

## Executive Council Office – Spring Sitting Briefing Notes

BRIEFING NOTES	Last Updated
<b>HOT TOPICS</b>	
01 Arctic Security and Sovereignty and International Events	
02 Kudz Ze Kayah Mine Project (BMC Minerals) – current status	
03 Alaska Relations (ECO/EcDev)	
04 Safer Schools Action Plan (ECO)	
05 Eagle Gold (EMR)	
06 Minto Mine (EMR)	
07 Firearms Federal Changes (JUS)	
08 Streamlining of Regulatory Assessment Process	
09 Substance Use Emergency Declaration in Mayo	
<b>URGENT REQUESTS AND RESPONSES TO QUESTION PERIOD</b>	
12-15 Reserved	
<b>First Nations—Yukon-Wide Issues</b>	
16 First Nation Interest in Energy Projects	
17 Mineral Staking Prohibitions in Response to Litigation (ECO/EMR)	
18 United Nations Declaration on the Rights of Indigenous Peoples (ECO/JUS)	
19 First Nation Court Case Updates	
20 Reconciliation with First Nations	
21 Support for Burial Sites Investigations	
22-25 Reserved	
<b>Yukon First Nations with Final and Self-Governing Agreements</b>	
26 The Yukon Forum and Joint Priority Action Plan	
27 Canada's Collaborative Modern Treaty Implementation Policy	

## Executive Council Office – Spring Sitting Briefing Notes

28-29 Reserved	
<b>Yukon First Nations without Treaties</b>	
30 Liard First Nation – Issues and Initiatives	
31 Ross River Dena Council – Issues and Initiatives	
32 White River First Nation – Issues and Initiatives	
33 Pelly Barge (HPW)	
34-35 Reserved	
<b>Transboundary First Nations</b>	
36 Taku River Tlingit First Nation – Issues and Initiatives	
37-39 Reserved	
<b>Major Projects Yukon</b>	
40 Projects in Executive Committee Pre-submission Engagement Process	
41 YESAA Reset Oversight Group	
42 Yukon Wetlands Policy (ENV)	
43 Executive Committee Screening of the Faro Mine Remediation Project Canada	
44 Dawson Regional Land Use Planning (EMR)	
45 Successor Resource Legislation – Mining Minerals and Public Land (EMR)	
46 Casino Mine Project	
47-49 Reserved	
<b>Science</b>	
50 COVID-19 research funding	
51 Yukon government's approach to Traditional Knowledge	
52-54 Reserved	
<b>Transparency and Government Business</b>	
55 Youth Directorate Funding to Community Organizations	
56 Notable Yukon Water Board Applications	

## Executive Council Office – Spring Sitting Briefing Notes

57 Youth Panel on Climate Change (ENV/ECO)	
58 Budget Operations for Cabinet	
59 Cost of Transition Swearing in Ceremony	
0-62 Reserved	
<b>Intergovernmental Relations</b>	
63 Intergovernmental Relations (General)	
64 Federal Health Funding Negotiations Status	
65 Federal Engagements	
66 Arctic and Northern Policy Framework (ANPF)	
67 Yukon Days Recap	
68-70 Reserved	
<b>CORPORATE ISSUES</b>	
71 Housing Issues (YHC)	
72 Our Clean Future (ENV)	
73 Inflation (FIN/ECO)	
74 Truth and Reconciliation Commission – Updates on Calls to Action (ECO)	
75 Budget Highlights (FIN)	
76 FIN/HPW 2022-23 Supplementary Overview	

#### Recommended response (Arctic Security)

- As part of the Senate of Canada study on Arctic security, the Yukon government highlighted the importance of governments working together to build critical infrastructure and resilient communities.
- We continue to engage with the federal government on investments that will increase the capabilities of the Armed Forces in Canada's North, while providing infrastructure that supports our resilience and development.
- We encourage federal decision-makers to come to the Yukon to expand their understanding of our geography and people.
- It is essential that there are no decisions made about us without us.
- Working with our international Arctic partners to ensure Northern communities thrive is also a priority. Now more than ever, Arctic cooperation is key to solving northern and global challenges.
- Advancing 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 (Balloon)

- I appreciate the swift actions of NORAD, Public Safety Canada, the Canadian Armed Forces and the RCMP in response to this incident.
- The operation heightened Canadians' attention to Arctic security and helped draw out important lessons about responding to incidents in the territory.

#### Recommended response (Ukraine)

### Arctic Security and Sovereignty and International Issues

Executive Council  
Office

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- We continue to condemn President Putin's unprovoked and unjustifiable invasion of Ukraine.
- Putin's actions have caused devastation across Ukraine, and threaten international peace, energy and food supplies. This is unacceptable, and the most vulnerable people impacted by this need to be supported.
- The Yukon welcomes Ukrainians coming to our territory, and we are supporting them to settle here and be a part of the Yukon community.
- I am proud of the work of this government and its Ukrainian family support desk, which is helping families impacted by the war navigate the immigration process, obtain information to assist with reunification, and find jobs in the Yukon.

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#### Context—this may be an issue because:

- On February 11, 2023, an unidentified object was shot down over the central Yukon by NORAD aircraft. Public Safety Canada, the Canadian Armed Forces and the RCMP mobilized into the Yukon to locate and recover the object. While these efforts were unsuccessful, the operating theory is that the object is benign in origin and does not pose a threat, and the search has been scaled down accordingly.
- On December 5, 2022, then-Premier Silver gave testimony to the Senate Standing Committee on National Security, Defence and Veterans Affairs, contributing to their study on security and defense issues in the Canadian Arctic.
- The three territorial Premiers are steadfast in public messaging about building a strong, secure North.
- The Russian invasion of Ukraine has been ongoing since February 2022. Opposition may ask what the Yukon government is doing to support the people of Ukraine.

### Arctic Security and Sovereignty and International Issues

Executive Council  
Office

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#### Background:

##### Arctic Security

- Northern Premiers have delivered consistent messages to the Prime Minister, other Premiers, and other Arctic leaders about investments in Arctic security, and the connections between strong communities, robust infrastructure, and Canadian sovereignty.
- Messages focused on the importance of Northerners driving decision-making about the North, and how investments in making communities healthier and more resilient are investments in Northern security.
- Former Premier Silver delivered messaging to the federal government and international partners throughout 2022, culminating in an appearance before the Senate Standing Committee on Security and Defence and a subsequent written submission.
- Global relationships and geopolitics changed since the invasion of Ukraine. Russia is sanctioned and is economically isolated, and high-level operation of the Arctic Council is on pause. Other forums, such as Arctic Circle, and bilateral conversations with Arctic nations are filling in the diplomatic gap.
- Canada announced more than \$40 billion over 20-plus years to upgrade and operate new NORAD infrastructure in the Canadian Arctic. The specifics of this spending have not been announced.
- While DND officials continue to confirm that consultation with northern jurisdictions is planned, to date, the Yukon government has not been asked by DND to participate in any planning activities or conversations on the path for NORAD modernization.

##### Balloon

- NORAD aircraft downed the balloon on February 11. CAF aircraft were mobilized and appeared in the Yukon on Sunday February 12. They began aerial search in the area of Dawson and Mayo.
- ECO provided operational connection into Joint Task Force North and the Yukon Detachment throughout the operation.

### Arctic Security and Sovereignty and International Issues

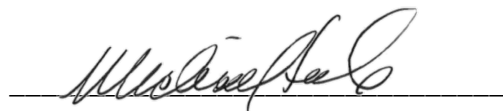
Executive Council  
Office

- ECO understands that CAF emailed and phoned the First Nations whose traditional territory was possibly affected. They also sent notification on the situation to all YFNs and had conversations with AFN Regional Chief.
- YG Emergency Measures Organization and Wildland Fire Management provided space and some resources to support the location and recovery effort.
- On February 16, information began to emerge from the U.S. government that they suspected the object was benign and did not represent a security threat.
- As of February 20, the object has not been located.

#### Ukraine

- President Putin ordered a special military operation in Ukraine on February 24, 2022. Fighting has persisted since then, with millions displaced, infrastructure destroyed, grain shipments stalled, and energy security challenged in Europe.
- As of January 10, 2023, Canada has provided over \$4.5 billion in support to Ukraine, including lethal equipment, training, humanitarian relief, development funding and loans.
- Canada initiated two special immigration streams for Ukrainians. Canada has approved nearly half a million immigration applications, and over 120,000 Ukrainians have arrived in Canada since March, 2022.
- At least 45 Ukrainians have arrived in the Yukon since the invasion.

#### Approved by:



Deputy Minister, Executive Council Office

2023 03 02

Date

**Kudz Ze Kayah Mine Project (BMC Minerals) - current status**Executive Council  
Office

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**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 look forward to the court providing clarity on the issues raised in the case. We will not comment further on this case while it is before the court.

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**Context—this may be an issue because:**

- BMC Minerals started the application process for a quartz mining license, a Type-A water license, and land leases.
- 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.



**Kudz Ze Kayah Mine Project (BMC Minerals) - current status**Executive Council  
Office

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**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 including concerns raised around the Finlayson caribou herd and the need to ensure First Nation participation in the development of monitoring and mitigation efforts to inform the next stages of the project.
- 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.
- A Yukon Supreme Court hearing was held from April 11 to April 18, 2023. A decision is expected before July, 2023.

**Consultation with Kaska Nations**

- 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 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.
- Following the issuance of the decision document, Yukon government has attempted to engage with LFN and RRDC to establish the Finlayson Caribou Herd Oversight Committee, implement terms and conditions of the decision document and to notify and inform LFN and RRDC on the status of the regulatory review.
- LFN and RRDC responded in December indicating they would prepare a draft Terms of Reference for the Finlayson Caribou Herd Oversight Committee (FCHOC) by mid-January and noted the need for capacity funding for ongoing development of the

**Kudz Ze Kayah Mine Project (BMC Minerals) - current status**Executive Council  
Office

FCHOC and consultation with YG on the project without prejudice to the ongoing judicial review.

- On January 30, 2023 LFN and RRDC wrote to the Yukon Water Board and Yukon government requesting a meeting with YG regulators and the Yukon Water Board and requesting an extension to the Yukon Water Board public comment period.
- The Yukon Water Board subsequently extended the public comment period for the water licence application review to May 5, 2023.
- YG has been unsuccessful in scheduling a meeting with LFN and RRDC.

**BMC Engagement**

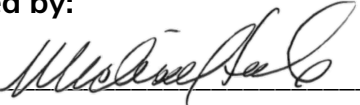
- On October 12, 2022, EMR's Mineral Resources Branch wrote to BMC to confirm receipt of the quartz mining licence application.
- Mineral Resources Branch met with BMC on December 15, 2022, to share initial findings of the consultant's review of the waste rock and tailings facility. The initial findings identified deficiencies in the application.
- Department of Environment provided detailed comments to BMC on November 18, 2022, regarding the 2-year baseline monitoring plan as required as a term and condition in the decision document.
- In follow up meetings with BMC in December, BMC confirmed that they would prefer that YG consult with LFN and RRDC using the existing plan. YG consulted with LFN and RRDC during December and January and provided feedback to BMC in early February.
- In February, BMC provided a revised version of the monitoring plan which YG approved.
- In April 2023 EMR's Mineral Resources Branch issued an information request to BMC for their quartz mining licence.
- On April 14, 2023, the Department of Environment issued BMC a wildlife research permit to conduct a wildlife survey following a three-week consultation period with LFN and RRDC. LFN had requested an extension to the consultation period.
- The survey will have a low level overall impact on the herd and will provide accurate information on the size and composition of the Finlayson population.

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

Executive Council  
Office

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Approved by:



Deputy Minister, Executive Council Office

2023 04 25

Date

#### Recommended response:

- The Yukon and the United States, in particular Alaska, share many common interests and challenges. The future of the Yukon and Alaska are linked.
- Our interests in Arctic security, a healthy environment, critical minerals, robust transportation infrastructure, and access to tidewater serve both our jurisdictions as the investment and geopolitical lens turns towards the North.
- We regularly engage with our American and Alaskan counterparts as part of our long-standing positive relationships.

#### Additional response (Shakwak):

- The Alaska Highway is a critical component of highway infrastructure for life in the North and the tourism sector. The Shakwak project encompasses the Haines Road and the Alaska Highway north of Haines Junction.
- This stretch of highway is essential to supplying Alaskan and Yukon communities, and is integral to the security of the North and the continent.
- Our work with American and Alaskan officials led to recognition of the Alaska Highway in the U.S. *Infrastructure Investment and Jobs Act*, and allowed the corridor to apply for American funding to support reconstruction.
- Supporting the good repair and safety of this road advances Canadian and U.S. priorities, including resilience to climate change, economic development, supporting communities and people in the Arctic, and maintaining Indigenous connections that span across borders.

- The State of Alaska, in collaboration and cooperation with our government, submitted an application seeking approximately \$31 million USD to the Rebuilding American Infrastructure with Sustainability and Equity (“RAISE”) grant program in late February 2023. We are expecting to see a response on that application this summer.
- This grant will allow our government to restore some of the most degraded sections of the north Alaska Highway in Yukon to improve this critical overland route into Alaska that is adversely affected by thawing permafrost, exacerbated by climate change.

#### **Additional response (Port of Skagway):**

- The Government of Yukon recognizes the Skagway ore terminal as a valuable export option for the Yukon mining industry.
- Skagway’s planned port redevelopment will eliminate its ore export capability. The ore loader is scheduled for demolition in October 2023.
- We are currently in negotiations with Skagway about the potential for new infrastructure capable of supporting ore-loading equipment to be included in its port redevelopment project.
- We believe that our interests are broadly aligned with Skagway, and will continue to work towards a solution that addresses the needs of the Yukon’s current and future ore terminal users.

#### **Additional response (Borders):**

- A return to normal at our borders is good for both the Yukon and the Alaskan economies. We look forward to seeing more visitors from the U.S. this year, as well as Yukoners visiting our neighbors in Skagway and Haines.

- I was thrilled to hear that the White Pass and Yukon Route railway would be bringing back its excursions into Canada. This is a significant driver of the economy for Carcross, and the start of many tourist journeys deeper into the Yukon.
- I am continuing to work with the federal government and Alaskan elected officials to get the Little Gold border crossing near Dawson back to its pre-pandemic operating window. I urge strong cooperation between Canadian and U.S. authorities on this issue.

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#### **Context—this may be an issue because:**

- There may be interest in our efforts to secure funding for the Shikwak highway and explore why our 2022 application was not approved.
- The redevelopment of the Port of Skagway will start in 2023. Skagway plans to demolish the current ore loader and does not plan to replace it without financial support from the Yukon. Interested parties may want to ensure Yukon does not lose access to the ore export terminal.
- Little Gold/Poker Creek did not open in 2020 or 2021 and was open for a shorter operating window in 2022 than was typical pre-pandemic. This resulted in loss of business for tourism operators and suppliers in Dawson City.

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#### **Background:**

##### **America Relations**

- The Canada/U.S. Roadmap is guiding relationships across borders. We are seeing more engagement with U.S. officials since the Roadmap was announced.
- Consul General Hardt (Vancouver) visited the Yukon twice since October 2021. Consular staff also visited the Yukon and met with YG officials.
- Minister of Economic Development recently engaged with American representatives in the following meetings:

- a meeting with Ambassador Cohen in December 2022; and
- a video call with Governor Dunleavy's Deputy Chief of Staff in December 2022.

#### Shakwak

- A new funding opportunity for the Shakwak project was identified in the US government's *Infrastructure Investment and Jobs Act*. The Haines Road and the Alaska Highway north of Haines Junction are now eligible for competitive grants administered by the US Department of Transportation.
- The Yukon government worked closely with Alaska in 2022 to apply to the RAISE grant program for USD \$25 million over 5 years, the maximum available for an individual project. The proposal would have 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 2023 application makes the same request as in 2022 but is a more detailed application that also highlights and profiles the American interests in the project.
- The total project cost is USD \$31.25M. RAISE is proposed to make up 80% of that cost, with Alaska and the Yukon covering 10% each.
- A new application was prepared by HPW for submission by Alaska this spring for the same amount. The 2023 application takes an America-first approach and aims to be more palatable for a U.S. audience.
- There is strong communication and support for our application in both the U.S. Consulate in Vancouver and the Alaska Department of Transportation and Public Facilities.

#### Skagway Port Redevelopment:

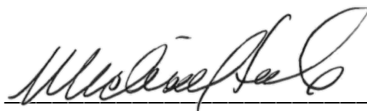
- Control of the ore terminal facilities will revert to the municipality in March 2023. Skagway is undertaking a port redevelopment project that will be developed in two stages between 2023 and 2025.

### Alaska Relations

### Executive Council Office

- The Yukon is negotiating the inclusion of a marine service platform capable of supporting ore loading equipment, as part of the redevelopment project.
- An agreement on a “terms sheet” intended to inform the terms of a contract outlining the financial and operating conditions of the facility is expected. Skagway’s timelines are aggressive and are organized around expanding the port’s cruise ship capacity for the 2024 cruise season.
- 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.
- Skagway plans to demolish the ore loader in October 2023.
- The Skagway ore terminal’s only current user is Minto Mine.
- Minto Metals is currently conducting outreach to Skagway to request that the ore terminal continue to operate until demolition begins. In December 2022, Minto submitted a proposal to allow continued use of the facility in 2023.
- Minto’s proposal was considered by Skagway in January 2023. Skagway officials indicated that, due to delays in gaining access to the facility for environmental testing, they would likely not be able to operate the terminal in 2023.

#### Approved by:



Deputy Minister, Executive Council Office

February 1, 2023

Date

\_\_\_\_\_

Deputy Minister, Economic Development

February 1, 2023

Date



#### 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.
- Since the Safer Schools Action Plan's release we have dug in, done the work, and are delivering to support students, teachers and families. We are on track to complete all 23 of our commitments in that plan this spring.
- We took meaningful steps to improve government-wide coordination in response to critical incidents so that we ensure timely and appropriate supports for children, their families and the school community.
- We also worked hard to address policy gaps and enhance safety and oversight mechanisms across all departments and with the Royal Canadian Mounted Police.
- Other key advancements since the release of the action plan include training for 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.
- 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 and support school communities.

