being reviewed to determine adequacy for public comment.
Newmont - Coffee	<ul style="list-style-type: none">The company indicated that it intends to submit an application to the Water Board in the fourth quarter of 2022.
Alexco Keno Hill Mining Corp.	<ul style="list-style-type: none">The company has a Type A Water Licence and in November 2021 submitted an updated Reclamation and Closure Plan (RCP) and security costing.

Session Briefing Note
Notable Yukon Water Board
Applications**Spring 2022**
Executive Council
Office

QUARTZ UNDERTAKINGS	
APPLICANT	DETAILS
	<ul style="list-style-type: none">The Board completed its review of the RCP and security costing and is drafting its findings.
HYDRO UNDERTAKINGS	
Yukon Energy Corp. – Aishihik Renewal	<ul style="list-style-type: none">YEC submitted an application on April 8, 2022 for a five year renewal of the Aishihik Generating Station Type A Water Licence which expires on December 31, 2022.The application was advertised for public comment and a public hearing is scheduled in Haines Junction from November 21 to 25, 2022.
Yukon Energy Corp. – Mayo Emergency Amendment	<ul style="list-style-type: none">On October 26, 2022 the Board received a request from YEC for an amendment to the Mayo Type A water licence on an emergency basis in order to address unsafe operating conditions at the Mayo A powerhouse.YEC reported that on August 28, 2022 rock released from the hillside and several thousand cubic meters of loose rock flowed around the powerhouse. Investigation determined a potential for failure due to freeze-thaw cycles or significant infiltration of water from heavy rains or rain on snow events.YEC is seeking to amend instream flows in the water licence.The Board is reviewing the request.
MUNICIPAL UNDERTAKINGS	
YG Community Services – Dawson City	<ul style="list-style-type: none">In July 2021 Community Services applied to amend their Type A Water Licence for the Dawson City Wastewater Treatment Facility in order to improve treated effluent quality.The Secretariat is currently reviewing the application to determine if it conforms with application submission standards.
Haines Junction	<ul style="list-style-type: none">In May 2021 the Village of Haines Junction opened an application to renew its Type B Water Licence for municipal water supply and waste disposal which expired on January 29, 2022.The Secretariat is currently reviewing the application to

Session Briefing Note
Notable Yukon Water Board
Applications**Spring 2022**
Executive Council
Office

QUARTZ UNDERTAKINGS	
APPLICANT	DETAILS
	determine if it conforms with application submission standards.
Village of Mayo	<ul style="list-style-type: none">In May 2022 the Village of Mayo opened an application to amend its Type A Municipal Water Licence.A public hearing was scheduled for November 2 & 3, 2022 but it has been postponed as the Board awaits information resulting from an information request. No new hearing date has been set.
Miscellaneous Licences	
Nisutlin Bay Bridge Replacement	<ul style="list-style-type: none">In December 2021, YG - Highways and Public Works submitted a water licence application for the replacement of the Nisutlin Bay Bridge located at Teslin.A Consolidated Decision Document under the Yukon <i>Environmental and Socio-economic Assessment Act</i> was issued by YG, DFO, Transport Canada, Infrastructure Canada, and Teslin Tlingit Council on April 28, 2022.The Board advertised the application for public comment on July 6, 2022. Public comment period closed on August 3rd.The Board deliberated the application August 22, 26, and 30 and subsequently issued a water licence on August 31, 2022. Reasons for the decision were issued on September 9, 2022.

PLACER UNDERTAKINGS	
APPLICANT	DETAILS
Tamarack Inc. – Indian River and Montana Creek	<ul style="list-style-type: none">Tamarack applied for a Type B Water Licence and Placer Mining Land Use Approval for a project in the Indian River wetlands complex.In June 2017 Tamarack was advised that the Yukon Water Board was satisfied that it would be in the public interest to hold a public hearing given the matters raised in the application and the interventions. Of note was the request for a public hearing by the Tr'ondëk Hwëch'in.

Session Briefing Note
Notable Yukon Water Board
Applications**Spring 2022**
Executive Council
Office

	<ul style="list-style-type: none">• The Board is waiting for a response from Tamarack to an information request before it can continue to process the application and determine when a public hearing can be held.
Indian River Wetlands	<ul style="list-style-type: none">• The Board has a number of active applications before it which are located in the Indian River wetlands complex.• YESAB recommended terms in evaluation reports stating there should be no mining in undisturbed wetlands within the Indian River complex.• The decision body (Energy Mines and Resources) varied the recommendation to allow for mining in these areas subject to submitting an approved wetlands reclamation plan.• Interventions in the water licence process from Yukon Conservation Society and First Nations requested the Board hold public hearings on the matter of wetlands and encouraged the Board to develop a policy to guide decision making.• A three-day virtual public interest hearing was held in October 2020.• Interventions included reference to an MOU between the Yukon government (YG) and Tr'ondëk Hwëch'in (TH) in which YG committed to work with TH to develop a policy and guidelines for the protection and reclamation of Indian River wetlands.• In August 2021 the Board released a "What We Heard Report" and made a recommendation to the Premier to consider the establishment of a Technical Advisory Committee for the Protection, Use and Reclamation of Yukon Wetlands. The Board is participating in the YG Wetland Policy Group and is working on the development and implementation of Water Board Wetland Information Guidelines, which will eventually be informed by the wetland policy.• The Board continues to deliberate each application on a case-by-case basis given the evidence provided by all parties.

Session Briefing Note
Notable Yukon Water Board
Applications**Spring 2022**
Executive Council
Office

Statistics - Water Licence Applications Received 2012 to Date			
Year	Type B	Type A	Total
2012	84	4	88
2013	99	3	102
2014	120	4	124
2015	133	2	135
2016	123	8	131
2017	135	7	142
2018	121	5	126
2019	102	7	109
2020	116	5	121
2021	93	6	99
2022 (January to July)	65	4	69

Approved by:

Deputy Minister, Executive Council Office

October 31, 2022

Date

Session Briefing Note

Youth Panel on Climate Change

Environment
Energy Mines and Resources
Executive Council Office

Recommended response:

- We are excited to host a second Youth Panel on Climate Change cohort.
- The Panel was established in April 2022 and is expected to conclude its activities by the end of fall 2022.
- This year's cohort focuses on activities that build capacity, leadership skills, education on climate change issues in the Yukon, and engagement with other Yukon youth.
- The Panel is creating a film on youth perspectives on climate change impacts and climate change visions for the Yukon.
- The Panel also coordinated four youth workshops in Whitehorse at the end of August.

Additional response:

- Youth in the territory have been leaders in organizing action on climate change for some time.
- The Youth Panel is one way our government continues to engage with youth and make their voices heard.
- Our youth are the next generation of environmental stewards and are vital to addressing the climate crisis.
- We look forward to seeing the progress of the second cohort's work and the impact they will make in their communities.

