

From: Kate.Durand
Sent: May 26, 2023 11:31
To: Lisa.Jarvis; Justin.Ferbey
Subject: RE: Bilateral
Attachments: 2023_05_24_IN_CP_Critical Issues.docx

Hi Lisa,

Attached is an outline of updates on critical issues in my area.

I believe former DMs used this document to help support discussion at bilateral, but it was not shared with PO.

Thanks,

Kate

From: Lisa.Jarvis <Lisa.Jarvis@yukon.ca>
Sent: May 25, 2023 8:17 AM
To: Christine.Cleghorn <Christine.Cleghorn@yukon.ca>; Kate.Durand <Kate.Durand@yukon.ca>; Brian.MacDonald <Brian.MacDonald@yukon.ca>; Justin.Ferbey <Justin.Ferbey@yukon.ca>
Cc: Tess.Lawrence <Tess.Lawrence@yukon.ca>; Lindsay.DeHart <Lindsay.DeHart@yukon.ca>
Subject: Bilateral

Good morning,

If you have any bilateral items for the ECO bilateral with the Premier, please send them to me by Friday at 2pm.

Thank you,

Lisa



Lisa Jarvis
Executive Assistant
Executive Council Office | A-8
(867) 471-1309 | Yukon.ca

I respectfully acknowledge that I work and live on the Traditional Territories of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council.

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Information Note

Corporate Programs & IGR - Critical Issues in Brief

Executive Council Office

MPY

Casino

- The Executive Committee notified YG and the Parties on Tuesday May 9 that they would extend the Environmental and Socio-economic Statement (ESES) Guideline development timelines to July 19, 2022. This aligns with WRFN's request that the ESES Guideline development timeline be extended for 120 days. CMC had indicated that anything longer than 120 days was unreasonable.

KZK

- The Yukon Water Board period for interventions closed on Friday May 9, 2023. Liard First Nation, the Pelly Banks group (PBG), Liard Aboriginal Womens Society (LAWS) and Yukon Conservation Society provided comments on the last day (YG had previously submitted comments).
- PBG and LAWS both indicated that they were opposed to the project. PBG outlined their views on their asserted rights over areas that overlap the project. YCS outlined a number of deficiencies in the project.
- In a call with Allan Nixon, BMC confirmed that they would be responding to the various interventions with a tentative timeline of responding sometime in the Fall. He flagged concerns

74(1)(a)

- LFN has responded to ENV issuing a permit for wildlife research. DM of ENV will propose to meet with LFN to discuss their concerns.
- LFN met with MPY on May 18 to discuss capacity funding for regulatory phase. A MB submission to support capacity funding is likely forthcoming soon.
- LFN election expected to be called soon. LFN reiterated in recent communications that they are working on a terms of reference for the Finlayson Caribou Herd Oversight Committee (FCHOC). Election likely to delay established of FCHOC further.

Coffee

- The Management Board Submission for funding for First Nations participation in the Section 110A study has been approved by the ECO Deputy Minister and is with the Premier for review.
- ENV has sought costs from the proponent for s.110 work related to monitoring.

Vic Gold – Eagle Gold (EMR)

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Corporate Programs & IGR - Critical Issues in Brief

Executive Council Office

- YESAB issued Project Proposal Guidelines for the Vic Gold – Eagle Gold expansion project on March 28. It is now up to the proponent to submit project proposal guidance response to YESAB which will initiate another review by all the Parties.

Minto (EMR)

- Covered in recent Minto briefing.

Mt. Nansen

- The Mt. Nansen Executive Committee Screening is currently in Phase II of the pre-submission engagement process. Based on the Executive Committee Rules, the Executive Committee will issue a Project Proposal Guideline before May 19, 2023.
- The LSCFN application to amend the terms and condition of the care and maintenance water licence and compensate LSCFN for infringements is currently waiting for a response from the Mount Nansen Remediation Limited Partnership. On April 3, 2023 the Board granted an extension to the Company's response till July 4, 2023 after seeking the opinions of the Parties regarding the extension request.

YESAA Oversight Group

- An oversight group meeting was held April 14, where the OG representatives directed the TWG to answer questions that arise out of the What We Heard Report that summarized consultation on the proposed targeted amendment. The OG also directed the TWG to update a workplan for the targeted amendment.
- Canada provided a draft workplan on May 5, 2023 and a list of questions that would like responses to. MPY is working on preparing responses to the questions.
- An Oversight Group meeting is scheduled for June 9, 2023.

Land use plan conformity checks

- No update this week.

Michelle Creek

- Application for judicial review will be filed Monday, May 29.

Duncan Creek

- DMs requested that EMR-MRB and MPY develop a recommended path forward for DM consideration.

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Critical Issues in Brief**

Executive Council Office

YWB

Vic Gold – Eagle Gold legal proceedings on security procedure

- Parties are waiting on the Water Board to appoint new counsel. Vic Gold's counsel followed up May 25 asking for an update and to set next steps. No estimate about when proceedings will next be heard, but it is possible a Case Management Conference will be organized for next month some time.

Fellhawk – legal proceedings

- Hearing is set for June 8-9. Fellhawk has filed its outline of argument for both proceedings. The issue that concerns YG 74(1)(a)

YG has been invited to make submissions on that issue, and JUS/EMR will be discussing approach.

- The Water Board is then to file its outline of argument by the end of Monday, May 29th, and Fellhawk has until June 2nd to file its reply outline.
- There is no official timeline (or requirement) for YG to file an outline, but if YG is going to be making 74(1)(a) it should do so next week.
- EMR is instructing on the matter.

LSCFN application

- YWB developing new rules of procedure to hear the application. YG will have to apply for standing in the proceedings once rules are finalized.

YWB governance MOU

- JUS currently reviewing requested MOU changes from YWB.
- DM and ADM to meet with Chair June 1.
- Premier to meet with Board June 8.

Youth

Opposition Briefing

- NDP briefing on Youth Directorate activities April 20. Cabinet office has asked for follow-up briefing in May following management board decision on ECO CASA related funds for youth.

Operational Funding for Youth Groups

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- MB Submission has been signed by Premier and it is with Management Board.

Science

Indigenous Ways of Knowing Approach

- Notes from May 11 meeting; options for next meeting sent out to IWG
- Looking at proposing item for upcoming Yukon Forum (Sept or Dec?); to discuss and prepare materials with IWG

Indigenous Knowledge Tracking Solution

- New HPW Project Manager in place – completed update of risks, threats etc.
- Intersection with MPY question; ATIPP requests

IGR

- IGR updates will be covered at an upcoming IGR briefing.