- A full listing of all actions and their progress status can be found online at [Yukon.ca/safer-schools-action-plan](https://Yukon.ca/safer-schools-action-plan)

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#### **Context—this may be an issue because:**

- With the release of the Hidden Valley Elementary School Independent Review Report, expectations are high to deliver on all commitments in the Safer Schools Action Plan by the spring of 2023.
- With additional lawsuits being brought forward and the release of reports from multiple Education reviews, conversations will likely restart about supports for students, staff, and families at Hidden Valley. Amanda Rogers, the Yukon Child and Youth Advocate Office and the RCMP concluded their work. The Ombudsman's Office has not yet released its report.

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#### **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. 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.
- In October 2022, the Yukon Child and Youth Advocate Office released its report *Responding to Sexualized Abuse in Yukon Schools: Review of Policies and Governmental Response*. Minister McLean responded to the report's recommendations in writing on November 22, 2022.

# Session Briefing Note

**TAB 4**

**Spring 2023**

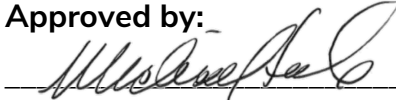
## Safer Schools Action Plan

Executive Council  
Office

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- The committee overseeing the plan includes deputies from the departments of Education, Justice, Health and Social Services, the Public Service Commission, Women and Gender Equity Directorate, and the Executive Council Office.

**Approved by:**



Deputy Minister, Executive Council Office

2023 02 03

Date

**Recommended response:**

- The Government of Yukon holds \$68.6M in financial security for the Eagle Gold Mine.
- We have conducted a review of cyanide management and heap leach facility operations on site and are currently working with the First Nation of Na-Cho Nyäk Dun and Victoria Gold on implementing recommendations.
- Victoria Gold has completed commissioning of a mine water treatment plant, which will play an integral role in water management and environmental protection onsite.

**Additional response:**

- Natural Resource Officers actively inspect the mine site for compliance with licence conditions to ensure ongoing environmental protection.
- We respond to all reported spills and conduct follow up investigations in accordance with all regulatory requirements.

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**Context — this may be an issue because:**

- Victoria Gold's court filing regarding the Yukon Water Board's security determination has drawn media attention.
- Cyanide spills (six in a two-year period) on site have been a growing concern of the First Nation of Na-Cho Nyäk Dun and the Yukon public.

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**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

## Session Briefing Note Eagle Gold Mine

**#98**  
**Spring 2023**  
Energy, Mines and Resources


Dun Traditional Territory. Victoria Gold operates the mine, which has a current mine life of seven to eight years.

- Victoria Gold is currently in phase 2 of the pre-submission engagement process of the Executive Committee review for the “Eagle Gold Mine Extension Project.”
- The Extension Project proposes to extend the mine life to 15 years and includes development of a secondary heap leach facility, 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 and the First Nation of Na-Cho Nyäk Dun developed and implemented a Comprehensive Cooperation and Benefits Agreement in 2011.

### Security

- Energy, Mines and Resources, in consultation with the First Nation of Na-Cho Nyäk Dun, issued a final security determination for \$68,662,300. Victoria Gold has paid this amount 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 sought leave to appeal the Yukon Water Board’s decision on security to the Yukon Supreme Court.
- Victoria Gold was granted a stay by the Yukon Supreme Court and is not required to furnish the remaining Yukon Water Board security until 30 days following a decision on the appeal.

**Approved by:**

  
\_\_\_\_\_  
Deputy Minister  
Department of Energy, Mines and Resources

  
\_\_\_\_\_  
Date approved

## Session Briefing Note

### Minto Mine Status and Update

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**Spring 2023**  
Energy, Mines and  
Resources

#### Recommended response:

- The Government of Yukon set the total financial security requirement for reclamation and closure of the Minto Mine at \$93.2 million. To date, Minto Mine has furnished \$74.8 million and continues to pay monthly installments.
- Until the remaining security is paid, the owners must follow restricted operating conditions to reduce environmental liability at the mine.

#### Additional response:

- The restricted operating conditions are designed to ensure the mine continues to maintain 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 a mine in a state of temporary closure if operating conditions are not met. Companies are required to manage and treat water during temporary closure.

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#### Context — this may be an issue because:

- The Government of Yukon and Selkirk First Nation want to ensure mine security is aligned with future reclamation needs.

#### Background:

- The Minto Mine is an underground copper mine with gold and silver byproducts located on Selkirk First Nation's Category A Settlement Land.

## Session Briefing Note

### Minto Mine Status and Update

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**Spring 2023**  
Energy, Mines and  
Resources

- 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's owner, Minto Metals Corp.

#### Security

- The Government of Yukon holds just over \$74.8 million in financial security for Minto Mine.
- The company increased water treatment capabilities and has been working to reduce liabilities on site since the initial security determination in January 2022.

#### Licence Amendments

- 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. has submitted a consolidated application to the Yukon Water Board that includes the new information from the amended Quartz Mine Licence. This application is under adequacy review by the Yukon Water Board.

#### Compliance and Enforcement Status

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

#### Employment Data

- Minto Metals has an average of 180 staff on site throughout the year, with a mix of direct employees and subcontractors.
- Exact numbers vary by season and by site activity, but typically 60-80 staff are flown in/out every week as part of shift rotation.

# Session Briefing Note

## Minto Mine Status and Update

**Spring 2023**  
Energy, Mines and  
Resources

Approved by:



A/Deputy Minister  
Department of Energy, Mines and Resources

2023-03-07

Date approved



## Session Briefing Note

Spring 2023

### Firearms – Federal Changes

Justice

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#### Recommended response:

- The *Criminal Code of Canada* and the *Firearms Act* are under the purview of the Government of Canada.
- The federal government's Bill C-21 would amend several Acts with changes focusing on organized crime, supporting violence prevention programs for youth, and taking measures to combat gun-related domestic violence and self-harm.
- Our government supports the lawful ownership of firearms and will continue to protect the rights of legal firearms owners in the Yukon.

#### Additional response:

- I would like to thank Minister Mendicino for coming to the Yukon and listening to Yukoners about the proposed federal changes.
- I would also like to acknowledge the withdrawal of the proposed amendments to Bill C-21 as a positive step.
- I continue to encourage the Government of Canada to listen to Yukoners and consider how any changes to federal firearms legislation can be tailored to better address the concerns of responsible gun owners in the Yukon.

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#### Context:

- Premier Pillai and MP Hanley have both stated opposition to Bill C-21 and called on the Government of Canada to engage with Yukoners and amend the Bill.
- The Yukon has the highest per capita number of prohibited and restricted firearms licenses in Canada. Lawful firearm owners in the territory include many Indigenous and non-Indigenous hunters, trappers and people performing remote wilderness work.

## Session Briefing Note

Spring 2023

### Firearms – Federal Changes

Justice

- In January 2023, Minister of Public Safety Marco Mendicino and MP Hanley co-hosted two roundtable meetings in the Yukon to hear from Yukon First Nations and other Yukoners about their concerns with the proposed legislation.
- The Government of Yukon has received several letters stating strong opposition to Bill C-21, following the amendments proposed to the Bill in November 2022. These amendments have since been withdrawn.
- In the North, there is a growing concern about theft of legal weapons that are later used for criminal purposes, as well as illicit firearms smuggled across borders.

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#### Background:

- Current Canadian discourse on firearm control is focused on two separate, yet related, federal measures:
  - a ban on around 1,500 models of “assault-style firearms,” through an Order-in-Council that was announced in May 2020; and
  - Bill C-21: An Act to amend certain Acts and make certain consequential amendments (firearms), which the federal government introduced in the House of Commons in May 2022 and is currently at the “consideration in committee” stage.
- Bill C-21 would amend several federal Acts, introduce “red and yellow flag” laws enabling emergency access limitation orders for safety risk cases, and increase maximum penalties for firearms offences, among other changes.
- On November 22, 2022, Liberal Member of Parliament Paul Chiang, Secretary to the Minister of Diversity and Inclusion, proposed amendments to Bill C-21 after it passed second reading, which have now been withdrawn due to strong opposition. The proposed amendments had included long guns to the banned list in the following four ways.
  - It bans any rifle or shotgun that is capable of discharging centre-fire ammunition in a semi-automatic manner that can accept a magazine with more than five rounds, whether or not it has such a magazine.
  - It bans long guns that can generate more than 10,000 joules of energy.
  - It bans firearms with a muzzle wider than 20 millimetres.
  - It bans many long guns considered to be semi-automatic firearms.

## Session Briefing Note

Spring 2023

### Firearms – Federal Changes

Justice

- The firearms ban will include a period of amnesty, to be followed by a mandatory buyback program for the newly banned models. The amnesty period has been extended to October 2023.
- The mandatory buyback component is a departure from past Canadian firearm regulation changes, in which the “grandfather clauses” allowed firearm owners to keep previously legal firearms already in their possession.

#### Statistics

- According to Statistics Canada’s 2022 report, Victimization of First Nations people, Métis and Inuit in Canada, firearms accounted for 44 per cent of homicide deaths among non-Indigenous people throughout Canada from 2015 to 2020.
- Sixty per cent of homicides among non-Indigenous people involved a handgun.
- Among Indigenous people throughout Canada, homicides involving firearms make up 23 per cent of homicides. Among Inuit people, this proportion decreased to 11 per cent.
- The Yukon had the highest homicide rate of homicides affecting Indigenous people at approximately 20.43 homicides per 100,000.
- In the Yukon, 73 per cent of firearm-related homicides involving Indigenous people have been committed with a rifle or hunting firearm, rather than with handguns, which accounted for 15 per cent of homicides.
- Among homicides in Canada reported by the police from 2015 to 2020, about one in six of all Indigenous homicide victims were killed by a current or former spouse, or current or former intimate partner.
- According to the 2021 Police-reported Crime Statistics in Canada, there has been an increase in violent crimes and homicides over the past few years in the Yukon. Many of the crimes involving firearms were connected to organized criminal activity or domestic violence.
- According to Statistics Canada’s 2021 Firearms and Violent Crime in Canada, firearm-related violent crime decreased five per cent. However, firearm-related violent crime has generally been increasing since 2012.
- The rate of firearm-related violent crime in 2021 was 25 per cent higher than it was a decade earlier in 2012.

# Session Briefing Note

Spring 2023

## Firearms – Federal Changes

Justice

- The report also found that the rate of homicides caused by a firearm was up six per cent in 2021, marking the most homicides by firearm ever recorded.
- In 2021, handguns accounted for 63 per cent of firearm-related violent crimes in urban areas, 26 per cent in the rural South and 20 percent in the rural North.
- Handgun-related violent crime declined six per cent in 2021, marking the lowest rate since 2014. However, handguns were involved in over half of all the firearm-related crimes.
- The rate of violent crime involving a rifle or shotgun declined eight per cent in 2021. However, a rifle or shotgun was present in 18 per cent of firearm-related violent crime in 2021.
- In 2021, the Yukon was one of five provinces and/or territories that had the highest rates of firearm-related incidents.

### Firearms-related amendments to the *Safer Communities and Neighbourhoods Act*

- Amendments to the *Safer Communities and Neighbourhoods (SCAN)* Act were passed in the fall 2021 legislative session, adding three specified uses that the SCAN Unit can investigate.
- One of these new specified uses is the possession or storage of prohibited, restricted or stolen firearms, restricted weapons or explosives in contravention of the *Firearms Act*, *Explosives Act* or any other law.
- During the debate on these amendments, members of the Official Opposition asserted that the SCAN Act amendments were intended to seize firearms that were addressed in the federal changes.

[Cross Reference BN# 44 – SCAN]

Approved by:



Deputy Minister, Justice

2023-03-20

Date approved

### **Streamlining of Regulatory Assessment Process**

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Executive Council Office

#### **Recommended response**

- The Government of Yukon is committed to an efficient and predictable assessment and regulatory system that is grounded in the principles of reconciliation, and we are taking action to improve the system.
- We are developing new minerals legislation and new public lands legislation in close collaboration with Indigenous governments.
- Since early 2021, the YESAA Oversight Group has been actively developing an approach that would allow, with the consent of Yukon First Nations in whose territory a project is located, an exemption from assessment for projects that involve a renewal or amendment to an existing authorization.
- 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 process.
- Since the release of the Wetlands Stewardship Policy in January, Yukon government is undertaking implementation actions based on the priorities outline in the Policy.

#### **Additional response (Water Board):**

- The Government of Yukon and the Yukon Water Board signed a 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.
- We respect the quasi-judicial nature of the Board. However, it is important that governments and regulatory bodies operate within

### **Streamlining of Regulatory Assessment Process**

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Executive Council Office

certain parameters to support predictable assessment and regulatory processes and reasonable outcomes.

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#### **Context — this may be an issue because:**

- Industry groups have identified concerns around efficient regulatory and assessment processes.
  - Issues with Yukon Water Board (YWB) around security for quartz mines, placer mine licensing in wetlands and a proposed independent technical advisory committee for the protection, use and reclamation of wetlands have been raised in past sessions.
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#### **Background:**

- A Steering Committee for New Minerals Legislation was struck in September 2021. It includes representatives of the Government of Yukon, Council of Yukon First Nations, Yukon First Nations governments and Transboundary Indigenous governments.
  - The Steering Committee for New Minerals Legislation worked to develop potential approaches for key policy issues from August 2021 to December 2022. This work forms the basis of the current public engagement.
  - The YESAA Reset MOU established the YESAA Oversight Group, with members from Government of Canada, Government of Yukon and CYFN. YESAA Oversight Group objective is to look for improvements in the implementation of YESAA.
  - The YG wetlands stewardship policy is a high-level guide that will support environmental and socio-economic assessment, regulatory approval and licensing, as well as provide tools for land-use planning.
  - The pre-submission engagement process for YESAB 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
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### Streamlining of Regulatory Assessment Process

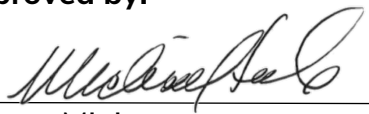
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Executive Council Office

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

- 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.
- 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.

**Approved by:**

  
Deputy Minister

2023 03 02

Date approved

Executive Council Office

### **Substance Use Emergency Declaration in Mayo**

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Executive Council Office

#### **Recommended response:**

- Our hearts go out to the people of Mayo as they deal with the aftermath of the violence that surfaced in the community earlier this month.
- We appreciate the leadership shown by the First Nation of Na-cho Nyäk Dun in issuing their Emergency Declaration, which calls for collaborative efforts by the First Nation, the Village of Mayo, the RCMP and the Yukon government to prevent further harm to the public.
- The Yukon government is committed to working with all Yukon communities to realize and implement community-based approaches that will support and protect individuals and families that are struggling with substance use and address the root causes of addiction.

#### **Additional response:**

- Our government is working with health systems and community partners to develop a Substance Use Emergency Action Plan which will guide our ongoing response to this public health emergency.
- Senior Officials from Health and Social Services, Justice, Community Services and Executive Council Office met with leaders from the First Nation and the Village earlier this week to discuss a coordinated response
- Departments are already mobilizing plans to respond on a range of services, based on requests from the community
- We look forward to having more detailed discussions with the First Nation of Na-cho Nyäk Dun, the Village of Mayo and the RCMP in the coming days to learn how we can best provide support for the community.



## Spring 2023

### Substance Use Emergency Declaration in Mayo

Executive Council Office

- We are currently assembling a team to go to Mayo the week of March 27, following a planned discussion between the Premier and Chief Mervyn this week.

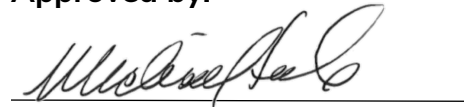
#### Context — this may be an issue because:

- On March 14, 2023, the First Nation of Na-cho Nyäk Dun (FNNND) passed a Resolution and declared a State of Emergency under their *Government Act*.
- This has been widely covered in Yukon media and has resulted in expectations that the Yukon government (YG) and the RCMP will take concrete action to respond.

#### Background:

- The FNNND [Resolution](#) calls for their Council to enter into discussions with YG, the RCMP and the Village of Mayo as soon as possible to develop an Action Plan that sets out specific steps to be taken to protect the public from the opioid emergency, ensure that the community is safe, and to realize community healing and wellness.
- The Resolution also identifies a number of potential elements of the Action Plan, including an increased RCMP presence in the community, check stops, a curfew on and a registration requirement for access to Settlement Land, the eviction of tenants from FNNND housing who are engaged in illegal activities, and increased access to treatment programs for FNNND citizens. Further discussions among FNNND, YG, the RCMP and the Village of Mayo will be needed to assess the viability and/or legality of some of these suggested measures.
- YG officials from Health and Social Services, Justice, Community Services, Aboriginal Relations are working together to support the development of a bold, actionable plan that can be used in Mayo and other communities.

Approved by:



Deputy Minister  
Executive Council Office

March 21, 2023

Date approved

# Session Briefing Note

**TAB 09**

**Spring 2023**

## **Substance Use Emergency Declaration in Mayo**

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Executive Council Office

### First Nations Interest in Energy Projects

Executive Council  
Office

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#### Recommended response:

- The Yukon government is committed to supporting the development of cost-effective renewable energy projects in a way that fulfills treaty obligations, promotes reconciliation, and provides energy security for the Yukon.
- Our government is taking new collaborative approaches to working with First Nations during the assessment and licensing of energy projects, and on an ongoing basis throughout their operation.
- Working with Indigenous governments on energy projects and production is foundational to meeting the Yukon's climate change and energy goals.

#### Additional response:

- Our government is working with Champagne and Aishihik First Nations and the Yukon Energy Corporation to implement agreements signed in 2022 which establish a collaborative relationship that will allow us to advance shared priorities in the Aishihik Lake area over the long term.
- Negotiations are underway with Carcross/Tagish First Nation, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council for the Whitehorse Rapids Generating Station and with the First Nation of Na-Cho Nyäk Dun for the Mayo Generating Station.
- We are also at the preliminary stages of exploring a grid connection with British Columbia. If that concept is proven to be feasible, partnership with First Nations will be critical to the success of such a connection.

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#### Context—this may be an issue because:

- Some First Nations have indicated they may not support energy projects without greater collaboration and commitments to address their broader interests.
- On January 20, 2023, the Whitehorse Star published a letter from the Leader of the Official Opposition in which he urged the Yukon government (YG) to pursue a connection to the British Columbia (BC) grid in order to address Yukon's electricity needs. On January 23, 2023, the Minister of Energy, Mines and Resources committed

### First Nations Interest in Energy Projects

Executive Council  
Office

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to exploring this concept at a meeting with the leaders of Selkirk First Nation and the First Nation of Na-Cho Nyäk Dun.