Session Briefing Note

Youth Panel on Climate Change

Environment
Energy Mines and Resources
Executive Council Office

Third response:

- We appreciate the considerable effort the first Yukon Youth Panel on Climate Change put into developing its recommendations.
- In many instances, the Panel's recommendations align with existing efforts led by the Government of Yukon.
- Where some of the recommendations pointed out existing gaps and barriers, we continue to monitor our progress and adapt our approach.
- Approaching climate action with continued flexibility allows the Government of Yukon to incorporate expertise and diverse perspectives shared through advisory bodies such as the Youth Panel.
- We will continue researching and analyzing these recommendations to assess where the Government of Yukon can best take action.
- I would like to once again thank the Youth Panel for its perspectives and contributions and for bringing forward youth climate change priorities in the Yukon.

Context — this may be an issue because:

- Questions may be raised about the establishment of the second Youth Panel on Climate Change, its focus, mandate and whether or not the second Panel will make recommendations.
- Questions may be raised on the Government of Yukon's response to the 2021 Youth Panel on Climate Change recommendations, including if and when the recommendations will be implemented.

Session Briefing Note

Youth Panel on Climate Change

Environment
Energy Mines and Resources
Executive Council Office

Background:

- Our Clean Future includes a commitment to creating a Youth Panel on Climate Change to provide advice and perspectives to the Government of Yukon on climate change, energy and green economy matters. The mandate of the second cohort was revised from the previous mandate to increase youth capacity rather than to bring additional recommendations to the government.
- The first Youth Panel on Climate Change (2020-21) presented its recommendations on October 15, 2021. The Yukon Youth Panel on Climate Change 2021 — Our Recommendations, Our Future — 27 Programs and Policies to Embolden the Yukon's Climate Action report was tabled in the Yukon Legislative Assembly on October 18, 2021.
- The recommendations span a wide range of issues, including education, capacity building, land use planning, Indigenous sovereignty, local transportation, food production and mining.
- The report, and the government's response on March 8, 2022, are available on the Government of Yukon's youth panel webpage.
- Emily Tredger, Member of the Legislative Assembly of the Whitehorse Centre, submitted a petition in the house on March 22, 2022. It contained points urging the government to do more to counter climate change.

Session Briefing Note

**Youth Panel on Climate
Change**


Environment
Energy Mines and Resources
Executive Council Office

Approved by:


Deputy Minister of Executive Council Office


September 20, 2022

Date approved


Deputy Minister of Environment

September 8, 2022

Date approved

 A/DM
Deputy Minister of Energy Mines and Resources

September 9, 2022

Date approved

Session Briefing Note
Canadian Index of Wellbeing**Fall 2022**Executive Council
Office

Recommended response:

- There is a growing movement across the world to use wellbeing as a lens for decision-making and the Government of Yukon is a proud supporter of this approach.
- In 2020, we launched the Community Wellbeing Survey in partnership with the Canadian Index of Wellbeing and the Chief Medical Officer of Health.
- The survey received close to 5,000 responses, the highest ever for one of our engagements, and we thank everyone who took the time to feed into this territory-wide study of wellbeing.
- The survey confirmed that Yukoners feel highly engaged in their respective communities. They feel connected and proud of where they live. They can depend on their neighbours and community members to help in times of need. Yukoners have confidence in their institutions, such as police and health services. And they feel informed about what governments are doing and empowered to affect change.
- The data also revealed some pandemic-related challenges being experienced by residents, like growing rates of poor self-reported mental health and economic insecurities.

Additional response:

- The Yukon's wellbeing data helps us evaluate whether our programs, services and funding all working to tangibly move the needle towards a future of enhanced wellbeing for our territory.
- The report and the wellbeing dataset are available on Yukon.ca and will serve as a valuable resource for Yukoners and partners.

Session Briefing Note**Fall 2022****Canadian Index of Wellbeing**Executive Council
Office

- While Yukon communities are resilient, we know the COVID-19 pandemic has had an impact on our overall wellbeing.
 - We encourage everyone to use the data and survey results to inform strategic planning and take action to improve quality of life in Yukon communities.
 - This work is aligned with the goals of the Government of Canada's 2030 Agenda for Sustainable Development. The 2030 agenda focuses on the commitment to "leave no one behind".
 - The sustainable development goals overlap with the Canadian Index of Wellbeing measures, providing a framework for us to advance progress in the areas of education, good health and wellbeing, community vitality, democratic engagement, the environment and more.
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Context—this may be an issue because:

- Stakeholder groups may be interested in knowing where they can find the report and how to follow up if they have questions.
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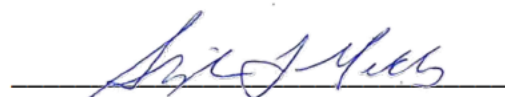
Background:

- In August, 2022, Minister McLean travelled to Halifax to participate in the 65th Parliamentary Conference where she delivered a speech on wellbeing indicators in small jurisdictions. The trip, its purpose and costs will be posted on Yukon.ca.
 - The Canadian Index of Wellbeing model and the Community Wellbeing Survey helps Canadians plan for a better and more sustainable future by offering a rigorous and academically-grounded framework that measures social progress and wellbeing using a collection of indicators that are tracked across the country.
 - The Executive Council Office has been working with the University of Waterloo's Canadian Index of Wellbeing since 2018. The final Yukon report was released on March 28, 2022, and includes a robust analysis and discussion of the state of
-

Session Briefing Note
Canadian Index of Wellbeing**Fall 2022**Executive Council
Office

wellbeing in the Yukon. The total contract value with Waterloo over this period was \$146,250.

- The project was supported in part by a grant from the Government of Canada's Sustainable Development Goals funding program (\$78,000 offset).
- The Yukon's campaign is also being featured in the National Strategy to illustrate the different types of actions underway across Canada and how they are in implementing the Sustainable Development Goals.
- Economic indicators, such as GDP, have been used in the past, and continue to be used by many governments, as a measure of economic and social progress. However, GDP is insufficient at demonstrating equality, equity and wellness among members of a population.
- ECO led a 10-week public engagement in 2019 to obtain public input on potential new indicators and priority areas for enhancing wellbeing. The results of that engagement were used to refine the 2020 Community Wellbeing Survey.
- The data from the Community Wellbeing Survey can be used by many different organizations for a variety of purposes, including evidence-informed planning, with the ultimate goal of improving the quality of life for residents, in measurable terms.

Approved by:

Deputy Minister, Executive Council Office

2022 09 09

Date

Session Briefing Note
Intergovernmental Relations
(General)**Fall 2022**Executive Council
Office

Recommended response:

- Advancing the Yukon's priorities with other governments is key to ensuring our perspectives are heard and considered on the national and international stage and in the development of initiatives that affect our interests.
- Strong intergovernmental relations have been important during the pandemic as it underlines the importance of collaboration and partnership with other territories, provinces, and the federal government.
- Our government's relationships with the provinces, territories and federal government are very strong, and we look forward to continued cooperation on important issues.

Recommended response (summer conference season):

- Over the course of the summer, I was able to have many conversations about the Yukon's role in Canada, and across the North.
- The Northern Premiers met here in Whitehorse in May. That meeting solidified our views on how we can achieve a strong, resilient Canadian North.
- We issued a pan-Northern leaders' statement on climate change, calling on the federal government to help northern communities adapt, and plan for the future.
- I had very productive meetings in Toronto and Ottawa in May. This included a meeting with Prime Minister on Arctic sovereignty, critical minerals, community infrastructure health care and mental health.

Session Briefing Note
Intergovernmental Relations
(General)**Fall 2022**Executive Council
Office

-
- In late May, the Western Premiers Conference convened in Regina, and in July I attended the Council of the Federation annual summer meeting in Victoria.
 - Beyond the meetings with Canada's Premiers, I was able to deliver the Yukon's views on healthy, resilient communities and Arctic security to the Pacific Northwest Economic Regions Conference in Calgary, and the Arctic Security Working Group annual meeting here in Whitehorse.
 - We were able to have conversations on the international stage, starting with a meeting with the Nordic ambassadors to Canada alongside the Arctic Arts Summit, a visit to Iceland, and participation at the Arctic Circle Forum in Nuuk, Greenland.
 - All of these meetings included the North as a key agenda item.

Recommended response (Travel):

- It is important for leaders in the Yukon to get back to in-person meetings to deliver our messages and champion our interests.
- We did very well over the last two years to conduct our business and conferences virtually, but nothing can replace the impact you can have by looking folks in the eye and listening to what they have to say.
- I recognize the tension between when we talk about climate issues in the meetings and what it takes to get there in terms of emissions.
- We are selective in the meetings we choose to attend, and try to attend virtually where it makes sense and when there is the opportunity to do so.


Session Briefing Note
Intergovernmental Relations
(General)**Fall 2022**Executive Council
Office

Context—this may be an issue because:

- Opposition may question where the Premier has been engaging with other governments and how those meetings have benefited Yukon.
- Travel or engagement in intergovernmental meetings outside the territory may come under scrutiny from a climate, public health and fiscal responsibility lens.

Background:

- Since the conclusion of the previous session, Premier Silver has attended:
 - Northern Premier's Forum in Whitehorse, May 9, 2022
 - Federal bilateral meetings in Ottawa, May 10-13, 2022
 - Western Premiers Conference in Regina, May 5, 2022
 - Arctic Security Working Group (ASWG), May 31, 2022
 - Nordic Ambassador's dialogue, June 27, 2022
 - Council of the Federation annual summer meeting in Victoria, July 12, 2022
 - Pacific Northwest Economic Region annual summit in Calgary, July 24-26, 2022
 - Iceland, July 23-27, 2022
 - Arctic Circle Greenland Forum, July 27-30, 2022

Approved by:

Deputy Minister, Executive Council Office

2022 09 13

Date

Session Briefing Note
Federal Health Funding Negotiations
Status**Fall 2022**Executive Council
Office

Recommended response:

- Premiers called on the federal government to increase its contribution to health spending through the Canada Health Transfer.
- A long-term financial boost to our funding will help implement our Putting People First Plan and improve quality and access to care for all Yukoners.
- We are not alone in the pressures we face, and I am committed to working with premiers and the federal government to find ways to support our health care professionals and ensure that Yukoners get the care and support they deserve.
- I look forward to continued dialogue among First Ministers so that our health systems are well-resourced and prepared for future challenges.

Additional response:

- The Yukon faces challenges in delivering health services due to our northern, rural and remote location.
- To help address some of these distinct challenges, the Yukon receives funding through the Territorial Health Investment Fund in addition to the Canada Health Transfer.
- The Territorial Health Investment Fund enables the Yukon to invest in innovation to enhance services in our smaller and more remote communities. This is important funding so that Yukoners have access to quality care without having to go too far from home.
- Early discussions are underway between federal and territorial officials on the next iteration of THIF.

Session Briefing Note

Federal Health Funding Negotiations

Status

Fall 2022Executive Council
Office

Context—this may be an issue because:

- There may be questions about the Yukon's position on seeking increased health care funding as Premiers have called on the federal government to increase funding.
- The Council of the Federation (COF) has sent multiple letters to the Prime Minister on renegotiating the Canada Health Transfer.
- Yukon government's Territorial Health Investment Fund (THIF) is set to expire at the end of this fiscal year and questions about its renewal may arise.

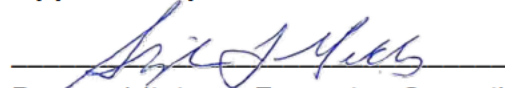
Background:

- Provincial and territorial governments are concerned with rising healthcare expenditures. Premiers are calling on the federal government to increase the federal share of aggregate provincial/territorial health care costs from 22 per cent to 35 per cent, representing approximately \$28 billion in additional funding through the Canada Health Transfer (CHT).
- In January 2022, Premiers agreed to have Premier Horgan, Premier Moe and Premier Furey form a CHT working group with Minister LeBlanc, Minister Freeland and Minister Duclos to advance a framework for a deal on healthcare funding.
- This working group held their first meeting on March 24, but have not had any subsequent meetings. While the federal government is open to investing in healthcare, they are focused on ensuring any investment is tied to outcomes.
- In July 2022, Premiers agreed to run a national advertising campaign on the CHT in fall 2022, following the Quebec provincial election. Funding for the digital ads will come from the COF budget.
- Premiers continue to call on the Prime Minister to set a date for a First Ministers' Meeting to discuss the CHT.
- Since signing the Supply and Confidence Agreement (SACA) with the federal New Democratic Party (NDP) in spring 2022, Canada has been working to fulfill its

Session Briefing Note**Fall 2022****Federal Health Funding Negotiations
Status**Executive Council
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commitments to the NDP to develop a universal dental program before the end of the calendar year.

- On March 25, 2022, the federal government announced a \$2 billion one-time top-up to the CHT to address pressure from backlogs of surgeries and medical procedures. Yukon's per capita allocation is \$2.244 million.
- The federal government also announced five priority areas for collaboration with PTs. These priorities include:
 1. Health Human Resources, addressing delays in treatments, diagnosis and surgeries;
 2. Access to primary care, especially in rural and remote areas;
 3. Aging population, support for long-term care, and aging with dignity;
 4. Mental health and substance use; and
 5. Digital health and virtual care.
- The current CHT formula is allocated on an equal per capita basis and its annual growth is linked to Canada's GDP, not actual provincial/territorial health system costs. The annual CHT escalator is the three-year moving average of nominal GDP growth, with a floor of 3 per cent. This represents a decrease from an annual 6 per cent growth rate, which had been in place prior to 2017-18.
- The federal Budget 2021 announced \$12.8 million until 2023 to renew the Territorial Health Investment Fund (THIF) agreement with the Yukon government. Federal officials have also been authorized to engage in discussions on the long-term future of THIF, beyond 2023.
- Following the Northern Premiers' Forum, Premiers directed territorial health ministers to work together and with Canada to start a process on renewing the THIF.
- In the Yukon, THIF is worth about \$8.5M. About 75% of the funding goes to an innovation stream, which covers training, capacity development, collaborative delivery models, access to technology and data collection. About 25% goes to medical travel, offsetting travel costs for Yukon patients.