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#### Background:

##### Aishihik Generating Station (AGS)

- The AGS Agreements are intended to improve the efficiency of assessment and permitting processes and the relationships between the parties, and to provide for predictability and collaboration in the long-term relicensing of the facility.
- While the details of the AGS Agreements are confidential, they are consistent with Chapter 22 of the Final Agreements and include a non-equity, passive investment opportunity in the AGS which will allow Champagne and Aishihik First Nations to realize an economic benefit tied to its continued operation.
- The Yukon Energy Corporation (YEC) successfully obtained a 5-year water licence for the AGS in December 2022.

##### Whitehorse Rapids Generating Station (WRGS)

- The water licence for the WRGS expires on May 31, 2025.
- In December 2022, a Framework Agreement was established between YG, YEC, Carcross/Tagish First Nation (CTFN), Kwanlin Dün First Nation (KDFN) and Ta'an Kwäch'än Council (TKC) which is intended to:
  - establish structures and processes for the negotiation of energy-related agreements;
  - promote long-term benefits and opportunities for First Nations and their citizens and businesses, including employment, training, and contracting opportunities related to the construction and operation of the WRGS; and
  - implement the shared commitment to build a better future and better relationship with respect to the ongoing operation of the WRGS, in recognition of its importance in meeting the Yukon's renewable energy needs and goals.
- YEC and YG will engage with the Taku River Tlingit First Nation (TRTFN) separately.

##### Mayo Generating Station (MGS)

- The water licence for the MGS expires on December 31, 2025.
- A draft Framework Agreement between the First Nation of Na-Cho Nyäk Dun (FNNND), YEC and YG was negotiated, which is intended to:
  - establish structures and processes for the negotiation of energy-related agreements;

### First Nations Interest in Energy Projects

Executive Council  
Office

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- promote, develop and maintain a positive long-term relationship based on partnership, respect and reconciliation between the parties with respect to the ongoing operation of the MGS, other energy initiatives and other initiatives that the Parties may wish to advance collectively;
  - work collaboratively to address FNNND's energy priorities, such as community-based environmental stewardship and economic prosperity; and
  - promote long term economic benefits, employment, training and contracting opportunities and other long-term benefits for FNNND and for FNNND citizens.

#### Independent Power Projects

##### Atlin Hydro Expansion

- Tlingit Homeland Energy Limited Partnership (THELP) is proposing to expand its Atlin hydroelectric generating infrastructure to increase its power output from 2.1 megawatts (MW) to 10 MW. The additional electricity would be sold to YEC, increasing the Yukon's supply of renewable energy, which is particularly important in the winter. The project includes a transmission line from Atlin, B.C., to Jakes Corner, a new substation, and upgrades to the transmission line from Jakes Corner to Whitehorse.
  - In addition to being a potential investor in the project, YG is also a YESAA Decision Body. EMR-Lands Management Branch has been consulting with C/TFN regarding the transmission line and hopes to issue a Decision Document in **early Q2** 2023.
  - YG is also working with CTFN to address any potential impacts to their treaty rights from the proposed Atlin Hydro transmission line and to facilitate their discussions with TRTFN about their interests in that project (see **Taku River Tlingit – Issues and Initiatives**).
- Federal Budget 2023 named Atlin as a priority project, but did not provide new dedicated funding for the project. The Proponent, supported by YG, continues to seek clarity from the Government of Canada on how the budget will support the project.

##### North Fork Hydro

- Oro Enterprises is proposing to construct and operate a 2MW run-of-river hydroelectric generating station on the North Klondike River near the Klondike River, in the overlapping Traditional Territories of FNNND and Tr'ondëk Hwëch'in (TH).

## First Nations Interest in Energy Projects


Executive Council  
Office

- The potential redevelopment of a hydro project at this site is the subject of a number of provisions in the TH Final Agreement that impose certain obligations on YG should the project proceed, including an exchange of Settlement Land for Crown land.
- TH sent a letter to then-Premier Silver on December 15, 2022, saying that they do not support the project due to potential impacts to TH Traditional Territory and TH treaty rights.
- YG has followed up with the Proponent to encourage them to contact TH directly in order to better understand their concerns.

### Other projects:

- Other new projects currently being considered by YEC are the Moon Lake Pumped Storage Project and the Skagway Grid Connection.
- In January 2023, the Minister of Energy, Mines and Resources was directed by the Premier to enter exploratory discussions regarding a connection to the BC grid. Such exploratory discussions will also need to include consideration of the rights, interests and potential involvement of Yukon First Nations and transboundary Indigenous groups.

### Approved by:

  
Deputy Minister, Executive Council Office

2023 04 25

Date

**Mineral Staking Prohibitions  
in Response to Litigation**

Executive Council Office/  
Energy, Mines and  
Resources

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**Recommended response:**

- We 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 (a-shoo) 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 Yukoners.
- We anticipate that the work being done in collaboration with First Nations to develop new mineral 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 the other Kaska Nations on how best to address the declarations regarding mineral staking, exploration and development.

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

- The mineral staking prohibition in the southern portion of the Kaska asserted traditional territory in the Yukon was put in place on February 1,

### **Mineral Staking Prohibitions in Response to Litigation**

Executive Council Office/  
Energy, Mines and  
Resources

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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.

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#### **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.

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#### **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



### **Mineral Staking Prohibitions in Response to Litigation**

Executive Council Office/  
Energy, Mines and  
Resources

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appropriate, consult with and accommodate RRDC before allowing any mineral exploration activities to take place within the Ross River Area.

- 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. 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 are 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.
- In YG's view, many of RRDC's underlying concerns related to mineral development will be addressed in the collaborative Successor Resource Legislation development process. RRDC is actively participating in that process.
- Although the consent order with KDC still stands, YG informed KDC that, consistent with the 2020 ruling of the Supreme Court of Yukon, KDC is not a rights-bearing group, YG will consult only with the four Kaska rights-bearing groups.
- 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.

**Mineral Staking Prohibitions  
in Response to Litigation**

Executive Council Office/  
Energy, Mines and  
Resources

Approved by:



Deputy Minister, Executive Council Office

February 3, 2023

Date



Deputy Minister, Energy, Mines and Resources

Feb. 3, 2023

Date

### United Nations Declaration on the Rights of Indigenous Peoples

Executive Council  
Office/Justice

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#### Recommended response:

- The ongoing process of reconciliation remains a key priority of the Yukon government.
- Our approach to reconciliation is characterised by the implementation of our modern treaties with Yukon First Nations, the negotiation of enduring agreements with non-Treaty First Nations, the advancement of joint priorities at the Yukon Forum and collaboration with Indigenous governments on key pieces of legislation including the *Child and Family Services Act* and the new mining legislation currently being developed.
- We are undertaking a thorough review of the United Nations Declaration on the Rights of Indigenous Peoples to identify how it can further advance reconciliation. In accordance with our commitment in the 2023 Confidence and Supply Agreement, I will be seeking to convene a meeting with the leaders of Yukon and transboundary First Nations and the leader of the Yukon NDP to begin discussions on the Declaration.

#### Additional Response:

- The Declaration recognizes the important role of treaties in strengthening Indigenous-state relations and the need to take into account the context of each jurisdiction. In the Yukon, this means we must look at the Declaration in light of our modern treaties.
- Our government intends to build on the good work already underway and draw from the Declaration and other sources to support and strengthen reconciliation efforts in the Yukon.
- The Yukon government continues to support Canada's efforts to implement their *United Nations Declaration on the Rights of Indigenous*

### United Nations Declaration on the Rights of Indigenous Peoples

Executive Council  
Office/Justice

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*Peoples Act*, while recognizing that each province and territory has its own approach to reconciliation and the Declaration.

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#### Context—this may be an issue because:

- The governments of Canada (Canada) and British Columbia (BC) affirmed in legislation that the United Nations Declaration on the Rights of Indigenous Peoples (the “Declaration”) applies to their laws, which raised expectations that other jurisdictions will adopt similar legislation.
- Questions about the Yukon government’s (YG) intentions with respect to the implementation of the Declaration in Yukon have arisen in various contexts, including at the Yukon Forum and in discussions with some Yukon First Nations and the Inuvialuit.
- In October 2022, an Opposition MLA tabled a private member’s bill to amend the *Yukon Oil and Gas Act* to require the consent of non-Treaty Yukon First Nations before project approval. The MLA cited the Declaration as rationale for the bill.
- In January 2023, a new Confidence and Supply Agreement was signed between the Yukon Liberal Party and the Yukon New Democratic Party which commits to seeking consent from Yukon First Nation Chiefs to initiate a discussion with the Premier and the Leader of the NDP on the Declaration.
- In March 2023, the Government of Northwest Territories (GNWT) tabled a bill to guide implementation of the Declaration in the territory.

#### 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 is supported by 151 countries.

### United Nations Declaration on the Rights of Indigenous Peoples

Executive Council  
Office/Justice

- 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.
- It is unclear how implementation of the federal Act may affect federal laws relating to 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*.
- In December 2021, Canada informed YG that it was initiating its process of consultation with Indigenous Peoples on the development of an action plan to achieve the objectives of the Declaration by June 2023.
- In March 2023, Canada released a draft of its UN Declaration Act Action Plan and a “What we learned to date” report. Canada is seeking comments on the draft Action Plan. YG is currently undertaking a review of the plan.
- In April 2023, Justice Canada led a federal-provincial-territorial (FPT) meeting to discuss their draft Action Plan, the consultation and coordination process with Indigenous governments and organizations, and next steps and timelines. A follow-up FPT meeting is planned for early May 2023.
- In March 2023, the GNWT introduced in its Legislative Assembly its proposed “United Nations Declaration on the Rights of Indigenous Peoples Implementation Act”. This bill, developed in partnership with Indigenous governments and organizations, would formalize the mechanisms to be used by the GNWT to ensure that future legislation and policies are consistent with human rights as outlined in the Declaration.

## United Nations Declaration on the Rights of Indigenous Peoples

Executive Council  
Office/Justice

- The leaders of the GNWT and Indigenous governments and organizations have also signed a new Memorandum of Understanding which commits the parties to work collaboratively and cooperatively to prepare and implement an action plan to achieve the objectives of the Declaration.

### 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 YG's approach to the Declaration.
- Once YG concludes its internal work on the 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 Nations 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, Canada's *Constitution Act*, court-guided agreements, recommendations of the Truth and Reconciliation Commission, and the principles of reconciliation in the Declaration.

### **Approved by:**

Approved. 2023 04 26

Deputy Minister, Executive Council Office

Date

Approved.

2023 04 25

Deputy Minister, Department of Justice

Date

### First Nation Court Case Updates

Executive Council  
Office

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#### 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 two subdivision applications and a Class 3 mining application in their Traditional Territories. One of the identified issues was the need to complete land use plans.
- The Yukon government is appealing the decision of the Supreme Court of Yukon in the case initiated by Na-Cho Nyäk Dun as it raises significant legal issues beyond this one exploration project.
- We have already committed to work with Yukon First Nations to accelerate the pace of land use planning in response to their concerns, and have also been engaging directly with First Nations to discuss how we can improve our consultation practices more broadly.
- In a separate matter, Ross River Dena Council requested a Judicial Review of a number of issues relating to the Kudz Ze Kayah mine proposal.
- The Yukon Court of Appeal decision in *Dickson v. Vuntut Gwitchin First Nation* provided 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.

#### Additional response:

- We will not comment further on the cases that remain before the courts, but look forward to the clarity that each decision is expected to provide.

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#### Context—this may be an issue because:

- Court cases involving Yukon First Nations receive a high level of public interest.
- The appeal of the decision in the Na-Cho Nyäk Dun case was filed on March 1, 2023 and is expected to attract the attention of First Nations and the media.



### First Nation Court Case Updates

Executive Council  
Office

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#### 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 the Governments of Canada (Canada) and Yukon (YG) 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.
- 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 YG Decision Document under the *Yukon Environmental and Socio-economic Assessment Act* (YESAA) to allow a proposed Class 3 quartz mining exploration program to proceed to the regulatory phase.
- FNNND claimed that 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.
- The judicial review was heard on June 28 and 29, 2022 and the decision of the Supreme Court of Yukon was released on January 31, 2023. The Court set aside the Decision Document and referred it back to YG for reconsideration.
- Overall, the Court agreed with FNNND that YG's decision was unreasonable. The lengthy decision touches on several topics including the scope of the duty to consult, the rights protected under s. 35 of Canada's Constitution, the representation of Treaty rights-holders and land use planning.
- YG filed an appeal of the decision on March 1, 2023 and FNNND filed a Notice of Appearance on March 3, 2023 (meaning that they will contest the appeal). YG subsequently filed an Appeal Record.



## First Nation Court Case Updates

Executive Council  
Office

- 
- It is important that any public statements on this matter do not go into detail as doing so could be detrimental to the appeal.
  - **Next step:** YG must file a Factum and Appeal Book by May 26, 2023.

### *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, 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 a Chapter 11 land use plan.
- **Next step:** YG is simultaneously working towards a settlement with C/TFN and preparing for a hearing, should one be necessary.

### *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.

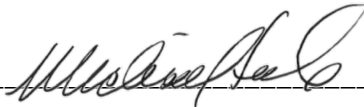
### First Nation Court Case Updates

Executive Council  
Office

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 was held on February 7, 2023. The Parties are now awaiting the Court's decision.

Approved by:



Deputy Minister, Executive Council Office

2023 04 25

Date

**Reconciliation with First Nations**

Executive Council  
Office

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**Recommended response:**

- 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 collaboration on a range of environmental, economic and social projects.

**Additional response:**

- We continue to work with the Government of Canada and Yukon First Nations 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 groups to develop new legislation for lands and minerals.
- With regard to the UN Declaration on the Rights of Indigenous Peoples, our government intends to draw from the Declaration and other sources to support and strengthen the path of reconciliation on which we are already walking with First Nations partners.

### Reconciliation with First Nations

Executive Council  
Office

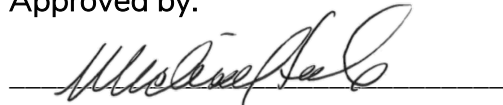
#### Context—this may be an issue because:

- The Yukon government made public commitments 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 **TAB 26 "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 **TAB 74 "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

2023 02 02

Date

### Support for Burial Sites Investigations

Executive Council  
Office

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#### Recommended response:

- The Yukon government recognizes the lasting and widespread trauma caused by the residential school system.
- We continue to support the Yukon Residential School and Missing Children Project 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 the Governments of Yukon and Canada and is administered by the Council of Yukon First Nations.

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#### Context—this may be an issue because:

- The investigation of potential burial sites continues to be a topic of public interest and discussion.
- Support for residential school burial site investigations is a commitment of the Yukon Forum and a priority for all Yukon First Nations.

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#### Background:

- In the Yukon there were six residential schools that operated between 1903 and 1985: Choooutla School in Carcross; Coudert Hall, Yukon Hall and Whitehorse Baptist Mission in Whitehorse; the Shingle Point School in Shingle Point on the Yukon's Arctic coast (the predecessor to All Saints (Aklavik Anglican) School in Aklavik; and St. Paul's Hostel in Dawson. Additionally, the Lower Post School in northern British Columbia housed Yukon First Nation (YFN) students.
- The Committee is mandated to identify and locate unmarked or missing graves at residential school sites in the Yukon with ground penetrating radar equipment.
- Yukon First Nations represented at the Committee are CAFN, CTFN, FNNND, KDFN, LSCFN, TH, SFN, and VGFN. The Committee is seeking the participation of other Yukon

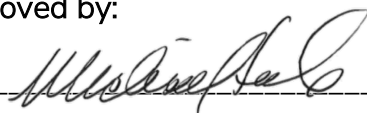
### Support for Burial Sites Investigations

Executive Council  
Office

and Transboundary First Nations.

- Officials from YG and Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) are assisting the Committee to develop a work plan to guide the project and continue to attend Committee meetings when invited.
- In October 2021, the Committee submitted a four-year (2021-2025) funding request to YG and CIRNAC focusing on sites in Carcross, Whitehorse and Dawson. The Committee is also reaching out to the Inuvialuit Regional Corporation and the Daylu Dena Council to clarify whether to include Shingle Point and Lower Post in this work.
- The current funding request is for a total of ~\$6.3m, broken down by year and YG-CIRNAC cost-share as follows:
  - 2021/22: ~\$741K (YG: ~\$222K/ CIRNAC: ~\$519K i.e. 30/70 split)
  - 2022/23: ~\$2.2m (YG: ~\$595K/ CIRNAC: ~\$1.6m i.e. 30/70 split)
  - 2023/24: ~\$1.7m (YG: ~\$535K/ CIRNAC: ~\$1.2m i.e. 30/70 split)
  - 2024/25: ~\$1.7m (YG and CIRNAC to determine the cost-share arrangement based on an updated budget and work plan.)
- The Committee hosted an invitational “Box of Knowledge Keeper Ceremony” on March 8 and 9, 2023 to share information from other Canadian jurisdictions with YFN Chiefs, YFN Health Directors, YG and CIRNAC.
- The Committee notes a need for community-led health and wellness initiatives as they reach out to Survivors.
- All the information held by the Committee is public information, but material related to interviews with survivors and witnesses will be stored in a secure data system maintained by CYFN.
- The Committee also has a list of Yukon research information stored at the National Centre for Truth and Reconciliation (NTRC).
- An investigation of the Choooutla site with Ground Penetrating Radar is scheduled for June 2023.

Approved by:



Deputy Minister, Executive Council Office

2023 04 25

Date

## Yukon Forum and Joint Priority Action Plan

Executive Council  
Office

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### 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 advance reconciliation and improve the lives of all Yukoners.

### Additional Response:

- On March 31, 2023, Yukon Forum leaders met at the Da Kų Cultural Centre in Haines Junction.
- We discussed energy needs and the potential for connection to the British Columbia electrical grid, as well as the need to work together to address the Substance Use Health Emergency.
- The most recent Forum also included a leadership retreat focused on candid conversations, relationship-building and networking.
- The next Yukon Forum meeting will be scheduled for late spring or early summer 2023.

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### Context—this may be an issue because:

- The five-year Yukon Forum Joint Priority Action Plan reached the end of its term in fall 2022 and there may be interest in what happens next.