Approved by:

Deputy Minister, Executive Council Office

2022 09 13

Date

Recommended response:

- Our work with the federal government achieves results for Yukoners.
- Over the last number of years, our partnership with the federal government has yielded important investments in the Yukon – such as funding to implement *Our Clean Future*, northern-specific supports to address the impacts of the COVID-19 pandemic, support for the Atlin Hydro Project and funding to support our housing needs.

Additional response:

- We welcomed the dedicated support for territorial housing needs in the 2022 federal Budget.
- We look forward to continuing to work with the federal government to advance Yukon priorities, including; affordable housing, community infrastructure, mental and other health supports, and projects to power the Yukon for years to come.
- We work closely with Canada to address emerging issues like the substance use health emergency.
- Our strategic engagement with Canada makes sure that our needs are communicated clearly and consistently, and that we can meet with the right people all the way up to the Prime Minister.
- We continue to move forward with Yukon First Nation governments to bring a joint Yukon voice to Ottawa. We are looking forward to the next Yukon Days.

Context—this may be an issue because:

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Note Federal
Engagement

⁰¹³¹
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Fall 2022

Executive Council
Office

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- The Premier's mandate letter commits ECO to leading whole-of-government coordination to support strategic engagement with the federal government.
 - The recent Auditor General's report on the status of housing may draw questions on the level of federal engagement on this file.
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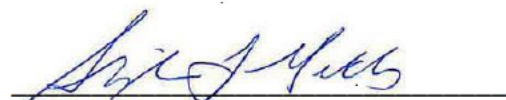
Background:

- ECO IGR coordinates engagement with the federal government on Yukon's priorities, including: the Atlin and Moon Lake hydroelectric projects, housing, land use planning, and community infrastructure requirements.

Atlin

- Tlingit Homeland Energy Limited Partnership, (THELP) advises the Atlin Hydro Expansion Working Group regarding cost projections for the project.
- C/TFN expressed interest in having a greater role in energy projects within their Traditional Territory, principally the Atlin Hydro Expansion Project and associated transmission line

Approved by:



Deputy Minister, Executive Council Office

September 20, 2022

Date

Session Briefing Note

Arctic and Northern Policy Framework

Fall 2022Executive Council
Office

Recommended response:

- The Arctic and Northern Policy Framework is one tool that can guide our government's work with the federal government to improve the lives of northerners.
- This work is part of a broader, ongoing dialogue with Canada on how to realize our vision for the Yukon's future.
- A number of our government's priorities are reflected in the framework, including action on climate change, access to renewable and affordable energy, and investments in infrastructure that can support healthy and prosperous communities.
- We look to Canada to work with us for the benefit of Northerners and all Canadians.

Additional response:

- Working collaboratively with Yukon First Nations, the federal government and the other territories is essential in developing a meaningful long-term plan for Canada's North.
- Our government is working closely with the Council of Yukon First Nations on separate but linked Arctic and Northern Policy Framework partner chapters.
- Our Government intends to release these chapters together when they are both complete.
- Yukon and the Council of Yukon First Nations recognize the value in having distinct voices in order to communicate our priorities, and appeal for new federal investment in the Yukon.

Session Briefing Note

Arctic and Northern Policy Framework

Fall 2022Executive Council
Office

Context—this may be an issue because:

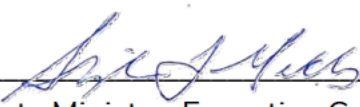
- An Arctic and Northern Policy Framework (ANPF) leadership meeting is proposed for September 29, 2022 in Yellowknife. This meeting may have media attention and statements about the ANPF in the public sphere.
- There may be questions about the status of Yukon's Chapter, considering the other territories have already provided partner chapters.

Background:

- The ANPF was released in September 2019 and sets out the federal policy vision for Canada's Arctic and northern regions to 2030.
- The federal government is engaged with partners to the ANPF, including territorial governments, several provincial governments (Newfoundland and Labrador, Manitoba, and Quebec) and Northern Indigenous governments and organizations.
- Current work is focused on the development of national and regional governance mechanisms. These will in turn facilitate the co-development of implementation plans and help to inform federal investments in the North.
- "Partner chapters" to the ANPF were conceived as a way for Indigenous, territorial, and provincial governments to outline their priorities in the context of the framework's goals.
- A pan-territorial chapter was developed by the three territorial governments, and released at the same time as the federal framework. It highlights the key opportunities and challenges shared by the three territories, such as infrastructure needs, limited fiscal capacity, and collaborative governance.
- The Governments of Nunavut and the Northwest Territories, and the Inuit Tapiriit Kanatami have also each released stand-alone chapters.
- Work is currently underway to develop a governance structure to guide the implementation of the framework. Canada maintains that the governance structure is required before development of an investment strategy.

Session Briefing Note
Arctic and Northern Policy
Framework**Fall 2022**Executive Council
Office

- The Council of Yukon First Nations (CYFN) chose to write their own chapter to the Arctic and Northern Policy Framework. Government of Yukon is moving in parallel with CYFN as we develop our own response to the framework.
- CYFN presented a discussion paper to their leadership on January 19, 2022. This paper outlined CYFN's proposed objectives and themes of an ANPF partner chapter. The paper was shared with Government of Yukon.
- On January 24, 2022, CYFN sent a letter to Minister Vandal outlining the status of their partner chapter development.
- CYFN was approved for funding from the Federal government in June and are still awaiting the funding agreement. It is anticipated to take 12 months of the consultation and development of their Chapter.

Approved by:

Deputy Minister, Executive Council Office

2022 09 12

Date

Session Briefing**Fall 2022****Note Housing Issues**Yukon Housing Corporation

Recommended Response:

- As we know, homelessness has far-reaching consequences that impact everyone in the Yukon. The substance use health emergency, alongside the COVID-19 pandemic, has only intensified issues.
- Meanwhile, rental options are too few and often too expensive. Vacancy rates have dropped to 0.8% - the lowest in years –a reality that influences the Yukon Housing growing waitlist.
- Down payment costs remain out of reach for many Yukoners, and homeownership may be less affordable as interest rates rise.
- Across government, we are working with stakeholders to develop new land parcels, increase housing stock, and rapidly increase housing supply while also responding to the findings of the 2022 Office of the Auditor General Report on Housing.

Additional Response:

- We continue to enhance the Community Housing stock to support a full housing continuum - 10 units of affordable and supportive housing for seniors through Normandy Living and three new triplexes in Watson Lake, Mayo and Whitehorse are a demonstration of how we are responding to the 2022 Office of the Auditor General of Canada recommendations on housing.
- Partnership with Da Daghay Development Corporation for 98 new units is one of numerous housing examples that further support vulnerable Yukoners.
- Our new approach to house employees aims to decrease the housing cost disparities in communities, further incentive private sector

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Note Housing Issues

Yukon Housing Corporation

investment in housing, and prioritize the government's existing staff housing units to the critical needs for community well-being.

- Finally, we have expanded the capital incentive programs to include land development for residential housing, while also enhancing our Community Housing stock to part of the response to the 2022 Office of the Auditor General of Canada recommendations on housing.

Context—this may be an issue because:

- Since COVID-19, Yukoners have faced additional housing challenges including increased housing prices and low vacancy rates.
- The recently declared substance use health emergency in the Yukon and closure of Chilkoot Trail Inn have added strain on the housing crisis.

Background:

Recent interest rate hikes

- The Bank of Canada raised interest rates for a fifth time in September, bringing rates to 3.25%. At the start of 2022, interest rates were 0.25 %. Rising debt costs will make it more challenging for homeowners to qualify for a mortgage and will increase monthly debt costs for existing homeowners and developers.

Housing Action Plan and Safe at Home Plan

- The 10-year Housing Action Plan (HAP) for Yukon was launched in 2015 and provides guidance on housing priorities for the territory.
 - A committee made up of key housing stakeholders and partners from across the territory oversees its implementation.
- The Safe at Home community-based Action Plan to End and Prevent Homelessness (Safe at Home) was launched in November 2017.
- The Safe at Home plan was developed by the Government of Yukon, the City of Whitehorse, Kwanlin Dün First Nation, the Ta'an Kwäch'än Council and a number of local NGOs.

Session Briefing

Note Housing Issues

Yukon Housing Corporation

- The Safe at Home Society was awarded \$10 million under the Northern Carve-Out of the National Housing Co-Investment Fund, \$5 million in funding under the federal Rapid Housing Initiative 2.0, and \$1 million in funding for YHC's Housing Initiatives Fund - for a 55-unit supportive housing project proposal.

Land Development

- The Government of Yukon continues to support new land development to increase the supply of land available for housing development. This includes:
 - Government-led land initiatives in Whistle bend, as well initiatives to sell the 5th and Rogers site (See BN# 30) and old Macaulay Lodge site (See BN # 33);
 - First Nations land development projects – KDFN's Copper Ridge West (See BN #31) and Range Point projects;
 - Private Sector land development project initiatives – the Tank Farm (See BN # 36)
- Community Services estimates an additional 1476 new housing lots will come online by 2026, enough to accommodate 2713 additional housing units.

New Housing Construction and partnerships with the Private Sector

- The Yukon Housing Corporation offers several loans and grants programs (See BN #63) to incentivize new housing construction – namely, the *Housing Initiative Fund* (See BN # 60), the *Developer Build Loan* (See BN # 55), and the *Municipal Matching Rental Construction Program* (MMRCP).
- These territorial-based programs complement new housing construction incentive programs under the National Housing Strategy, including the *National Housing Co-investment Fund* and the *Rapid Housing Initiative*.
- Finally, we provide subsidies to households living in private market housing through the *Canada Yukon Housing Benefit* (See BN # 53) and the *Rent Supplement program*.

Community Housing and the Most Vulnerable

- The Yukon Housing Corporation and its partners continue to implement the new *Community Housing Plan*, which aims to improve better client outcomes and fiscal resiliency (See BN# 54)
- Currently, YHC offers over 700 units through the *Community Housing program* in which eligible Yukoners pay 25% of their income for rent (rent-geared-to-income), we provide

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Note Housing Issues

Yukon Housing Corporation

support to more than 90 households through our rent supplement program and approximately 200 Yukoners through the Canada-Yukon Housing Benefit.

- In late 2022, YHC will introduce a mixed-income and mixed-use tenant's allocation policy to diverse buildings while providing tenants with appropriate partner supports to help them maintain housing.
- Work continues with the Safe at Home Society to determine how to allocate a percentage of units to individuals on the By-Name List.
- YHC is working to implement the Aging in Place Action Plan, which includes broadening programming to include Senior Supportive Housing Program as an option for seniors who require additional supports.
- Finally, the Yukon Housing Corporation and housing providers have recently completed or currently are making significant capital investments to expand the community housing stock, including:
 - The 47-unit 4th and Jeckell building (See BN #15);
 - The 46-Unit Cornerstone building (See BN #69);
 - Three new triplexes in Mayo, Watson, and Whitehorse (See BN # 17);
 - A new Housing First building in Watson Lake (See BN# 21);
 - A new 10-plex in Old Crow (See BN # 19);
 - A new 30-unit multi-family Community Housing building at the Korbo site in Dawson (See BN # 18);
 - Duplexes in Carmacks, Dawson, and Mayo (See BN #16); and
 - New emergency shelters in Dawson and Whitehorse (See BN # 38).

Major investments in housing include:

- The Canada Yukon Housing Benefit, an eight-year rent subsidy program to support low to moderate income Yukoners renting private market rental housing (See BN#53).
- \$4.5M for Normandy Living, a private senior's residence with supports (See BN#34)
- \$21.7M for the design and construction of the 4th and Jeckell, a 47-unit mixed-income housing development in Whitehorse (See BN#15).
- \$5.77M funding support to the Challenge Cornerstone project from 2020-2022, in addition to approximately \$1.9M in funding provided for purchase of the land and project development.
- \$2.4M over 2021-2022 for the construction of three triplexes in Mayo, Watson Lake, and Whitehorse in addition to \$3M in federal funding under the Rapid Housing Initiative - contributing nine units of housing options. (See BN#17)

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Fall 2022

Note Housing Issues

Yukon Housing Corporation

- \$400K in 2021-2022 for the design of the Watson Lake Housing First project which will be tendered in the Fall 2022 (See BN#61).
- Design work to support the housing needs in the communities of Teslin, Carcross and Dawson in 2022-2023.
- \$5.7M annually under the Housing Initiatives Fund (See BN#60).
- \$2.4M to Yukon through a Northern Housing Fund under the National Housing Strategy.
- \$6.9M for First Nation Energy Efficiency Program and \$8.4M for Community Housing retrofits under the Low Carbon Economy Fund (LCEF) provided on a 75% (Canada) - 25% (territory) cost-matching ratio between 2019 and 2024. (See BN#56 and #57)
- \$4.1M for the construction of a Housing First residence for vulnerable individuals (5th and Wood St.) in Whitehorse (See BN#61)
- Continued commitment by Government of Yukon toward the Municipal Matching Rental Construction program for new rental units.