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### Background:

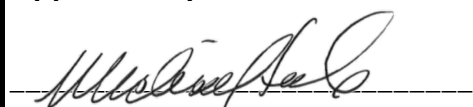
- The Yukon Forum is a regular meeting between leaders of the Yukon government (YG), Yukon First Nations and the Council of Yukon First Nations.
- In accordance with the most recent Joint Priority Action Plan, YG:
  - Signed an agreement to clarify how resource royalties will be shared under Chapter 23 of the Final Agreements.

### Yukon Forum and Joint Priority Action Plan

Executive Council  
Office

- 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 Joint Senior Executive Committee to support a one-government approach to collaboration with Yukon First Nations government partners.
- 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. *The 2023 Confidence and Supply Agreement between the Yukon Liberal and NDP Caucuses does not include a provision or request related to the Yukon Forum.*

Approved by:



Deputy Minister, Executive Council Office

2023 04 25

Date Approved



## Canada's Collaborative Modern Treaty Implementation Policy

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Executive Council Office

### Recommended response:

- The Yukon government supports Canada's continued efforts to strengthen its relationships with Indigenous governments, including Yukon First Nation governments.
- Our intergovernmental relationships with First Nations are the foundation for true reconciliation and are based on respect, cooperation, partnership, and the recognition of Indigenous rights.
- We continue to work with the Government of Canada and Yukon First Nations to implement the Final and Self-Government Agreements.

### Additional response:

- The ongoing process of reconciliation, including the implementation of our modern treaties, is a key priority for the Yukon government.
- Our government is committed to honouring the spirit and intent of the Final Agreements and building strong government-to-government relationships with First Nations.
- The Yukon government continues to support Canada's efforts to implement their *United Nations Declaration on the Rights of Indigenous Peoples Act*, while recognizing that each province and territory has its own approach to reconciliation and the Declaration.

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### Context — this may be an issue because:

- On February 28, 2023, the Minister of Crown-Indigenous Relations released Canada's *Collaborative Modern Treaty Implementation Policy* ("the Policy").
- The Policy is framed in terms of a bilateral relationship between the federal government and Indigenous partners; however, it may raise expectations from Yukon First Nations and transboundary Indigenous governments and groups that the Yukon government (YG) will adopt a similar approach to the implementation of the Final or Comprehensive Land Claim Agreements.

## Canada's Collaborative Modern Treaty Implementation Policy

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Executive Council Office

### Background:

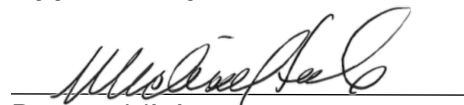
- Modern treaties (or comprehensive land claim agreements) represent nation-to-nation relationships between Indigenous Peoples, the federal Crown and the provincial or territorial governments.
- The majority of Canada's modern treaties are in the Yukon and include the Final Agreements with Yukon First Nations, the Gwich'in Comprehensive Land Claim Agreement and the Inuvialuit Final Agreement.
- The implementation of treaties is a shared responsibility among Canada, provinces and territories, and Indigenous Peoples. Canada's Policy states that failing to implement treaties creates ongoing legal, financial, and reputational risks and damages to Canada.
- The purpose of Canada's Policy is to advance reconciliation and modern treaty implementation. It provides direction and creates new tools for a whole-of-government approach to fulfilling Canada's treaty obligations, advancing treaty objectives, and strengthening intergovernmental relationships.
- The Policy applies to federal government departments, agencies, and agents of the Crown in respect of the implementation of modern treaties. It is described as a continually evolving document that will be amended to incorporate new annexes, processes, tools, and mechanisms as developed and subject to Canada's internal approval processes.
- The Policy includes the following elements to improve the implementation of modern treaties and the relationship between Indigenous Modern Treaty signatories and the Crown:
  - Key principles that will guide federal officials to implement modern treaties in accordance with their spirit and intent.
  - Direction that deputy heads are responsible for overseeing the full, timely and effective implementation of modern treaties.
  - Requirement to account for and reflect the unique circumstances of each modern treaty partner when designing programs, policies, and legislation.

### Canada's Collaborative Modern Treaty Implementation Policy

Executive Council Office

- Recognition that modern treaty partners are a distinct group within distinctions-based approaches, and modern treaties are a part of Canada's constitutional framework and represent a distinct expression of reconciliation.
- Establishment of an Intergovernmental Leaders Forum for the Prime Minister and modern treaty and self-government leadership to come together to work on shared priorities.
- Establishment of an Intergovernmental Policy Circle to provide a space for modern treaty partners and federal departments to work collaboratively on shared implementation challenges, and legislative, policy, and program initiatives.
- Commitment to co-develop recommendations for an independent oversight and accountability mechanism for treaty implementation.
- Commitments to future work to set out key processes, tools, and mechanisms for meaningful implementation.
- The Policy also acknowledges the *United Nations Declaration of the Rights of Indigenous Peoples* as an authoritative interpretative source for Canadian law and informing the implementation of modern treaties, and that Indigenous Partners require sufficient funds to carry out their responsibilities; exercise their rights, authorities, and jurisdictions; engage with other levels of government; and provide programs and services.
- The implications of the Policy for Yukon government, which has implementation responsibilities under the Final and Comprehensive Land Claim Agreements that apply within the Yukon, are not yet clear.

Approved by:



Deputy Minister

Executive Council Office

2023 03 07

Date approved

**Liard First Nation – Issues and Initiatives**

Executive Council  
Office

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**Recommended response:**

- The Yukon government and Liard First Nation are working together to advance shared priorities including capacity development, land planning, fish and wildlife management, consultation and a renewed government-to-government relationship.
- We are working with Liard First Nation to explore approaches to reconciliation, including self-government. We look forward to participating in future discussions that include the federal government.
- Our government has maintained the mineral staking prohibitions within Kaska asserted traditional territory in the Yukon, and we are collaborating with First Nations to develop mining legislation that addresses mineral staking, exploration and development.
- We remain committed to working with Liard First Nation to establish collaborative approaches to wildlife stewardship.

**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 land and resource development proposals.
- We are aware of the application for judicial review of the Kudz Ze Kayah decision filed by Ross River Dena Council on behalf of the Kaska Nation, and will not comment while this issue is before the courts.

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**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.
-

### Liard First Nation – Issues and Initiatives

Executive Council  
Office

#### Background:

##### Bilateral Negotiations

- YG and LFN are engaged in bilateral negotiations to develop a more effective and efficient approach to addressing LFN's concerns regarding the potential impact of new residential, commercial and industrial lot development, agriculture, forestry and gravel quarries on their asserted rights and title in the vicinity of Watson Lake. The parties are also discussing land planning and the management of fish and wildlife.
- YG and LFN recently concluded an agreement to advance the development of 43 residential lots within the Town of Watson Lake, under which 18 lots currently protected as LFN Interim Protected Lands will be titled and available for LFN to purchase for \$1 each (refer to Community Service's note "**Frances Avenue Development**").

##### Official Community Plans (OCPs)

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

##### 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**").

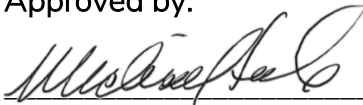
##### Land Use Planning/ Mineral Development

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

##### Capacity Funding and Consultation

- YG anticipates establishing a new funding agreement with LFN in February 2023 to support participation in negotiations and consultation and engagement processes.

Approved by:



Deputy Minister, Executive Council Office

February 1, 2023

Date

Spring 2023

### Ross River Dena Council – Issues and Initiatives

Executive Council  
Office

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#### Recommended response:

- The Government of Yukon is committed to advancing reconciliation and strengthening our relationship with the Ross River Dena Council.
- We are in discussions with the Ross River Dena Council on priority areas including socio-economic issues, land use planning and resource development, and fish and wildlife.
- 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.

#### Additional response:

- We are aware of the petition for judicial review of the Kudz Ze Kayah decision filed by Ross River Dena Council on behalf of the Kaska Nation and will not comment while this issue is before the courts.
- We continue to work collaboratively with Ross River Dena Council and other First Nations to develop new mining legislation that addresses mineral staking, exploration and development, and continue to maintain mineral staking prohibitions within the Kaska asserted traditional territory in the Yukon.

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#### 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) applied 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 TAB 19 First Nation Court Cases Update](#)).

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#### Background:

##### Mineral Staking Prohibition

- In 2013, YG implemented a notification regime for Class 1 mining activities in the Ross

### Ross River Dena Council – Issues and Initiatives

Executive Council  
Office

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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 TAB 17 Mineral Staking Prohibitions in Response to Litigation](#)).

- In August 2021, YG withdrew from the YG-RRDC Mineral Table as the new Successor Resource Legislation is expected to address the issues covered by the two declarations, making a separate bilateral table redundant.
- 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.
- In October 2022, then-Premier Silver met with RRDC Chief and Council and committed to establishing a new YG-RRDC Land Use Planning and Resource Development Table, along with a Socio-economic Table and a Fish and Wildlife Management Table.
- In December 2022, the RRDC Chief requested discussions with Canada on climate change, fish and wildlife management, jurisdiction issues, and socio-economic needs.

#### 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 negotiating the granting of 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 TAB 33 HPW Pelly Barge](#)).

#### Capacity Funding and Consultation

- Aboriginal Relations (AR) is providing up to \$500,000 in 2022-23 to support RRDC's capacity to engage in consultations and negotiations with YG.
- AR and Community Services are working with the Town of Faro to support consultation with the Kaska Nations on the amendment of their Official Community Plan.

## Session Briefing Note

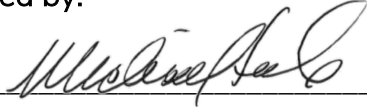
**TAB 31**

**Spring 2023**

### **Ross River Dena Council – Issues and Initiatives**

Executive Council  
Office

Approved by:



Deputy Minister, Executive Council Office

2023 02 06

Date



**White River First Nation – Issues and Initiatives**

Executive Council  
Office

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**Recommended response:**

- The Government of Yukon, White River First Nation, and the Government of Canada are actively working together to advance shared interests and priorities.
- We have a bilateral 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 arise in the overlapping areas of their traditional territories.

**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.

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**Context—this may be an issue because:**

- White River First Nation (WRFN) 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.

## White River First Nation – Issues and Initiatives

Executive Council  
Office

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- In March 2017, WRFN revived its assertion of a traditional territory with different boundaries than those used during Final Agreement negotiations.

### 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

- 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 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, with an initial focus on lands in or close to Beaver Creek.

#### Interim Protected Lands (IPLs)

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

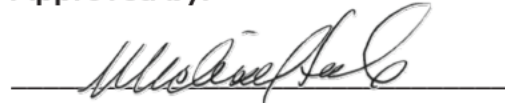
#### Major Projects

- YG and WRFN signed a Coffee Gold consultation plan in September 2018.
- A December 17, 2021 Yukon News article (attached) 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.
- YG and WRFN agreed to develop a consultation plan for the proposed Casino Mine. That work is expected to begin in 2023.

**White River First Nation – Issues and  
Initiatives**

Executive Council  
Office

Approved by:



Deputy Minister, Executive Council Office

2023 02 02

Date



Aerial view of one of the proposed Coffee mine sites 130 km south of Dawson City on Sept. 11, 2018. Nearby is where gold deposits are located. (File Photo)

## White River First Nation and mining company reach agreement on Coffee project

The mine is proposed for a site about 130 km south of Dawson City.

JIM ELLIOT / Dec. 17, 2021 7:00 a.m. / LOCAL NEWS / NEWS

The company behind a proposed gold mine south of Dawson City has announced the signing of a benefits agreement with a second First Nation potentially affected by the project.

On Dec. 8 the Newmont Corporation, an American mining firm developing the Coffee Gold Project about 130 km south of Dawson City, announced they had signed an impacts and benefits agreement with the White River First Nation (WRFN).

"The agreement is based on a cooperative, collaborative and mutually beneficial relationship between the parties and sets out a forward-looking approach for the Parties to deal with direct impacts to the environment and to White River's rights, culture and way of life," a statement from the mining firm reads.

It adds that the agreement supports White River's participation in the Yukon Environmental and Socio-economic Assessment Board (YESAB) process.

The Coffee mine was initially recommended for approval by YESAB without the need for a panel review, the most stringent look at the mine's impact available. The federal government agencies in charge of making a decision referred the matter back to YESAB's executive committee for reconsideration in late November.

Training, employment and business opportunities for White River citizens is also included in the agreement.

"Newmont also commits to implement various environmental protection, monitoring and mitigation measures that will integrate traditional knowledge and technological advancements," the statement from Newmont reads.

Mark Rodgers, a representative of Newmont North America said the company is pleased to have the agreement signed and acknowledged concerns that had been expressed about the project. Rodgers expressed confidence in the framework for consultation, cooperation and economic participation.

“It has been a long process to reach agreement with Newmont. We are pleased that we have found a way of addressing some issues around the environment and our rights in our traditional territory,” said WRFN Chief Bessie Chassé.

“We look forward to cooperating on important matters that affect the land. We recognize that there are issues that Newmont and WRFN cannot address, and we look to Canada and the Yukon Government to deal with larger impacts and accommodations, particularly in relation to cumulative impacts on our rights, culture and way of life.”

*Contact Jim Elliot at [jim.elliott@yukon-news.com](mailto:jim.elliott@yukon-news.com)*

## Session Briefing Note

**SPRING 2023**

### Pelly Barge

Highways and  
Public Works

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**Recommended response:**

- The Pelly Barge is important to the community of Ross River, and the Kaska First Nations, to visitors who want to experience this unique region of the Yukon and to industry that works along the North Canol Road.
- The barge typically operates between early June and early October.
- Changing river conditions in recent years have posed challenges in the operation of the Pelly Barge, however, the department has been able to ensure the barge operates safely throughout the summer season.

**Additional response: Fisheries Act authorization**

- Highways and Public Works is in the process of obtaining a *Fisheries Act Authorization* for the barge's operation for the next 5 years (2023 – 2027). The current authorization expired in November 2022.
- The new *Fisheries Act Authorization* is expected to be in place in 2023. This will ensure that the department can do the required maintenance on the barge landings while maintaining regulatory compliance under the *Fisheries Act*.
- Highways and Public Works is working closely with Fisheries and Oceans Canada (DFO) on this matter.

**Additional response: First Nations Engagement**

- Highways and Public Works engaged with Ross River Dena Council in January, 2023 to provide an update on the status of the Pelly Barge and the proposed *Fisheries Act Authorization*.
- Highways and Public Works will also engage with Ross River Dena Council and the Kaska First Nations on exploring options for a long-term river crossing solution. The planning stage for this project is expected to begin in next 1 to 2 years.



## Session Briefing Note

SPRING 2023

## Pelly Barge

Highways and  
Public Works**Context—this may be an issue because:**

- Outfitters, mining companies and the public depend on the Pelly Barge for vehicle access to the North Canol Road.
- Kaska First Nations depend on the Pelly Barge for access to traditional territory, however Ross River Dena Council and other Kaska Nations have expressed concerns about facilitating increased industrial and recreational access to their traditional territory.

**Background:***Fisheries Act Authorization*

- In 2013, the permanent ramps for the Pelly Barge were washed out during a high-water level event. Since then, Highways and Public Works has had to add gravel material to the river to create temporary ramps to prevent the barge from running aground.
- Changes to the Fisheries Act in 2019 have resulted in greater restrictions on the deposit of sediment to the water and the need for a Fisheries Act Authorization to construct temporary ramps in the river.
- Highways and Public Works has applied for a Fisheries Act Authorization to authorize the Pelly Barge operation for a period of five years. DFO has indicated that it is unlikely to continue to authorize current operational practices beyond the proposed 5-year time period.

**Long Term River Crossing Solution**

- In early 2022, Highways and Public Works began engaging with Ross River Dena Council on potential long-term river crossing options.
- Development of a long-term river crossing solution requires cost and feasibility analysis, engagement with the Kaska First Nations, engagement with stakeholders and other Yukon government departments.

Approved by:



January 26, 2023

Deputy Minister, Highways and Public Works

Date Approved



**Taku River Tlingit First Nation –  
Issues and Initiatives**Executive Council  
Office

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**Recommended response:**

If asked about the proposed Áashú Lands transfer

- The Yukon government 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 on a number of matters including consultation and their land interests in the Yukon. These discussions are not treaty negotiations.
- We are also actively discussing how to resolve issues raised in previous court actions. As a part of these discussions we are considering a land transfer to the Taku River Tlingit First Nation and a government-to-government agreement that would address matters of mutual interest and advance our relationship.
- The potential land transfer relates to an eleven and a half square kilometer area, known as the Áashú Lands. It is located 120 kilometers from Whitehorse off the Atlin Road within the Taku River Tlingit First Nation's asserted traditional territory and the Carcross/Tagish First Nation's Traditional Territory.
- The land would be transferred in fee simple and would not be equivalent to Yukon First Nation Settlement Land.
- We are actively consulting with Carcross/Tagish First Nation and engaging others who have land interests in the area and may be impacted by the potential land transfer.
- The land we are considering transferring would surround, but not include those held by private landowners. The private lots would remain with their existing owners and access to their lots would not be affected.

### Taku River Tlingit First Nation – Issues and Initiatives

Executive Council  
Office

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#### If asked about the Atlin Transmission Line

- The energy development corporation of the Taku River Tlingit First Nation has proposed to build an electricity transmission line from Atlin, BC to Jake's Corner.
- The project will advance economic reconciliation and provide clean, reliable, renewable, energy in the winter months when the Yukon needs it most.
- 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.
- We are consulting with Carcross/Tagish First Nation about potential impacts to their treaty rights that may arise from this project, and are also engaging with other First Nations and private land holders.
- We are requesting clarity from the Government of Canada about how the announcements in the 2023 federal budget may apply to the project, and are encouraging Canada to work with the Taku Homeland Energy Limited Partnership to fill the anticipated funding gap in a way that reflects the unique challenges of building in northern communities.

#### **Context—this may be an issue because:**

- The Yukon government (YG) is engaging with Carcross/Tagish First Nation (C/TFN) and third party interests regarding the potential transfer of the Áashú Lands.
- The Atlin Hydro project has generated public interest as it advances through the *Yukon Environmental and Socio-economic Assessment Act* process. On January 20, 2023, the Whitehorse Star published a letter (attached) from the Leader of the Official Opposition in which he questioned whether the project is worth the investment.
- The 2023 federal budget included a new Clean Electricity Investment Tax Credit that may be a source of funding, but did not include a specific allocation for the Atlin

### Taku River Tlingit First Nation – Issues and Initiatives

Executive Council  
Office

Hydro project.