Affordable rental housing incentives (in partnership with the private market):

- Five Housing Initiatives Fund intakes have brought on line 121 units and 388 are under construction. (See BN #60).
- The sixth intake of the Housing Initiative Fund will be launched in November 2022.
- The Municipal Matching Rental Construction Grant has supported the construction of over 422 new rental homes throughout the Yukon, of which 242 are completed.
- Since 2020, our homeownership loan program, that focus on buying and building projects in rural Yukon, has helped 22 Yukoners to buy or build their first homes. 11 of these projects are completed.

Approved by:



Mary Cameron

President, Yukon Housing Corporation

September 9, 2022

[Date approved]

Session Briefing Note**Fall 2022****Our Clean Future Annual Report**Environment
Energy, Mines and Resources

Recommended response:

- On September, we released our second annual report on *Our Clean Future*. It outlines the progress we've made in taking action on climate change in 2021.
- Of the 19 actions with a 2021 timeline, we completed 13, made progress on three and revised three.
- *Our Clean Future* is an adaptive strategy, meaning we assess and adjust the actions we are taking year-over-year to stay on track to meet our long-term goals.
- This year, we introduced five new actions and revised 13 existing actions to better meet our goals.

Additional response:

- In 2021, we advanced several key actions and objectives, such as:
 - passing legislation to remove plastic bags from circulation;
 - developing requirements and guidance to support the use of zero-emissions vehicles, which more than doubled in 2021 compared to the previous year from 57 to 129;
 - developing a process to incorporate climate change considerations into the decision-making for the Government of Yukon's major policies, programs, and projects;
 - completing a framework to measure the sustainability of the tourism industry;

CONFIDENTIAL**EMR #31 ENV #20****Session Briefing Note****Fall 2022****Our Clean Future Annual Report**Environment
Energy, Mines and Resources

- and, working together with other governments and organizations across the territory to assess climate risks and resilience through the risk and resilience assessment (see [ENV BN #23](#)).

Third response:

- Although we have made progress on many of our commitments, there is still significant work required to meet our 45 per cent greenhouse gas emissions target reduction by 2030.
- We continue to work with experts and stakeholders, across the territory and beyond, to identify opportunities for new actions and to accelerate and intensify existing actions to reach this ambitious target.
- This includes reviewing and actioning the recommendations from the Yukon Climate Leadership Council (see [ENV BN #5](#)).
- We are also working to legislate our climate targets for 2030 and 2050 under the Clean Energy Act, the Yukon's first climate change legislation (see [EMR BN #31](#) or [ENV BN #21](#)).

Context — this may be an issue because:

- Climate change is of high interest to Yukoners; they will want to know the progress on delivering on *Our Clean Future* commitments, such as achieving greenhouse gas reductions.

Background:

- The *Our Clean Future* 2021 Annual Report and the Yukon Climate Risk and Resilience Assessment were both publicly released on [September 12, 2022](#).
- *Our Clean Future* sets several targets to reduce greenhouse gas emissions by 2030 and supports the Yukon to be highly resilient to the impacts of climate change.

CONFIDENTIAL**EMR #31 ENV #20****Session Briefing Note****Fall 2022****Our Clean Future Annual Report**Environment
Energy, Mines and Resources

- The *Our Clean Future* 2021 Annual Report is the second annual report prepared by the Government of Yukon.
- Five new actions and 13 revised actions were announced in the latest *Annual Report*. This is the first time new actions have been added to *Our Clean Future* since it was implemented in 2020.
- The five new actions, led by the Department of Highways and Public Works, either build off of existing actions or support objectives outlined in *Our Clean Future*.
- The 13 revised actions that were recommended add specificity or further direction to existing actions or represent a change in course after further analysis and research.
- We will continue to build on *Our Clean Future* as we learn more about climate change and introduce more actions, which will be reflected in future annual reports.
- Future reporting on *Our Clean Future* will be delivered through an interactive website.

Approved by:


Deputy Minister of Environment

2022.09.01

Date approved



Deputy Minister of Energy, Mines and Resources

Sept. 1, 2022

Date approved

Session Briefing Note

COVID-19 (Government Wide)

Health and Social
Services

Recommended response:

- We are all learning how to live with this virus and minimize its impacts on our daily lives.
- As we move from an acute emergency response into the transition phase of the pandemic, we must continue protecting our health care system and our vulnerable populations.
- Throughout the pandemic, our government has been guided by the advice and recommendations of the Office of the Chief Medical Officer of Health and we will continue to do so.
- While the State of Emergency has been lifted, should the need arise, we will respond quickly and effectively, as we have throughout the pandemic as informed by evidence and the needs of Yukoners.

Additional response:

- COVID-19 continues to have a disproportionate impact on our most vulnerable populations, including seniors, Elders, those with precarious or insecure housing, individuals living with chronic conditions and unvaccinated individuals.
- Our one government approach and close collaboration with communities, First Nations, local and federal partners and non-government organizations allows us to deliver the appropriate level of health and social care required to meet our community's needs and remain responsive to their concerns.
- Effective July 14, 2022, there are no longer any territorial public health measures in place.
- As we continue to take steps to respond to COVID-19 like other respiratory illnesses, we are following the guidance of the Chief Medical Officer of Health who has recommended reducing certain services, such

Session Briefing Note

COVID-19 (Government Wide)

Health and Social
Services

as the COVID-19 Testing and Assessment Centre, which is operating with new reduced hours.

- Moving forward, we remain focused on reducing the number of people susceptible to COVID-19 and its variants through partnerships with First Nations governments and First Nations, increased vaccination, maintaining our testing capabilities and the capacity of our health and social care system, providing supports to our most vulnerable, and implementing targeted measures to the areas of highest risk.

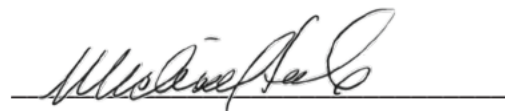
Context—this may be an issue because:

- There is significant and ongoing interest in the Yukon's plans for ensuring the safety of Yukoners, and that our COVID-19 response aligns with the current situation in the territory.

Background:

- Under the *Public Health and Safety Act*, the Chief Medical Officer of Health is responsible for monitoring, investigating, and responding to a communicable disease. The Act and the *Communicable Disease Regulations* provide the Chief Medical Officer of Health with a number of authorities to ensure the health and safety of Yukoners.

Approved by:



Deputy Minister, Health and Social Services

August 16, 2022

[Date approved]

Inflation (Corporate Note with ECO)

Finance

Recommended:

- All Yukon households are seeing their budgets stretched by elevated levels of inflation, but the burden is heavier on lower-income households where much of their expenses go to necessities such as food, energy, and housing, all of which have seen some of the largest price increases at different points during 2022.
- This government is conscious of the effects that rising inflation has on families and has taken action to protect their finances. [Recent actions include](#), almost \$5 million-worth of inflation relief measures including funding targeted to support vulnerable groups such as one time payments of \$150 for Yukoners on social assistance, a one-time payment of \$150 to Yukon Seniors Income Supplement recipients, an additional \$100,000 in funding for Food Network Yukon and payments to seniors through a 10 per cent top-up in the Pioneer Utility Grant.
- Yukoners who heat their home with wood will receive a \$50 rebate on fuelwood purchased from Yukon commercial firewood suppliers.
- There is a six-month extension of \$500 per month to caregivers of children in out of home care.
- We are also extending the Inflation Relief Rebate for another three months, which gave Yukoners a \$50 monthly credit on their power bill.

Additional response:

- While Whitehorse's inflation rate for [October](#) remains above the national figure, [it is slightly below the peak highs reported for June and July.](#)
- These new affordability measures will complement those included in Budget 2022-23, which invested in housing supply, universal childcare, paid sick leave and a territory-wide dental plan with no new taxes or fees.
- This government had already established a strong record of making life more affordable for Yukoners before this latest round of inflation.
- Inflation has increased globally due in part to supply-chain disruptions and the war in Ukraine. Nationally, there is excess demand causing labour market and other shortages.
- Inflationary pressure was broad-based with food and shelter costs elevated. Surging fuel prices were a key driver, with significant increases in the price of both gasoline and home heating oil.
- [At 7.6 per cent, Whitehorse's inflation rate was the sixth highest among the provinces and territories.](#)

Context—this may be an issue because:

- Inflation has increased to decade highs in many countries, including Canada, which is experiencing the highest inflation in almost 40 years.
- Energy prices have been a significant driver and these prices are more obvious to consumers.
- Housing affordability has been a concern in the Yukon for several years.

Background:**Inflation outlook**

- The inflation rate in Whitehorse was 7.6 per cent in October, up slightly from 7.5 per cent in September. While remaining elevated, inflation in October was below the 30-year high of 7.7 per cent reported in July.
- The price of fuel continues to be a driver of overall inflation. Fuel oil and other fuels were up 46.2 per cent from October of last year and gasoline was up 28.1 per cent.
- Stronger year-over-year growth in fuel prices in October in part explains the uptick in overall inflation from September.
- Higher energy prices were due to changes in global oil markets caused by sanctions against Russia. Prices have moderated since June. The benchmark North American oil price (WTI) has fallen from US\$120 per barrel to about US\$85 at time of writing.
- Food prices have risen significantly since 2021, as stronger demand coincided with supply side constraints. Food prices in Whitehorse were up 7.8 per cent from last October, and while representing robust growth, were down from September's year-over-year growth of 8.8 per cent.
- Besides fuel oil and other fuels (+46.2 per cent) and gasoline (+28.1 per cent), traveler accommodation (+12.9 per cent), purchase and operation of recreational vehicles (+14.6 per cent) and purchase and leasing of passenger vehicles (+9.3 per cent) were noted as other top contributors to overall prices in October.
- Prices in Canada are expected to remain elevated throughout 2022. The Bank of Canada does not expect inflation to return to the target range of 1 to 3 per cent until 2024.
- The Bank of Canada has started to take a more aggressive approach to battling inflation by raising interest rates 3.5 percentage points since March. The Bank's increase of 0.5 percentage point on October 26 brought the overnight rate to 3.75 per cent, the highest rate since early 2008.

- The housing market in the Yukon has stayed hot in the face of higher interest rates that have cooled markets in most other parts of Canada. Residential sales have declined significantly in most other jurisdictions but were up almost 30 per cent year-to-date in the Yukon.
- Prices have also continued to rise. The average price of a single-detached home hit an all-time high of over \$701,200 in the third quarter of 2022. Between October 2019 and October 2021, both median and average rents are up by about 10 per cent.
- There are, however, some signs that the Yukon's housing market has started to cool. The sales-to-new listings ratio has declined, and inventories of unsold homes have started creeping up as houses stay on the market longer. Further cooling is expected over the remainder of the year.

Key government initiatives addressing affordability in Yukon

New temporary Inflation Relief Rebate

- Recently, the Government of Yukon announced almost \$5 million in new inflation relief measures targeted at vulnerable groups.
- The inflation relief rebate was extended for another three months at a total cost to Government of \$3.2 million. The inflation relief rebate automatically applied a \$50 credit to all residential and commercial ATCO Electric Yukon and Yukon Energy electricity bills.
- Yukoners on social assistance will receive a one-time payment of \$150. This payment will help recipients offset inflation impacts until social assistance payments are adjusted for inflation in November.
- These new measures also include support for seniors through a 10 per cent top up in the Pioneer Utility grant and a one-time payment of \$150 to recipients of the Yukon Seniors Income Supplement.
- Yukoners who heat their homes with wood will be eligible for a \$50 rebate per cord of fuel wood, this program is retroactive to April 1, 2022.

- The pilot program giving an extra \$500 per month to Extended Family Caregiver agreement caregivers and foster caregivers will be extended to the end of the fiscal year.
- In June, the Yukon government extended the Tourism Accommodation Sector Supplement and Tourism Non-Accommodation Sector Supplement programs, administered through Economic Development.

This builds on efforts from Budget 2022-23 aimed at making things affordable

- In 2021-22, the Youth Directorate provided over \$1.1 million to support operational funding to five organizations.
- The Government of Yukon has made significant and ongoing financial investments in Early Learning and Child Care and we signed two agreements with the Government of Canada to access an additional \$54.3 million over the next five years. The new Universal Child Care Program has reduced fees to less than \$10 per day on average.
- Our energy programs are successfully encouraging Yukon residents and local businesses to reduce their energy use, save money and choose low carbon options to live and move.
- A significant portion of the Government of Yukon's five-year capital plan is allocated to housing and land development in order to continue to help address the supply side of the housing equation.
- Yukon Housing Corporation is investing across all parts of the housing continuum including increases to supportive housing, subsidized Community Housing, and rental subsidy programs.

Survey of government initiatives that are indexed to inflation

- Higher inflation impacts various government of Yukon programs through indexation, (indexation is updated each April unless otherwise noted), including:
 - Tobacco Tax is updated each January.
 - Comprehensive Municipal Grant Regulation (with a one year lag).
 - The minimum wage
 - Subsidies for medical travel

- Pioneer Utility grant
- Residential rent caps
- Seniors benefits (updated each October)
- Social Assistance Payments (updated each November)
- Student Financial Assistance (updated each school year)

Impact of inflation on revenue

- Most of the major sources of revenue will increase in line with inflation; however, some growth will have a lag between inflation and revenue increases.
 - Territorial Formula Financing is adjusted annually to account for increases in provincial, territorial, and municipal government expenditures.
 - Canada Health Transfer & Canada Social Transfer grow with nominal GDP.
 - Income Tax: brackets are adjusted annually with inflation
 - Insurance Premium Tax grows with nominal increase in premiums.