#### 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.

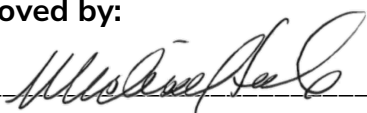
#### Statement of Claim

- 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. Those prohibitions are still in place.
- Negotiations have been ongoing since 2019 and YG and TRTFN negotiators have now agreed on a draft government-to-government agreement and an agreement to transfer an 11.5km<sup>2</sup> parcel known as the “Áashú Lands” in fee simple to TRTFN. Neither agreement establishes Taku River Tlingit rights in the Yukon.
- YG will not proceed with the proposed transfer until consultation with C/TFN and engagement with other land interest holders have concluded.

#### Tripartite Negotiations and Tlingit Nation Rebuilding

- TRTFN and the Governments of Canada, Yukon and BC are considering the initiation of joint discussions on matters of priority to TRTFN.
- TRTFN informed YG of its ongoing engagements with Carcross/Tagish First Nation and Teslin Tlingit Council to rebuild a Tlingit approach to governance.

Approved by:



2023 04 25

Prepared for Premier Pillai  
Executive Council Office

Date prepared: February 3, 2023  
Last Updated: April 24, 2023

Page 3 of 4

**Taku River Tlingit First Nation –  
Issues and Initiatives**

Executive Council  
Office

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Deputy Minister, Executive Council Office

Date

### Projects in Executive Committee Pre-submission Engagement Process

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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 process.
- As the Pre-Submission Engagement process is new, participants, including governments, industry and First Nations, are learning about the new process and its implementation.
- We are 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 Pre-Submission Engagement process including the Eagle Gold Mine Extension Project, Brewery Creek Mine Project, and the Mount Nansen Mine Remediation Project. Our government is actively participating in all of them.

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#### Context—this may be an issue because:

- There are some concerns that the Pre-Submission Engagement (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.

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#### Background:

- The PSE process came into effect on June 1, 2022, after YESAB spent approximately three years developing the process.

### Projects in Executive Committee Pre-submission Engagement Process

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Executive Council  
Office

- 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.
  - 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 4, 2022. It is in the 'Project Proposal Guideline (PPG) Response' phase of the PSE, which is the third of six PSE phases.
- The Executive Committee issued the PPG on March 8, 2023. The Proponent has until March 7, 2025 to submit their Project Proposal Guideline Response.

##### Brewery Creek Mine Project (2022-0134)

- The Brewery Creek Mine Project entered into the PSE process on August 24, 2022. It is in the 'Project Proposal Guideline' (PPG) phase of the PSE, which is the second of six PSE phases.
- The 40-day comment period was extended by the Executive Committee to 63 days as a result of a request from the First Nation of Na-cho Nyak Dun. YG submitted

### Projects in Executive Committee Pre-submission Engagement Process

Executive Council  
Office

comments on the draft PPG to the Executive Committee before the comment period closed on April 13, 2023.

#### Mount Nansen Remediation Project

- The Mount Nansen Remediation Project entered into the PSE process on August 31, 2022. It is in the 'Project Proposal Guideline' (PPG) phase of the PSE which is the second of six PSE phases.
- The 40-day comment period was extended by the Executive Committee to 121 days as a result of requests from Little Salmon/Carmacks First Nation and Champagne and Aishihik First Nations. YG submitted comments on the draft PPG to the Executive Committee on February 17, 2023, well before the comment deadline of April 17, 2023.

#### Approved by:

\_\_\_\_\_  
Deputy Minister, Executive Council Office

\_\_\_\_\_  
Date

**Recommended Response:**

- The YESAA Oversight Group is a joint effort between the governments of Canada, Yukon, and Yukon First Nations 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 were completed in December 2022, and a 'What We Heard' Report was developed for review and consideration by the Oversight Group.
- 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 began on January 10, 2023, and will hold its fourth and final session on February 2, 2023. In response to the *Yahey vs. British Columbia* decision, the Oversight Group approved focusing the Forum on cumulative effects assessment, management, and monitoring, to continue to advance the recommendations from 2021 Forum of the same topic.
- A comprehensive review of YESAA by 2027 is a commitment of the Reset Memorandum of Understanding. The Oversight Group will define the scope and approach for the future review.



- The Oversight Group continues to advance the targeted amendment on the assessment of amendments and renewals, and will consider how to address various concerns raised at the implementation level, for example: timelines, process for obtaining First Nation consent, and capacity.
- 

#### **Context - this may be an issue because:**

- Some industry representatives may be frustrated with the length of time it has taken to make progress on YESAA amendments.
  - The *Yahey vs. British Columbia* decision may increase pressure on Yukon government to demonstrate action to improve the tools, data, and coordination for cumulative effects assessment, management, and monitoring.
- 

#### **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.
- 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.

- 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 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, First Nations, and other organizations on the targeted YESAA amendment to address the assessment of amendments and renewals on October 25 and November 16. The engagement period closed December 2, 2022. A What We Heard Report was developed and shared with the OG.
- The OG met on January 16, 2023, to discuss the What We Heard Report. While Canada expressed concern that consultation and engagement reflected weak support for the targeted amendment, CYFN and YG representatives reaffirmed their support

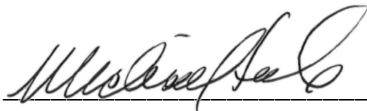
### YESAA Reset Oversight Group

Executive Council  
Office

for its advancement noting that additional work can be undertaken to address concerns via implementation.

- The OG is targeting mid-February 2023, to advance a recommendation to the Minister of Northern Affairs on a YESAA amendment.

Approved by:



Deputy Minister, Executive Council Office

February 1, 2023

Date

## Session Briefing Note

### Yukon Wetlands Policy

Spring 2023  
Environment

#### Quick Facts:

- The Government of Yukon approved *A Policy for the Stewardship of Yukon's Wetlands* in December 2022.
- The policy sets out high-level guidance for improving our knowledge of wetlands, minimizing our impacts on wetlands, and describes a new suite of tools to protect significant wetlands.
- Implementation of the policy has started, but completing the 16 identified actions will take time.
- The policy commits the Government of Yukon to mapping wetlands in the Yukon within 5 years. We have already begun to fulfill this commitment.

#### Recommended response:

- I am pleased to share that we approved *A Policy for the Stewardship of Yukon's Wetlands* at the end of 2022 and released it publicly on January 10, 2023.
- The completion of this policy will provide much-needed high-level direction to achieve sustainable and responsible resource development in and around wetlands while ensuring adequate environmental protections.
- We have worked closely with partners to understand the diverse interests of Yukoners, while developing a policy that supports the long-term stewardship of wetlands in our territory.

#### Additional response:

- Collaboration and engagement with partners was essential to the development of this policy, and will continue to be throughout its implementation.

## Session Briefing Note

**Spring 2023**

### Yukon Wetlands Policy

Environment

- Since the policy's release, we have and will continue to engage with other departments and agencies, regulatory bodies, external partners, and land use planning interests to discuss specific aspects related to the policy's implementation.
- We are also aware of the concerns expressed by Tr'ondëk Hwëch'in and the First Nation of Na-Cho Nyäk Dun regarding the levels of protection that the policy provides for wetlands.
- We look forward to further conversations with both governments to identify and address specific concerns.

**Third response:**

- We recognize that we must be responsive to new information as we continue to build our knowledge and improve our understanding of Yukon's wetlands.
- This includes through initiatives such as wetland mapping and inventory, studying carbon storage and release, as well as researching the effects of a changing climate on northern wetlands.
- We will also continue to support local, national and international partnerships to increase our knowledge of northern wetlands.

**Context — this may be an issue because:**

- Management of wetlands, and acceptable levels of development within them versus protection, is of high interest to Yukoners. Reaction to the release of the policy has been mixed, from supportive (e.g., the Klondike Placer Miners' Association and Yukon Conservation Society), to disapproving (e.g., Tr'ondëk Hwëch'in, the First Nation of Na-Cho Nyäk Dun and the Yukon Chamber of Mines).
- In a joint press release on January 17, 2023, Tr'ondëk Hwëch'in and the First Nation of Na-Cho Nyäk Dun expressed grave concern that the policy for the stewardship of wetlands does not go far enough to protect wetlands. They called on the Government of Yukon to abandon this policy and return to the negotiation table.

# Session Briefing Note

Spring 2023

## Yukon Wetlands Policy

Environment

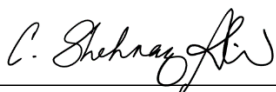
### Background:

- 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.

### Engagement

- 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.
- 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 was released on March 1, 2022.
- First Nations consultation began on August 3, 2022, and was extended to the end of October 2022, at the request of several First Nations.

### Approved by:



A/Deputy Minister of Environment

2023-02-02

Date approved

**Executive Committee Faro Mine  
Remediation Project Canada**

Executive Council  
Office

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**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.

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**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 and Little Salmon/Carmacks First Nation.
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**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.
- In May 2018, the Government of Canada assumed responsibility from the Yukon government (YG) for the care and maintenance operations at the mine site.

**Executive Committee Faro Mine  
Remediation Project Canada**Executive Council  
Office

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- A Transition Agreement between the Government of Canada and YG was signed by YG with the support and agreement of the Ross River Dena Council (RRDC) and Selkirk First Nation (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.
- 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 project proposal was submitted to the Executive Committee on August 27, 2019, and after an extended adequacy review, screening of the project commenced on November 21, 2021.
- Most recently, the Proponent provided a response to the Executive Committee (EC)'s eighth Information Request (IR) on November 22, 2022. The Proponent previously responded to seven other IRs issued by the Executive Committee.
- CIRNAC provided the EC with a summary of refinements to the project scope in a letter and document dated October 31, 2022. CIRNAC noted that these refinements are required to adaptively manage adverse risks to people and the environment at the site.
- The EC is currently considering all of the information received to date and determining if they have sufficient information to move to the next stage of the assessment, which is preparation of a Draft Screening Report (DSR). If the EC opts to begin preparation of the DSR, they will have 180 days (with the option of extending this timeline by an additional 270 days) to prepare the DSR.
- As part of the project's adequacy review and screening, the EC held six technical sessions: water (December 2020); adaptive management (October 2021) and scope of the assessment (January 2021, February 2021, March 2022 and June



**Executive Committee Faro Mine  
Remediation Project Canada**Executive Council  
Office

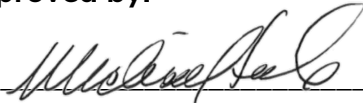
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2022). YG participated in each of the technical sessions as well as submitting detailed comments during the adequacy review and public comment periods.

- 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 Liard First Nation (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

2023 02 02

Date

## **Session Briefing Note**

**Spring 2023**

### **Dawson Regional Land Use Planning**

Energy, Mines and Resources  
Environment

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#### **Recommended response:**

- Engagement on the Dawson Regional Land Use Recommended Plan concluded on December 20, 2022. [A What We Heard report is expected to be released this spring.](#)
- Input gathered from the engagement will inform the Parties' decision whether to accept, reject or modify the Recommended Plan.
- If required, the Planning Commission will prepare a Final Recommended Plan. We anticipate they could provide a Final Recommended Plan in 2024.
- If a Final Recommended Plan is required, the Government of Yukon will provide detailed feedback to the Commission to support their work developing this plan.

#### **Additional response:**

- We appreciate the Commission's efforts to achieve a balance between the many competing interests in the Dawson region.
- Areas recommended for conservation and for interim withdrawals in the Recommended Plan are withdrawn from mineral staking until December 1, 2023.
- [The Government of Yukon and Tr'ondëk Hwëch'in ran scenario](#) workshops with key stakeholders [this past](#) February to identify regulatory implementation issues for the Recommended Plan. [The workshops were well-received](#) and findings will help inform the Parties' decision on the Recommended Plan.

## **Session Briefing Note**

**Spring 2023**

### **Dawson Regional Land Use Planning**

Energy, Mines and Resources  
Environment

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#### **Context – this may be an issue because:**

- The Dawson Regional Land Use Plan, the Government of Yukon's response to the Recommended Plan, and the future of the interim withdrawals are of high interest to Yukoners.

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#### **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.
- Subsequent comments submitted to the Commission by Government of Yukon pertained to critical minerals, access, river and watercourses, cumulative effects, and working within the draft plan prohibition of entry order (interim and permanent) quantum.
- The Planning Commission delivered the Recommended Plan to the Parties (Tr'ondëk Hwëch'in and the Government of Yukon) on June 10, 2022.
- 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

**Session Briefing Note**

**Spring 2023**

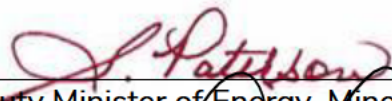
**Dawson Regional Land  
Use Planning**

Energy, Mines and Resources  
Environment

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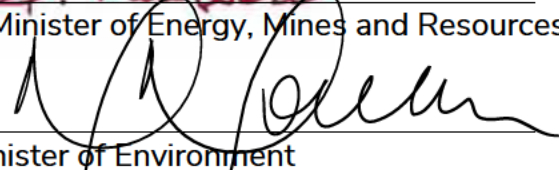
reflect the Recommended Plan. The interim withdrawal is in effect until December 1, 2023.

**Approved by:**

  
\_\_\_\_\_  
A/Deputy Minister of Energy, Mines and Resources

2023-03-07

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Date approved

  
\_\_\_\_\_  
Deputy Minister of Environment

2023 03 07  
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Date approved

## **Session Briefing Note**

### **Successor Resource Legislation – Minerals and Public Lands**

**Spring 2023**  
Energy, Mines and  
Resources

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#### **Recommended response:**

- The Government of Yukon is developing new minerals legislation and new public lands legislation in close collaboration with Indigenous governments.
- Made-in-Yukon legislation will improve our regulatory system, respect First Nations' relationships with the land, protect the environment and strengthen our economy.
- We greatly appreciate the important insights and perspectives that mineral industry representatives and environmental organizations have provided as we work together on new mineral legislation.

#### **Additional response:**

- In February, the Government of Yukon and Indigenous governments launched a public engagement on new minerals legislation. I encourage all Yukoners to participate.
- Last year the Government of Yukon conducted a public engagement and consultation for the new public lands legislation; the results are available in the “What We Heard” report online at Yukon.ca.

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#### **Context — this may be an issue because:**

- The desire to see new minerals and public lands legislation developed has been a longstanding interest of First Nations governments stemming from commitments in the 2003 Yukon Northern Affairs Program Devolution Transfer Agreement.

## Session Briefing Note

### Successor Resource Legislation – Minerals and Public Lands

## Spring 2023

Energy, Mines and  
Resources

#### Background:

##### Mining

- A Steering Committee for New Minerals Legislation was struck in September 2021. It includes representatives of the Government of Yukon, Council of Yukon First Nations, Yukon First Nations governments and Transboundary Indigenous governments.
- The Steering Committee for New Minerals Legislation worked to develop potential approaches for key policy issues from August 2021 to December 2022. This work forms the basis of the current public engagement.

##### Public Lands

- The Steering Committee for New Public Lands Legislation has been ongoing since 2020 and, in November 2022, was re-operationalized with broader membership and a new approach. The Steering Committee is now developing a work plan that is expected to be similar to the workplan for the new minerals legislation process. The workplan will identify and set a path for work on key lands policy issues.
- The Government of Yukon carried out a First Nations consultation and public engagement on concepts for new lands legislation in the spring of 2022. This work will be considered by the Steering Committee for New Public Lands Legislation.

#### Approved by:

  
Deputy Minister  
Department of Energy, Mines and Resources

  
Date approved

**Recommended Response:**

- The Yukon has a robust and effective assessment and regulatory regime that continues to uphold responsible development in the territory.
- We understand that the proponent, Casino Mining Corporation, intends to submit an Environmental and Socioeconomic Effects Statement in early 2024, initiating the Panel of the Board 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.
- We will continue to prepare for the panel review process, including consideration of the scope of the project and access road, identifying information needs with respect to cumulative effects, preparations for consultation with First Nations, and the identification of Decision Bodies.

**Additional Response:**

- YESAB is currently seeking comments on the draft Environmental and Socioeconomic Effects Statement guidelines. Yukon government is completing our review and will provide comments on the draft guidelines.

**Context - this may be an issue because:**

- Casino Mine Project would be one of the largest mine projects in Canada 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.

**Casino Mine Project**Executive Council  
Office

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**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 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 145,000 tonnes of ore per day over a 27-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 611 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.
- The mine is expected to employ approximately 1,400 people during construction and approximately 700 people during operations.
- Liquefied natural gas (LNG) will be trucked to the project site and gasified to provide natural gas to fuel a 130 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.

- YESAB issued guidelines for the development of the Environmental and Socio-economic Statement (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.
- On October 11, 2022, CMC provided 9-month advance notice to YESAB of their intention to submit their ESES.
- In a letter to CMC dated October 28, 2022, YESAB outlined the reasons for their decision to revise the ESES guidelines, and the process and timelines for these revisions. In general, the reasons relate to the changes to the environmental and socio-economic conditions, the project, and assessment practice and methodology since the ESES guidelines were first developed in 2016.
- YESAB issued the draft revised ESES guidelines on January 3, 2023. The initial period for providing comment on the draft revised guidelines was until February 17<sup>th</sup>, 2023, which was subsequently extended until March 3<sup>rd</sup> at the request of Little Salmon/Carmacks First Nation (LS/CFN). On February 28<sup>th</sup>, YESAB extended this period until April 19, 2023, based on a second request for extension from LS/CFN. The YG Interdepartmental Working Group for the Casino Mine Project has, therefore, until April 19<sup>th</sup> to review and provide comment on the guidelines.
- 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*

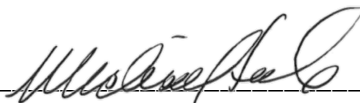
**Casino Mine Project**

Executive Council  
Office

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- 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, (apart from three bridge replacements), but the proposed extension, the "Casino Road," is identified under Yukon Resource Gateway Project as an industry-lead project.

**Approved by:**

  
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Deputy Minister, Executive Council Office

2023 04 19

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Date

**COVID-19 Research Funding**

Executive Council  
Office

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**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 associated measures, and to inform our path forward.
- The COVID-19 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, complementing other Government-led information gathering efforts which included 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.