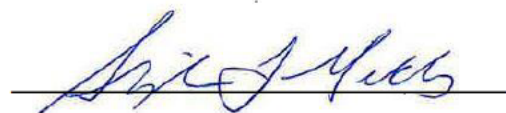
Approved by:



Deputy Minister, Department of Finance

November 16, 2022

Date approved



Deputy Minister, ECO

November 16, 2022

Date approved

TAB 2**Session Briefing Note****Fall 2022****Budget**Health and Social
Services**Government priority:**

- The Government of Yukon is committed to ensuring that Yukoners are supported by an accountable government that is fiscally responsible and person-centered.

Key messages:

- Our government is committed to ensuring people in the Yukon have access to the services and supports they need, and we are working hard to bring these services closer to home.
- We are investing in *Aging in Place*, in our commitment to *Putting People First* and in our response to the Substance Use Health Emergency.

Key facts:

- This fiscal year, we have invested **\$493M** (\$493,393,000) in the Department of Health and Social Services O&M.
 - This is an increase of **\$16.6M** (\$16,581,000) over last fiscal year.
- This fiscal year, we have invested **\$16.9M** (\$16,892,000) in Capital.
 - This is an increase of **\$3.464M** (\$3,464,000) over last year.
- This fiscal year, there is **\$51M** (\$51,000,000) available from the federal government through the Canada Health Transfer.
 - This fiscal year, there is an additional one-time top up of **\$2.2M** available through the Canada Health Transfer to help address pandemic-related health care pressures.
 - The Yukon's allocation will be used in Insured Health Services to address costs associated with the backlog of surgeries and medical procedures due to COVID-19.
- This fiscal year, there is **\$10.7M** available in the Territorial Health Investment Fund.
 - This includes **\$4.3M** in carry-forward funding from last fiscal year.

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Budget

TAB 2

Fall 2022

Health and Social Services

Number of Budgeted Positions:

- This fiscal year, there are **1,590 (1,590.03) FTEs** in the department. This includes:
 - 1,486.63 FTEs
 - 82.8 temporary FTEs for the COVID-19 response
 - 20.6 temporary FTEs for the Substance Use Health Emergency
- During the 2021-22 fiscal year, there were **1,526.53 FTEs**, including 71.9 temporary FTEs for COVID-19.
- Overall, there was an increase of **63.5 FTEs**, including temporary FTEs this fiscal year.
- We have invested in **32.1 FTEs** to respond to the Substance Use Health Emergency (20.6 temporary FTEs), as well as to support safer supply (7.0 FTEs) and the Supervised Consumption Site (3.5 FTEs), and the Substance Use Addictions Program (1.0 FTE).

Substance Use Health Emergency:

- As we continue with our commitment to supporting people who use drugs and to addressing the Substance Use Health Emergency in the territory we are investing an increase of **\$3.4M (\$3,421,000)** in the following ways:
 - Mental Wellness and Social Supports opioid response **\$1.798M**
 - Mental Wellness bilateral funding **\$122K**
 - Mental Wellness and community nursing **\$397K**
 - Supervised Consumption Site **\$193K**
 - Safer Supply **\$856K**
 - Substance Use and Addictions Program **\$55K**

TAB 2**Session Briefing Note****Fall 2022****Budget**Health and Social
Services

Territorial Health Investment Fund:

- In the 2021 Budget, the Government of Canada announced **\$12.8M** over two years to renew the Territorial Health Investment Fund agreement with our government.
- The previous Territorial Health Investment Fund spanned four fiscal years and provided the Department of Health and Social Services with a total of **\$25.6M** (2017/18 – 2020/21).
- The Territorial Health Investment Fund is a relatively small, but important source of funding for the Yukon and other territories.
- We are thankful that this funding has provided essential support to implement system improvements to address the gaps and challenges of delivering health care in our Northern jurisdiction, and to offset necessary medical travel costs to access equitable care.
- All three territories are looking for a continued commitment to flexible, long-term, and increased sustainable funding through a renewed Territorial Health Investment Fund. The need for a longer term agreement is especially important given the health human resource challenges the territories are facing.
- The department has used recent Territorial Health Investment Funding to invest in improvements to our health care system.
- Improvements include integrated primary care development, electronic health record implementation, initiation of health system transformation, and cultural and humility training.

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Services

- Investments were made to support initiatives such as expanding community mental wellness and substance use services; training and capacity building initiatives; Telehealth and additional virtual health monitoring initiatives; 1Health Yukon; and pilot funding for Continuous Glucose Monitors.

Approved by:

Deputy Minister, Health and Social Services

October 25, 2022

[Date approved]

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Session Briefing Note
Keno Hill

#100
Fall 2022

Energy, Mines and Resources

Recommended response:

- Operations in the Keno Hill Silver District continue to provide many jobs and benefits to Yukoners.
- The recent business arrangement between Hecla and Alexco Keno Hills Mining Corp will provide financial stability to the project and allow focus on long-term development across the district.
- The Government of Yukon holds \$10.2 million in financial security for the mining operations in the Keno Hill Silver District.

Additional response:

- Alexco has stopped milling operations and is focused on developing the Flame and Moth and Bermingham deposits to achieve production in 2023.
- The Elsa Reclamation and Development Company continues to carry out a site-wide closure and reclamation plan under contract with the Government of Canada for federal liabilities.

Context — this may be an issue because:

- Questions may be raised about the status of site operations and plans for the district.

Background:

- Alexco began mine production in 2010. The site went into temporary closure from 2013 to 2019 due to low metal prices.
- In a business arrangement that was finalized in September 2022, Hecla Mining Company took on a majority of shares in Alexco. A key outcome of this was that the larger company is now providing working capital to support development and exploration at Keno Hill.

Ref #45

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Energy, Mines and Resources

- The current Quartz Mining Licence allows for development and production of the following deposits in the District: Bellekeno, Flame and Moth, Bermingham, Lucky Queen and Onek.
- The company shut down the mill in June 2022 and has focused on the development of the Flame and Moth and Bermingham deposits. The development of these deposits over the coming months will enable the company to achieve production in 2023.
- The district hosts numerous historical mining developments that are federal liabilities. The Elsa Reclamation and Development Company, an Alexco subsidiary, is under contract with the Government of Canada to carry out the site-wide closure and reclamation plan for these liabilities.

Compliance and Enforcement Status

- Natural Resource Officers observed instances of non-compliance with authorizations during the last inspection on September 21, 2022. Officers are working with the company on corrective actions and continuing with ongoing investigations. (see BN#45)

Approved by:



Deputy Minister

Department of Energy, Mines and Resources

22/10/19
Date approved