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**Context—this may be an issue because:**

- Investments in COVID-19 initiatives may be of high public interest.
- Results from selected projects will start to be released in late March and early April 2023, and may include recommendations for

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

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improvements in Yukon government's response, processes and programs.

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**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.
- Fund recipients will make outcomes and key learnings from their projects available in public reports and/or summaries that will be released as the projects are completed.
- Most of the projects will be complete by March 31, 2023, though a few will extend activities beyond this initial deadline largely due to COVID-related delays. All projects will be complete by June 30, 2023.

### COVID-19 Research Funding

Executive Council  
Office

- The Office of the Science Advisor is planning a results summit in late spring/ early summer 2023 where fund recipients can communicate and discuss their key findings with interested stakeholders and members of the public.
- 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)
  - Enhancing access for rural Yukon First Nations citizens to culturally appropriate mental health supports during COVID recovery (The Firelight Group / Tr'ondëk Hwëchin)
  - Yukon First Nation Emergency Response – Through a First Nation COVID-19 Response Team (Council of Yukon First Nations)
  - 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)
  - The impacts of the COVID-19 pandemic on the health and well-being of educators in Yukon (Lakehead University)
  - The Yukon Entrepreneur Adaptability Project: Business Model Transitions during the COVID-19 pandemic (Kari Johnston)
  - Understanding COVID-19 impact on housing insecurity among LGBTQIA2S+ Yukoners (Queer Yukon Society)
  - 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)
  - COVID-19 Impacts on Yukon Trappers (Shannon Powell)
  - 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)

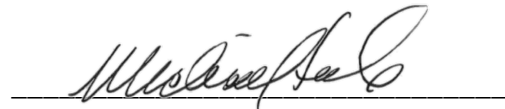
**COVID-19 Research Funding**

Executive Council  
Office

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- Assessing the impact of the pandemic on mental health for First Nations youth in the Yukon (Liard First Nation)
- The impacts of COVID-19 on Yukon's frontline health care workers (Liris Smith/ Michelle Leach)

**Approved by:**



Deputy Minister, Executive Council Office

2023 02 01

Date

**Yukon government's approach to  
Traditional Knowledge**

Executive Council  
Office

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**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 Nations' ways of knowing, doing and being.
- We held conversations with Yukon First Nations and transboundary Indigenous groups, as well as across all our departments, to learn how we can best respect and reflect Yukon First Nation and Indigenous ways of knowing, doing and being in our actions and decisions.
- We are working on finalizing guiding principles and implementation priorities for this work.

**Additional response:**

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

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**Context: this may be an issue because:**

- Government reiterated its commitment to this work in the July 2021 mandate letter.

## Yukon government's approach to Traditional Knowledge

Executive Council  
Office

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- Yukon First Nations and transboundary Indigenous groups are keen to ensure that Yukon government proceeds in a way that respects their ownership, as well as the value and importance of their accumulated and evolving knowledge.

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### Background:

- The Government of Yukon does not have a corporate approach to working with Yukon First Nations and transboundary Indigenous 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 Indigenous groups, as well as Government of Yukon departments.
- An ad hoc intergovernmental working group guided the early conversations on this work. 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 Indigenous groups in summer / fall 2021. Twelve members are designated so far, representing seven Yukon First Nations (Champagne and Aishihik First Nations, Carcross/Tagish First Nation, Kluane First Nation, the First Nation of Na-Cho Nyäk Dun, Ross River Dena Council, Tr'ondëk Hwëch'in and White River First Nation and three transboundary Indigenous groups (Acho Dene Koe First Nation, Gwich'in Tribal Council, and Inuvialuit Game Council & Joint Secretariat).
- A second full-day meeting **was** held on February 9, 2023, and **provided** an opportunity for working collaboratively on Terms of Reference; Goals and Milestones; and related steps on the path toward Guiding principles. **Follow-up**



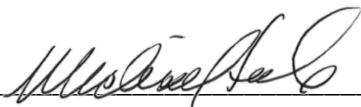
**Yukon government's approach to  
Traditional Knowledge**

Executive Council  
Office

bilateral discussions are being scheduled with working group members not in attendance, and the next group meeting is scheduled for May 2023.

- Yukon government remains open to bilateral conversations with Yukon 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.
- In addition, 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, funding for the Indigenous Knowledge research chair at Yukon University, and exploration of corporate training options for concepts related to Indigenous knowledge ownership and control.

**Approved by:**

  
\_\_\_\_\_  
Deputy Minister, Executive Council Office

2023 03 01

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Date

**Youth Directorate Funding to  
Community Organizations**

Executive Council  
Office

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**Recommended response:**

- The Youth Directorate supports youth programs and services that promote mental health and 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 Government of Yukon.
- The Youth Directorate provides annual contributions of more than \$1.6 million to youth-serving organizations and community groups through several funding programs.
- The Youth Directorate implemented a new youth mental wellness grant for fiscal year 2022/23 with \$400,000 of available funding.
- Working with the Leader of the Third Party, we have committed to increasing the additional investment in initiatives supporting mental health outcomes for youth by an additional \$1 million per year.

**Additional response:**

- The Yukon government is committed to supporting organizations that provide valuable supports and services to the territory's youth and communities.
- Youth-serving organizations are experiencing increased programming demand from their youth clients as we emerge from the pandemic.
- The Yukon government contributions helped support these organizations to keep Yukon youth engaged.

## Youth Directorate Funding to Community Organizations

Executive Council  
Office

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### Context – this may be an issue because:

- There may be interest in the Yukon government's support for youth organizations and operational funding in light of the new Confidence and Supply Agreement, which contains a commitment to increase funding by an additional \$1m for mental health outcomes for youth.
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### 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
  - BGC-Yukon
  - 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**)
  - BGC-Yukon + \$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.

- The Youth Directorate provides up to \$422,000 of annual project funding to support:

### Youth Directorate Funding to Community Organizations

Executive Council  
Office

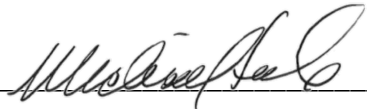
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- The Youth Developmental Asset Program - \$320,000 for youth activities, training and employment for Kwanlin Dün First Nation and 16 Yukon communities.
  - The Youth Investment Fund - \$102,000 that is a dedicated fund for youth projects. It recognizes the value of community-driven initiatives aimed at marginalized youth ages 18 and under.
  - For 2022/23, the Youth Directorate implemented a new youth mental wellness grant with \$400,000 of available funding.
    - \$272,000 of funding will be shared between the BGC-Yukon, 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*
    - Projects must be completed by March 31, 2023.
    - A selection panel with representatives from the Youth Directorate, Aboriginal Relations, Lotteries Yukon, Health and Social Services and the Youth

**Youth Directorate Funding to  
Community Organizations**

Executive Council  
Office

Achievement Centre evaluated the projects and selected the successful applicants.

**Approved by:**



Deputy Minister, Executive Council Office

2023 02 03

Date

**Notable Yukon Water Board  
Applications**Executive Council  
Office

**Topic:** Current Yukon Water Board licence applications of note.

QUARTZ UNDERTAKINGS	
APPLICANT	DETAILS
Minto Metals Corp.	<ul style="list-style-type: none"><li>• Minto Metals 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).</li><li>• The application was deemed adequate for public comment and the comment period closed in April 2021.</li><li>• YG and Selkirk First Nation advised the Board that activities applied for have not been assessed and this resulted in the Board requesting an updated application.</li><li>• The company submitted updated application documents on August 26, 2022 and the Board sought additional information from YG and Selkirk First Nation related to assessment.</li><li>• On December 8, 2022 the Board made a preliminary determination that the project had been assessed and directed the Secretariat to complete an adequacy review of the application.</li><li>• The adequacy review is ongoing with the assistance of Hutchinson Environmental until March 31, 2023 at which time their contract ends. A Request for Analysis of Procurement (RAP) seeking an extension to the temporal scope and value of the contract is currently in process.</li></ul>
Victoria Gold Corp.	<ul style="list-style-type: none"><li>• The company has a Type A Water Licence and in November 2020 submitted an updated Reclamation and Closure Plan (RCP) and security costing.</li><li>• 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.</li><li>• On June 17, 2022 the Board determined to not approve the</li></ul>

## Notable Yukon Water Board Applications

Executive Council  
Office

QUARTZ UNDERTAKINGS	
APPLICANT	DETAILS
	<p>RCP and Ordered \$104,903,628 in security inclusive of security held under the Quartz Mining Act.</p> <ul style="list-style-type: none"> <li>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.</li> <li>On September 28, 2022 the Court ordered that the Water 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.</li> <li>On October 3, 2022 the company submitted an updated RCP and security costing which the Board is reviewing.</li> <li>The Board is waiting for EMR Mineral Resources Branch to sign the second pilot process documents for the October 3, 2022 RCP and security costing review.</li> </ul>
Elsa Reclamation and Development Company	<ul style="list-style-type: none"> <li>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.</li> <li>The purpose of the renewal is to implement the site-wide Reclamation Plan and associated long term monitoring.</li> <li>The Board deliberated the application at a special sitting on September 13 and 14, 2022 and will be releasing its decision shortly.</li> </ul>
BMC – Kudz Ze Kayah	<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>A DD was issued for the project on June 15, 2022.</li> </ul>

**Notable Yukon Water Board  
Applications**Executive Council  
Office

QUARTZ UNDERTAKINGS	
APPLICANT	DETAILS
	<ul style="list-style-type: none"><li>On August 23, 2022 the company submitted updated documents.</li><li>The public comment period for the application began on January 6, 2023.</li><li>The Board extended the intervention deadline date to May 5, 2023 following a request by Ross River Dena Council and Liard First Nation.</li></ul>
Newmont - Coffee	<ul style="list-style-type: none"><li>The company has not yet submitted an application to the Yukon Water Board.</li></ul>
Alexco Keno Hill Mining Corp.	<ul style="list-style-type: none"><li>The company has a Type A Water Licence and in November 2021 submitted an updated Reclamation and Closure Plan (RCP) and security costing.</li><li>The Board completed its review of the RCP and security costing and is drafting its findings.</li></ul>

HYDRO UNDERTAKINGS	
APPLICANT	DETAILS
Yukon Energy Corp. – Aishihik Renewal	<ul style="list-style-type: none"><li>YEC submitted an application on April 8, 2022 for a five year renewal of the Aishihik Generating Station Type A Water Licence which expired on December 31, 2022.</li><li>The application was advertised for public comment and a public hearing was held November 21 and 25, 2022.</li><li>Licence HY22-016 was issued on December 21, 2022 and the Board is drafting its reasons.</li></ul>
Yukon Energy Corp. – Mayo Emergency Amendment	<ul style="list-style-type: none"><li>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.</li><li>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</li></ul>



**Notable Yukon Water Board  
Applications**Executive Council  
Office

HYDRO UNDERTAKINGS	
APPLICANT	DETAILS
	<p>for failure due to freeze-thaw cycles or significant infiltration of water from heavy rains or rain on snow events.</p> <ul style="list-style-type: none"><li>• YEC sought to amend instream flows in the water licence between the Mayo A and Mayo B powerhouses.</li><li>• The amendment was issued on January 4<sup>th</sup>, 2024.</li></ul>

MUNICIPAL UNDERTAKINGS	
APPLICANT	DETAILS
YG Community Services – Dawson City	<ul style="list-style-type: none"><li>• 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.</li><li>• The Secretariat is currently reviewing the application to determine if it conforms with application submission standards.</li></ul>
Haines Junction	<ul style="list-style-type: none"><li>• 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.</li><li>• The Secretariat is currently reviewing the application to determine if it conforms with application submission standards.</li></ul>
Village of Mayo	<ul style="list-style-type: none"><li>• In May 2022 the Village of Mayo opened an application to amend its Type A Municipal Water Licence.</li><li>• A public hearing was scheduled for November 2 &amp; 3, 2022 but it has been postponed as the Board awaits information resulting from an information request. No new hearing date has been set.</li></ul>

Miscellaneous Licences	
APPLICANT	DETAILS
Nisutlin Bay Bridge Replacement	<ul style="list-style-type: none"><li>• In December 2021, YG - Highways and Public Works submitted a water licence application for the replacement of the Nisutlin Bay Bridge located at Teslin.</li></ul>

## Notable Yukon Water Board Applications

Executive Council  
Office

	<ul style="list-style-type: none"> <li>• 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.</li> <li>• The Board advertised the application for public comment on July 6, 2022. Public comment period closed on August 3<sup>rd</sup>.</li> <li>• 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.</li> </ul>
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### PLACER UNDERTAKINGS

APPLICANT	DETAILS
Tamarack Inc. – Indian River and Montana Creek	<ul style="list-style-type: none"> <li>• Tamarack applied for a Type B Water Licence and Placer Mining Land Use Approval for a project in the Indian River wetlands complex.</li> <li>• 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.</li> <li>• 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.</li> </ul>
Indian River Wetlands	<ul style="list-style-type: none"> <li>• The Board has a number of active applications before it which are located in the Indian River wetlands complex.</li> <li>• YESAB recommended terms in evaluation reports stating there should be no mining in undisturbed wetlands within the Indian River complex.</li> <li>• 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.</li> <li>• 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</li> </ul>

**Notable Yukon Water Board  
Applications**Executive Council  
Office

	<p>Board to develop a policy to guide decision making.</p> <ul style="list-style-type: none"><li>• A three-day virtual public interest hearing was held in October 2020.</li><li>• 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.</li><li>• 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.</li><li>• The Board continues to deliberate each application on a case-by-case basis given the evidence provided by all parties.</li></ul>
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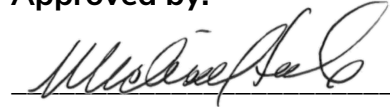
Statistics - Water Licence Applications Received 2012 to Date			
Year	Type B	Type A	Total
2012	84	4	88
2013	99	3	102
2014	120	4	124
2015	133	2	135
2016	123	8	131
2017	135	7	142
2018	121	5	126
2019	102	7	109
2020	116	5	121
2021	93	6	99
2022	119	4	123

**Notable Yukon Water Board  
Applications**

Executive Council  
Office

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Approved by:



Deputy Minister, Executive Council Office

February 14, 2023

Date

**Session Briefing Note****Spring 2023****Youth Panel on Climate Change**Environment & ECO

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**Recommended response:**

- This year's Youth Panel on Climate Change, our second cohort, focused on activities that build youth capacity, leadership skills, education, and engagement on climate change issues in the Yukon.
- The Panel coordinated four youth climate workshops in Whitehorse and created a film that explores a vision for climate action in the Yukon.
- We thank the Panel for their efforts in engaging with other Yukon youth and for advancing climate leadership in the territory.

**Additional response:**

- The territory's youth are the next generation of environmental stewards and we recognize the important role they play in addressing the climate crisis.
- Based on the experiences of the Youth Panels, we look forward to working on meaningful ways to continue to build youth capacity and leadership on climate change.
- We appreciate the considerable time and effort that the 2021 and 2022 Youth Panel cohorts, as well as BYTE (for youth, by youth), put into advancing youth climate action in the territory.
- We will continue to explore further opportunities to support youth leadership on climate action.

**Third response:**

- Many of the recommendations from the first Youth Panel align well with our existing commitments under *Our Clean Future*.
- Approaching climate action with continued flexibility allows the Government of Yukon to incorporate expertise and diverse perspectives, such as those of the Youth Panel.
- In line with this, we appreciate and recognize the existing gaps and

## Session Briefing Note

Spring 2023

## Youth Panel on Climate Change

Environment &amp; ECO

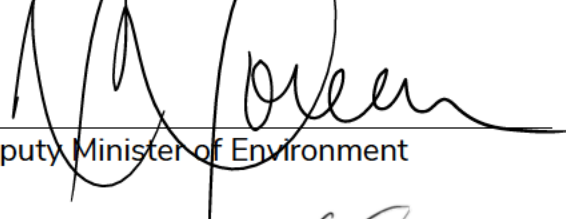
barriers the recommendations pointed out, and we will continue to analyze and assess these to see where the Government of Yukon can best take action.

**Context — this may be an issue because:**

- Government received questions as to whether the youth panel will continue to be funded to support subsequent cohorts.

**Background:**

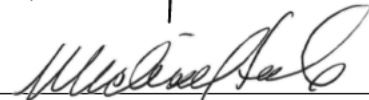
- Action L6 in Our Clean Future establishes a commitment to create a Youth Panel on Climate Change to provide advice and perspectives to the Government of Yukon on climate change, energy and green economy matters.
- In 2021, the first Youth Panel on Climate Change Cohort included 12 youth who delivered a set of recommendations - *Our Recommendations, Our Future: 27 Programs and Policies to Embolden the Yukon's Climate Action*, with the goal of emboldening the actions laid out in Our Clean Future.
- In 2022, the second Youth Panel on Climate Change cohort included 10 panellists that built on the first cohort's ambitions through capacity and leadership-building activities. They did not create recommendations.
- The Yukon government partnered with BYTE – Empowering Youth Society, for the second year in a row, to run the youth panel and report to the government on its activities.

**Approved by:**

Deputy Minister of Environment

2023.03.02

Date approved

  
Deputy Minister of Executive Council Office

2023 03 03

Date approved

### Budget Operations for Cabinet

Executive Council Office

#### Recommended response:

This budget provides the members of the Executive Council with planning and administrative support services.

The total Cabinet budget is \$3,434,000 broken down in two units: **Ministers** and **Cabinet Office Support**

#### Ministers

This budget totaling \$348,000 is for expenses related directly to the Ministers.

- There have been no increases in this budget since 2019-20.
- \$293,400 is allocated for in-and out-of-territory travel for Ministers and their staff, as required.
- \$50,000 is allocated for communication costs (telephones, etc.) for Ministers and their support staff.
- \$5,000 is allocated for other miscellaneous expenses.

	2022-23		2021-22		2020-21	
	Budget	Estimate	Budget	Actual	Budget	Actual
<b>Travel</b>	293,400	260,000	293,400	35,303	293,400	28,193
<b>communications</b>	50,000	25,000	50,000	27,174	50,000	37,833
<b>Other Expenses</b>	5,000	5,170	5,000	4,178	5,000	1,301
	348,400	290,170	348,400	66,655	348,400	67,327

\*Reduced travel costs in 2020-21 & 2021-22 due to COVID

### Budget Operations for Cabinet

Executive Council Office

#### Cabinet Offices support

This budget totals \$3,086,000 with 98% of the budget funding personnel costs and the remaining being allocated to office operations (supplies, material, training etc.).

- There are currently 24 FTEs budgeted in the Cabinet Office.
  - 14 Advisory positions
  - 7 Administrative positions
  - 3 Executive positions

#### Additional response:

- There has been no increase to this budget since 2019/20.
- Details of out-of-territory travel for Ministers are posted to Yukon.ca.

#### Context — this may be an issue because:

- Expenses related to Ministerial travel were historically low over the past two budget years. However, trips have resumed to pre-pandemic levels recently and may generate questions on spending and value for money considerations.

#### Approved by:

\_\_\_\_\_  
Deputy Minister  
Department of Energy, Mines and Resources

\_\_\_\_\_  
Date approved



### **Cost of Transition/Swearing-in Ceremony**

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Executive Council Office

#### **Recommended response**

- The total costs associated with the government transition are approximately \$360,000.

#### **Swearing-in Ceremony:**

- The swearing in ceremony was a memorable event that reflected the diversity and talent of our community.
- Yukon First Nations and Filipino performers helped to make this a special occasion whether people attended in person or watched online.
- The government spent \$21,597.00 on the swearing-in ceremony.
  - \$10,129 for stage set-up and sound contractor
  - \$3,456 for advertising, photographer, program printing
  - \$4,137 honoraria for performers
  - \$3,500 for catering
  - \$375 for other miscellaneous expenses

#### **Severance Costs:**

- We do not discuss severance amounts so that we do not violate employee privacy. The total severance costs were in line with what we have seen in previous government transitions.
- These employees were hired under the Cabinet and Caucus Employees Act, and the terms of their departure followed appropriate policies and procedures.

# Session Briefing Note

**TAB 59**

**Spring 2023**

## **Cost of Transition/Swearing-in Ceremony**

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Executive Council Office

- Every transition includes personnel costs; this is the price of doing business in an organization that seeks to recruit and retain strong leaders and talent.

Approved by:

  
\_\_\_\_\_  
Deputy Minister  
Executive Council Office

2023 03 10  
\_\_\_\_\_  
Date approved

**Session Briefing Note****Spring 2023****Intergovernmental Relations  
(General)**Executive Council  
Office

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**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.
- Our government's relationships with the provinces, territories and federal government are very strong, and we look forward to continued cooperation on important issues.
- With the resurgence of international travel, we have seen renewed interest in the Yukon from other countries.

**Recommended response (winter engagements):**

- Our government had productive and successful meetings in Ottawa in early December.
- Our Yukon Days delegation brought Yukon First Nations leaders, members of our Cabinet, and federal ministers together to discuss shared priorities.
- Minister Silver made representations supporting Yukon's security interests to the Senate Standing Committee.
- I returned to Ottawa in February to advance our priorities on health care at the First Ministers' table, and to meet with federal decision-makers on other Yukon priorities.
- Since then, we have been pleased to host a number of diplomats here in the Yukon, including from Japan, Scotland, and Kazakhstan, to promote our territory as a place to live, study, travel, and invest.

**Recommended response (Travel):**

**Session Briefing Note****Spring 2023****Intergovernmental Relations  
(General)**Executive Council  
Office

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- It is important for leaders in the Yukon to attend these in-person meetings to deliver our messages, elevate our priorities and champion our interests.
  - Nothing can replace the impact you have by looking folks in the eye and listening to what they have to say.
  - I recognize there are costs for these trips, and a 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 participate virtually when possible.
- 

**Context—this may be an issue because:**

- Opposition may question where the Premier engaged with other governments and how those meetings benefit the 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, Yukon government ministers attended (include, but not limited to):
    - Yukon Days and Yukon-Canada bilateral meetings in Ottawa, December 5-8, 2022 (Silver, Pillai, McLean);
    - COP15 biodiversity conference, Montreal, December 2023 (Clarke);
    - Bilateral meetings with Premiers Eby and Cochrane during Roundup, Vancouver, January 2023 (Pillai);
    - National Roundtable on MMIWG2S+, Ottawa, January 10, 2023 (McLean);
-

## Session Briefing Note

### Intergovernmental Relations (General)

**TAB 63**

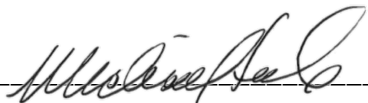
**Spring 2023**

Executive Council  
Office

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- First Ministers Meeting [and federal bilateral engagements](#), Ottawa, February 7, 2023 (Pillai).

**Approved by:**

  
\_\_\_\_\_  
Deputy Minister, Executive Council Office

20230425

\_\_\_\_\_  
Date

**Federal Health Funding Negotiations  
Status**

Executive Council  
Office

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**Recommended response:**

- As demands on our health care system increase, it is critical that we advance the implementation of Putting People First and ensure the territory is on a sustainable path forward as we modernize and improve services for Yukoners.
- The recently-announced \$200 billion over ten years in federal funding for health care represents the culmination of more than two years' work and advocacy by Canada's Premiers.
- While Premiers have accepted the overall frame for a funding deal, work continues on bilateral agreements that will address the distinct needs of our territory.
- I look forward to sharing more information once negotiations are finalized.

**Additional response (THIF):**

- Northern premiers are working with Health Canada to negotiate a THIF renewal that recognizes the distinct needs and high cost of delivering health care in the north.
- We are working with the federal government to finalize plans for the renewal of this territory-specific fund, and anticipate reaching agreement-in-principle on a health funding deal for the Yukon very soon.
- The Yukon faces distinct challenges in delivering health services due to our northern, rural and remote setting.
- To help address some of these challenges, the Yukon receives funding through the Territorial Health Investment Fund, in addition to the Canada Health Transfer and bilateral agreements on shared health priorities.

**Federal Health Funding Negotiations  
Status**Executive Council  
Office

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- 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.

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**Context—this may be an issue because:**

- There may be questions about the Yukon's portion of the federal funding offer, delivered to First Ministers on February 7.
- The Council of the Federation (COF) accepted the proposal on February 13, with provinces and territories commencing bilateral negotiations.
- As of February 28, most provinces have announced agreement-in-principle with the federal government on health deals for their jurisdictions.
- The other territorial governments have raised the Territorial Health Investment Fund (THIF) in local reporting as an important issue for continued negotiation.


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**Background:**

- On February 7, 2023, Canada proposed a plan to increase health funding over the next 10 years. The plan includes approximately \$200 billion in additional funding, with approximately \$45 billion dollars of newly-announced funding, nationally from 2023-24 to 2032-33.
- The funding includes approximately \$20 billion in new funding through the CHT and \$25 billion delivered through bilateral agreements to be negotiated by Health Canada.
- For the Yukon, these proposals would increase health funding by approximately \$95 million over ten years.
- The initial proposal also included \$175 million to renew the Territorial Health Investment Fund (THIF) for an additional 5 years until 2027-28, with Yukon and NWT receiving \$10 million per year and Nunavut receiving \$15 million. The pan-territorial business case submitted to Canada sought \$750 million over ten years.

**Federal Health Funding Negotiations  
Status**Executive Council  
Office

- The 2022-23 THIF investments were \$6.4 million for the Yukon, \$7.1 million for the NWT, and \$13.5 million for Nunavut.
- On February 13, premiers signaled that they would accept the federal proposals related to CHT and funding envelope for bilateral agreements. Provincial premiers were united in their support for the territories to seek additional, longer term THIF funding.
- As of February 28, most provinces have announced agreement-in-principle with the overall federal funding proposal specific to their jurisdiction.
- As of February 14, the funding envelope for the THIF renewal is under discussion. While assurances have been received that THIF will be extended over ten years, rather than the initially-proposed five, Northern Premiers wrote to the Prime Minister seeking an increase to the funding level in accordance with the territories' proposal. A response is yet to be received.
- The Yukon government has held back agreement-in-principle to the federal offer, pending the Prime Minister's response to the Northern Premiers' letter.

**Approved by:**

Deputy Minister, Executive Council Office

2023 03 02

Date



**Recommended response:**

- Our work with the federal government achieves results for Yukoners and yields important investments in the territory.
- Funding to implement *Our Clean Future*, for the Atlin Hydro Expansion Project, and to support affordable housing is a direct result of our advocacy and engagement with federal decision-makers.
- This work also ensures that the Yukon's distinct perspectives are reflected in national dialogues and federal policy-making on important issues like Arctic security and sovereignty.

**Additional response:**

- We look forward to continuing to work with the federal government to advance Yukon priorities, including strong and sustainable health care systems, clean energy, infrastructure, and development projects that will support our future prosperity and growth.
- Our strategic engagement with the federal government makes sure that the Yukon's needs are communicated clearly and consistently to the right people, all the way up to the Prime Minister.
- We also continue to work with Yukon First Nations leaders to bring a joint Yukon voice to Ottawa through Yukon Days.

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**Context—this may be an issue because:**

- There may be questions about how the Yukon advances its interests on the national stage.

**CONFIDENTIAL**

**Session Briefing Note**

**Federal Engagement**

**TAB 65**

**Spring 2023**

Executive Council  
Office

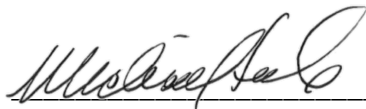
- A number of high-profile Government of Yukon projects and initiatives, such as the Atlin hydro expansion, will require significant federal investment to be successful.

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**Background:**

- ECO Intergovernmental Relations coordinates engagement with the federal government on Yukon's priorities. Engagement is centered on the federal financial cycle, involving advocacy through the fall and winter in order to realize funding opportunities in the spring budget.
- Recent areas of focus for federal engagement include
  - Health care funding, namely renewal of the Territorial Health Investment Fund;
  - Funding for the Atlin hydroelectric expansion project;
  - Support for the Yukon government's interests in the Port of Skagway redevelopment;
  - Funding for affordable housing; and
  - Critical mineral development.

**Approved by:**



Deputy Minister, Executive Council Office

February 1, 2023

Date

### Arctic and Northern Policy Framework

Executive Council  
Office

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#### Recommended response:

- The Arctic and Northern Policy Framework is the Government of Canada's vision for the North.
- A number of our government's priorities are reflected in the framework, including access to renewable and affordable energy, a safe and secure Arctic region, and investments in infrastructure that can support healthy and prosperous communities.
- We continue to work closely with the federal government for the benefit of Northerners and all Canadians.

#### Additional response:

- Working collaboratively with Yukon First Nations governments, the federal government and the other territories is essential in developing a meaningful long-term plan for Canada's North.
- Existing government strategies, priorities, and mandate commitments on issues from clean energy to health care will continue to guide our work with Canada, as we consider the Government of Yukon's ongoing engagement in the Framework and its governance structures.
- Our work towards a Yukon Arctic Security Advisory Council will also support the articulation of a made-in-Yukon policy vision for a strong, secure, and prosperous North.
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#### Context—this may be an issue because:

- Political leaders' meetings are periodically convened in relation to the Arctic and Northern Policy Framework. The meetings may attract media attention and public statements about the framework.

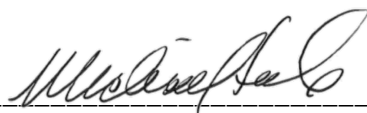
## Arctic and Northern Policy Framework

Executive Council  
Office

### 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 and [implementation](#) of national and regional governance mechanisms. There is no comprehensive investment strategy associated with the Framework.
- "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 also each released stand-alone chapters.
- The Council of Yukon First Nations (CYFN) will write their own chapter to the Arctic and Northern Policy Framework and received funding from the federal government for this work.
- The Government of Yukon is moving in parallel with CYFN as we develop a response to the framework. [We are engaged in the governance structures established by Canada to date.](#)

Approved by:



2023 04 25

**Arctic and Northern Policy  
Framework**

Executive Council  
Office

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Deputy Minister, Executive Council Office

Date

### Arctic and Northern Policy Framework

Executive Council  
Office

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#### Recommended response:

- The Arctic and Northern Policy Framework is the Government of Canada's vision for the North.
- A number of our government's priorities are reflected in the framework, including access to renewable and affordable energy, a safe and secure Arctic region, and investments in infrastructure that can support healthy and prosperous communities.
- We continue to work closely with the federal government for the benefit of Northerners and all Canadians.

#### Additional response:

- Working collaboratively with Yukon First Nations governments, the federal government and the other territories is essential in developing a meaningful long-term plan for Canada's North.
- Existing government strategies, priorities, and mandate commitments on issues from clean energy to health care will continue to guide our work with Canada, as we consider the Government of Yukon's ongoing engagement in the Framework and its governance structures.
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- 

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## Arctic and Northern Policy Framework

Executive Council  
Office

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- The Government of Yukon is moving in parallel with CYFN as we develop a response to the framework. [We are engaged in the governance structures established by Canada to date.](#)

<b>Approved by:</b>  _____
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**Arctic and Northern Policy  
Framework**

Executive Council  
Office

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Deputy Minister, Executive Council Office

Date



**Recommended response:**

- Yukon Days brings shared priorities of the Yukon government and Yukon First Nations to federal ministers and decision-makers.
- This past December, I joined members of our Cabinet and Yukon First Nation Chiefs to advocate on issues such as housing, Indigenous languages, the substance use health emergency, and Yukon River salmon.
- These meetings help to ensure that federal decision-makers understand our unique northern context, the issues of greatest importance to Yukoners, and the home-grown solutions that can tackle our biggest challenges.
- I am proud of the way the Yukon government and Yukon First Nations work together to make our voice stronger during Yukon Days.

**Additional response:**

- Yukon Days showcases the territory as a leader in reconciliation, and an example for the rest of the country.
- Over the last few years, our joint efforts through Yukon Days have resulted in concrete action and investment by the federal government in areas such as First Nations housing and treaty loan forgiveness.
- We look forward to continuing cooperative work with Yukon First Nations and Canada.

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**Context—this may be an issue because:**

- Yukon Days was held shortly following the fall sitting, and there may be questions on meeting outcomes.

**CONFIDENTIAL**  
**Session Briefing Note**  
**Yukon Days**

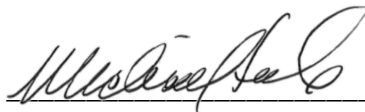
**TAB 67**  
**Spring 2023**  
Executive Council  
Office

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**Background:**

- Yukon Days is a longstanding annual event to promote the Yukon's priorities with the federal government and focuses on Premier, Minister, and First Nations Chief-level advocacy on Yukon priorities with federal leadership.
- Working with Yukon First Nations to set the agenda for Yukon Days helps to fulfil the Yukon government's commitment in the Yukon Forum Joint Action Plan to bring a joint voice to Canada on multilateral initiatives.
- Since 2018, meetings have taken place in early December to raise the profile of Yukon's interests at an optimal point in the federal budget cycle.
- The last set of Yukon Days meetings took place on December 5 and 6, 2022.
- Topics for the 2022 event included housing; the substance use health emergency; land use planning; salmon management; Indigenous languages; and the federal Non-Insured Health Benefits Program.

**Approved by:**



Deputy Minister, Executive Council Office

February 1, 2023

Date

## Session Briefing Note

Spring 2023

### Housing Issues

Yukon Housing Corporation

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#### Recommended response:

- As we are aware, homelessness has far-reaching consequences that impact Yukoners. The substance use health emergency and the COVID-19 pandemic have only intensified these issues.
- Meanwhile, rental options are too few and often too expensive. Vacancy rates in the rental market 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 our Community Housing stock to support a full housing continuum - 47 new affordable units at 401 Jeckell, 10 units of affordable and supportive housing for seniors through Normandy Living and three new triplexes in Watson Lake, Mayo and Whitehorse demonstrate how we are responding to the 2022 Office of the Auditor General of Canada recommendations on housing.
- Partnership with Da Daghay Development Corporation for the construction of 98 new units is one of numerous housing examples that further support vulnerable Yukoners.
- Through our new approach to housing YG employees in communities, we aim to decrease the housing cost disparities in communities, further incentivize private sector investment in housing, and prioritize

## Session Briefing Note

Spring 2023

### Housing Issues

Yukon Housing Corporation

allocations of the government's existing staff housing units to meet critical needs for community well-being.

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

#### 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 an eighth time in January, bringing the Bank rate to 4.50%. At the start of 2022, that rate was 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 Housing Action Plan Implementation Committee (HAP – IC) 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

Spring 2023

## Housing Issues

Yukon Housing Corporation

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- 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 \$1.02 million in funding from YHC's Housing Initiatives Fund - for a 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 5<sup>th</sup> and Rogers site (See TAB #34) and old Macaulay Lodge site (See TAB #37);
  - First Nations land development projects – KDFN's Copper Ridge West (See TAB #35) and Range Point projects;
  - Private Sector land development project initiatives – the Tank Farm (See TAB #40).
- Community Services estimates an additional 1,476 new housing lots will come online by 2026, enough to accommodate 2,713 additional housing units.

### New Housing Construction and partnerships with the Private Sector

- Yukon Housing Corporation offers several loans and grants programs (See TAB #4) to incentivize new housing construction – namely, the *Housing Initiative Fund* (See TAB #63), the *Developer Build Loan* (See TAB #59), 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 TAB #57) and the *Rent Supplement* program.

### Community Housing and the Most Vulnerable

- Yukon Housing Corporation and its partners continue to implement the new Community Housing Program, which aims to improve better client outcomes and fiscal resiliency (See TAB #58)
- 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

# Session Briefing Note

Spring 2023

## Housing Issues

Yukon Housing Corporation

support to more than 80 households through our rent supplement program and more than 130 Yukoners through the Canada-Yukon Housing Benefit.

- Starting in early 2023, YHC is introducing a mixed-income and mixed-use tenant's allocation policy to its Whitehorse buildings while providing tenants with appropriate partner supports to help them maintain housing.
- Work continues with the Safe at Home Society with the intent of allocating 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, YHC and housing providers have recently completed or are currently making significant capital investments to expand the community housing stock, including:
  - The 401 Jeckell – 47-unit building (See TAB #19);
  - Three new triplexes in Mayo, Watson and Whitehorse (See TAB #21);
  - A new Housing First building in Watson Lake (See TAB #25);
  - A new 10-plex in Old Crow (See TAB #23);
  - Duplexes in Carmacks, Dawson, Faro and Mayo (See TAB #20); and
  - New emergency shelters in Dawson and Whitehorse (See TAB #42).

### 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 TAB #57).
- \$3.5M for Normandy Living, a private senior's residence with supports (See TAB #38)
- \$21.7M for the design and construction of the 4<sup>th</sup> and Jeckell, a 47-unit mixed-income housing development in Whitehorse (See TAB #19).
- \$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 TAB #21)
- \$400K in 2021-2022 for the design of the Watson Lake Housing First project which will be tendered in the Fall 2023 (See TAB #25).
- 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 TAB #63).
- \$2.4M to Yukon through a Northern Housing Fund under the National Housing Strategy.

## Session Briefing Note

Spring 2023

### Housing Issues

Yukon Housing Corporation

- \$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 TAB #60 & #61)
- \$4.1M for the construction of a Housing First residence for vulnerable individuals (5<sup>th</sup> and Wood St.) in Whitehorse
- 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):

- Since its inception in 2019, the Housing Initiatives Fund (HIF) intakes have brought on line 361 units and 159 are under construction. (See Tab #63).
  - The sixth intake of the Housing Initiative Fund was launched in November 2022. The deadline to submit an application February 3, 2023.
- The Municipal Matching Rental Construction Grant has supported the construction of over 126 new rental homes throughout the Yukon, ten of which are in progress.
- Since 2020, our homeownership loan program that focuses on providing financial support for the purchase and construction of building projects in rural Yukon, has helped 21 Yukoners to buy or build their first homes. 14 of these projects are completed.

#### Approved by:



Justin Ferbey  
President, Yukon Housing Corporation

January 31, 2023

Date approved

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

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**Recommended response:**

- We continue to make significant progress in the implementation of *Our Clean Future*.
- In September 2022, we released our second annual report. It outlines the progress we made in taking action on climate change in 2021.
  - Notably, in 2021, the Yukon Climate Risk Assessment was released and we saw a 12% decrease in our emissions when compared to 2020.
- Through this report we introduced five new actions and revised 13 existing actions to better meet our goals.
- *Our Clean Future* is an adaptive strategy, which means that we assess and adjust the actions we are taking year-over-year to stay on track to meet our long-term goals.
- We will continue to track and report our progress annually.

**Additional response:**

- Over the past year, we have advanced several key actions, such as:
  - Legislated greenhouse gas emissions reduction targets and associated reporting through the *Clean Energy Act*;
  - Received and analyzed the recommendations from the Yukon Climate Leadership Council ([Ref ENV #24 / EMR #34](#));
  - Established a standard method for determining the health of wetland ecosystems, and tracking baseline conditions to understand future changes;
  - Established a geohazard mapping program to understand risks to the Yukon's transportation corridors; and,
  - Enacted the single-use paper bag ban on January 1, 2023.



## Session Briefing Note

### Our Clean Future Annual Report

Environment  
Energy, Mines and Resources

#### 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 will continue to build on *Our Clean Future* as we learn more about climate change and introduce more actions. This will be reflected in future annual reports.
- We will also continue to work with experts, stakeholders and partner governments across the territory and beyond, to identify opportunities for new actions and to accelerate and intensify existing actions to reach our ambitious target.

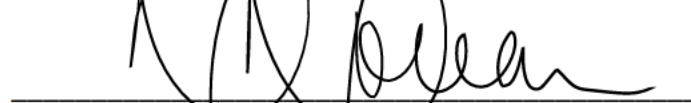
#### Context — this may be an issue because:

- Climate change is of high interest to Yukoners; they will want to know the government's progress in delivering on *Our Clean Future* commitments.

#### Background:

- *Our Clean Future* was released in September 2020 and is a 10-year strategy.
- *Our Clean Future* contains 136 actions to reduce greenhouse gas emissions by 2030 and supports the Yukon to be highly resilient to the impacts of climate change.

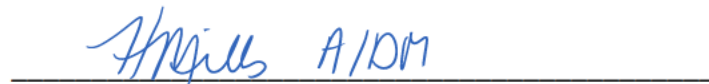
Approved by:



Deputy Minister of Environment

2023-02-01

Date approved



Deputy Minister of Energy, Mines and Resources

Feb. 1, 2023

Date approved

## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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### **Recommended:**

- All Yukon households are seeing their budgets stretched by elevated levels of inflation, with lower-income households often feeling the effects more than others.
- The government continues to assess how inflation is impacting Yukoners and several measures included in the 2023-24 Budget will help make life more affordable for Yukoners.
- In 2023–24, the government is extending the Inflation Relief Rebate Program, which provides a \$50 per month rebate on ATCO Electric and Yukon Energy utility bills for the April and May billing periods, along with an additional three months later in the year.
- Other measures in the 2023-24 Budget to help make life more affordable to Yukoners include funding for food in Yukon schools, the timber harvesting incentive to boost fuelwood supply, a quarterly top-up of \$150 to eligible recipients of the Yukon Senior Income Supplement, and a \$100 monthly increase to eligible Social Assistance recipients.

### **Additional response:**

- This government already established a strong record of making life more affordable for Yukoners with almost \$10 million-worth of inflation relief made available in last year's budget.

## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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- This included more funding for Food Network Yukon, a 10 per cent top up to the Pioneer Utility Grant and rebates on the purchase of firewood.
- Yukoners are also receiving inflation relief from the federal government. This includes the accelerated Canada Workers' Benefit, the elimination of interest on student loans, a doubling of the GST tax credit, dental care and the Canada Housing Benefit for renters.

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### **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.
- [March's rate of inflation in Yukon was the highest in Canada at 5.5 per cent vs 4.3 per cent nationally according to the Whitehorse Consumer Price Index.](#)

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### **Background:**

#### Key government initiatives addressing affordability in Yukon

#### **Highlight of affordability spending in Budget 2023-24**

- \$5.3 million to extend the Inflation Relief Rebate. Yukoners will receive a \$50 credit on their power bill in April and May and for an additional three months later in the year.

## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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- \$300,000 for the Timber Harvesting Incentive program.
- \$1.5 million to increase monthly social assistance payments by \$100.
- Over \$800,000 to recipients of the Yukon Seniors Income Supplement.
- \$500,000 for food in schools.

**This builds on previous programs to protect the affordability of Yukoners including**

- Last year, the Government of Yukon announced almost \$10 million in new inflation relief measures targeted at vulnerable groups.
- The inflation relief rebate covered seven months at a total cost to Government of \$7.6 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 received a one-time payment of \$150.
- Seniors were supported by 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 are eligible for a \$50 rebate per cord of fuel wood, this program is retroactive to April 1, 2022. Yukon also introduced the Timber Harvesting Incentive that gives commercial timber harvesters \$10 per cubic metre.
- The pilot program giving an extra \$500 per month to Extended Family Caregiver agreement caregivers and foster caregivers was extended to the end of the fiscal year.
- In June 2022, the Yukon government extended the Tourism Accommodation Sector Supplement and Tourism Non-Accommodation Sector Supplement programs, administered through Economic Development.

**Yukoners are also supported by Federal Government affordability programs**

## Joint Corporate Note Inflation and affordability

Finance  
Executive Council Office

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- Accelerated Canada Workers Benefit payments and new minimum entitlement starting in July 2023 (\$4 billion over six years, starting in 2022-23).
  - Making all Canada Student Loans and Canada Apprentice Loans permanently interest-free, starting in April 2023 (\$2.7 billion over five years and \$556.3 million ongoing).
  - **GST Tax Credit:** The GST tax credit will be doubled for six months in current benefit year. Additional payment will be provided in one lump-sum, before the end of the benefit year. Targeted to individuals and families with low incomes (below \$39,826, and gradually phased out above that level). Single Canadians without children would receive up to an extra \$234 and couples with two children would receive up to an extra \$467 this year. Seniors would receive an extra \$225 on average.

### Inflation outlook

- The inflation rate in Whitehorse was 5.5 per cent in March, down from 7.0 in February, but 1.2 percentage points higher than the national inflation rate of 4.3 per cent. Whitehorse's inflation rate was the highest in Canada for fourth consecutive month.
- This ranking is a reversal from earlier in 2022 when Whitehorse had the lowest inflation in Canada. For 2022 as a whole, the relatively lower inflation at the beginning of the year and higher inflation at the end of the year cancelled out, and so, the annual inflation rate in Whitehorse was the same as the national rate: 6.8 per cent.
- It is natural that relatively lower inflation in Whitehorse is eventually followed by relatively higher inflation as prices in Whitehorse follow the national trend over the long term.

## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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- The Bank of Canada has started to take a more aggressive approach to battling inflation by raising interest rates 4.25 percentage points since March 2022. The Bank's increase of 0.25 percentage point on January 25 brought the overnight rate to 4.5 per cent, the highest rate since early 2008. [This rate was maintained at the April rate announcement.](#)
- The housing market in the Yukon has stayed resilient the face of higher interest rates that have cooled markets in most other parts of Canada. Yukon was the only Canadian jurisdiction that saw residential sales in 2022 increase over 2021
- It wasn't until the fourth quarter until signs of cooling showed in the Yukon data, with average sales prices falling across all housing type. Compared with the end of 2021, prices were down by 1.2 per cent for single-detached, 3.9 per cent for duplexes, 11.4 per cent for condos, and 1.6 per cent for mobile homes.
- Most forecasters expect inflation in Canada will move towards historic norms over the next couple of years as supply chain problems subside and the effect of higher interest rates move through the economy. Canadian inflation is expected to decline from near 7 per cent in 2022, to between 3.5-4.0 per cent in 2023. Inflation in 2024 is expected to return to the midpoint of the Bank of Canada's target range of 1-3 per cent.
- Inflation in Whitehorse follows the national trend and therefore expected to fall to 3.8 per cent in 2023 and to 2.5 per cent in 2024.

### **INFLATION RELIEF ACROSS GOVERNMENT**

#### **Tourism and Culture:**

#### **COVID-19 Business Relief Programs**

- In response to the COVID-19 pandemic, the Government of Yukon acted quickly and decisively by implementing one of the most robust business relief programs in the country, beginning with the Yukon Business Relief Program (YBRP) in

## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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2020, which was open to any business from any sector that experienced at least a 30% revenue loss due to the pandemic.

- In that same year, Tourism and Culture (T&C) also launched the Tourism Relief and Recovery Plan (TRRP), which was reviewed and endorsed by the Yukon Tourism Advisory Board (YTAB) and industry.
- The TRRP committed \$15 million over three years to support the tourism sector and was focused on four key themes:
  - Providing tourism sector leadership;
  - Rebuilding confidence and capabilities for tourism;
  - Supporting the recovery of tourism industry operators; and
  - Refining the brand and inspiring travelers to visit.
- Through the TRRP, various financial support programs were rolled out during the course of the pandemic to sustain the tourism industry and prepare it for the eventual reopening of borders, including:
  - Tourism Accommodation Sector Supplement (TASS);
  - Tourism Non-Accommodation Sector Supplement (TNASS);
  - Culture and Tourism Non-profit Sector Supplement;
  - Great Yukon Summer (GYS) program;
  - Great Yukon Summer Freeze program;
  - ELEVATE program; and
  - A top-up to the Tourism Cooperative Marketing Fund (TCMF).

### **Community Tourism Destination Development Fund**

## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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- In October 2022, the Department of Tourism and Culture announced the creation of the new Community Tourism Destination Development Fund, which is slated to run for an initial three-year term.
- The new annual funding program is available to local businesses, First Nations governments, First Nation Development entities, municipalities and not-for-profit organizations for projects that will improve tourism-related services and infrastructure.
- Projects can focus on infrastructure like accommodations, attractions, activities and amenities, and special consideration will be given to umbrella projects, where multiple organizations are working together.

### **Creative and Cultural Industries**

- In November 2021, the Department of Tourism and Culture released *Creative Potential; Advancing the Yukon's Creative and Cultural Industries*, a 10-year strategy to support the growth and development of the creative and cultural industries in the Yukon.
- The CCIS identifies 4 strategic objectives and 22 key actions, which reflect input gathered through extensive public and sector engagement.
- We have identified 10 actions in support of pandemic recovery to be completed over three years as Phase 1 implementation, which includes:
  - Modernizing existing funding;
  - Offering new funding streams;
  - Industry branding and promotion;
  - Marketing and export strategies;
  - Workshops; and



## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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- Labour market supports.

In 2023-24, three new funding programs will provide \$450,000 annually to the creative and cultural sectors, including:

- Express Micro-grant;
- Indigenous Artists and Cultural Carriers Micro-grant; and
- Creative and Cultural Career Advancement Fund.

### **Additional Funding Programs**

- Tourism and Culture also provides annual supports to the tourism and culture sectors through Transfer Payment Agreements (TPAs) with many NGOs across the Yukon and through a number of regular funding programs, including:
  - Advanced Artist Award;
  - Arts Fund;
  - Arts Operating Funds;
  - Cultural Industries Training Funds;
  - Culture Quest;
  - New Canadian Events Fund;
  - Touring Artist Fund;
  - Historic Properties Assistance Program;
  - Historic Resources Fund;
  - Museums Contribution Program;
  - Special Projects Capital Assistance Program (SPCAP); and

## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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- Tourism Cooperative Marketing Fund;

### **Yukon Development Corporation:**

#### **Inflation Relief Rebate**

- The Inflation Relief Rebate provides \$50 per month to all non-government residential and commercial electricity customers to help ease the impacts of rising inflation.
- The IRR initially covered June, July, and August 2022, and was extended to cover October, November, and December 2022. The budgets for these were included in 2022-23 Supplementary Estimates.
- The IRR was subsequently extended for March, April, and May 2023. The budget in 2023-24 is comprised of:
  - \$2,056,000 for program costs in April and May 2023 (costs for March 2023 are included in the 2022-23 Supplementary Estimates #2).
  - \$3,246,000 for a further three additional months. We will continue to monitor inflation and costs of living, and we anticipate this will show on electricity bills next winter when electricity bills are typically higher.

### **Economic Development:**

- Economic Development is in the process of developing a temporary paid sick leave program. Program criteria, including eligibility and duration, are currently being developed.

### **Energy, Mines and Resources:**

#### **Energy retrofits and funding to improve efficiency and offset costs**

## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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- 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.
- Energy efficiency programs are available for the transportation sector, renewable heating sector, and the construction sector focusing on high efficiency buildings.
- For existing homes, the Energy Branch offers the Good Energy rebate program for high performance heating systems and upgrades to thermal enclosures including insulation and windows and high performance new homes. Taking these measures will save homeowners money on their energy costs.
- For commercial and institutional buildings, the Energy Branch offers rebates for greenhouse gas-reducing retrofits and renewable heating.
- For First Nation and municipal buildings, the Energy Branch offers retrofit and funding support through its Community Institutional Energy Efficiency Program.
- There are two current incentives for wood, one for harvesters and one to offset fuelwood costs:
  - In October 2022 we launched the timber harvesting incentive to provide registered Yukon timber harvesting businesses an incentive of \$10 per cubic metre of timber harvested or sold between April 1, 2022 and March 31, 2023. We have paid out \$163,000 to industry so far.
  - In September 2022, we launched a new firewood rebate to offset the increased costs of firewood for home heating. The rebate provides \$50 for each cord of firewood purchased, up to a maximum of 10 cords. As of February 14, 2023 we processed 586 applications, and paid out approximately \$69,850 in rebates for 1,389 cords of firewood.

### **Yukon Housing Corporation:**

Projects under the Five-Year Capital Plan which support housing affordability and those in need include:

## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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- The 47-unit housing complex at 401 Jeckell Street in Whitehorse opened in January 2023. The building provides new homes to Yukoners, including 5 three-bedroom, 12 two-bedroom, 16 one-bedroom and 14 bachelor units;
- The Opportunities Yukon 45-unit Cornerstone Development in Whitehorse opened in summer 2022 and is providing supportive living and accessible housing;
- Triplex housing units in Watson Lake, Mayo and Whitehorse were completed in spring 2022 and are providing affordable homes to families in each of these communities;
- In Old Crow, the 10-Plex Mixed-Use Housing complex is under construction with expected completion in summer 2023; and
- The 10-Plex Housing First Project in Watson Lake is included in the Northern Carve-Out. Construction is anticipated to begin in 2023-24.

### Other highlights from the plan

- More homes will be created for Yukon families in rural communities through the construction of three duplexes in Dawson City, Mayo, and Carmacks. These homes are on track for completion in summer 2023.
- The demolition of Macaulay Lodge in Whitehorse was completed in October 2022. Planning for the redevelopment of the site to support mixed commercial and residential use is underway.

### Health and Social Services:

#### **For 2022-23:**

## **Joint Corporate Note Inflation and affordability**

Finance  
Executive Council Office

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- a one-time \$150 payment to social assistance recipients;
- a one-time payment of \$150 to Yukon Seniors Income Supplement recipients;
- a one-time 10 per cent additional payment to Pioneer Utility Grant recipients;
- a six-month extension of \$500 per month to caregivers of children in out of home care; and
- Committed \$100,000 to Yukon Anti-Poverty Coalition to continue to support food security across the territory.

For 2023-24:

- a quarterly top-up of \$150 to eligible Yukon Senior Income Supplement recipients; and
- a \$100 monthly increase to eligible Social Assistance recipients.

**Public Service Commission:** *(no change from Fall BN)*

### **Remote work policy in support of employees working in communities**

- In fall 2021, the Yukon government introduced a new remote work policy to support employees to continue working remotely in the long term.
- Implementing the new remote work policy is an action in the Our Clean Future strategy, as people are supported to work from home and reduce their emissions by commuting less.
- The new remote work policy also enables employees to work remotely from Yukon communities outside of Whitehorse, in some circumstances.
- The Public Service Commission will strive to support more long-term remote work arrangements throughout the Yukon government where it makes sense, and will track data on long-term arrangements going forward.

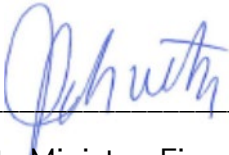
# Session Briefing Note

**FIN TAB #26**  
**ECO TAB #73**  
**Spring 2023**

## Joint Corporate Note Inflation and affordability

Finance  
Executive Council Office

Approved by:



April 24, 2023

a/Deputy Minister, Finance

Approved

2023 04 21



Deputy Minister, Executive Council Office

Approved

**Truth and Reconciliation Commission  
– Update on Calls to Action**

Executive Council  
Office

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**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.
- At the Yukon Forum in November 2022, we discussed the approach to implementing and reporting on the Calls to Action with Yukon First Nations.
- We will continue our collaborative work to implement and report on the Calls to Action, including implementing the *Putting People First* recommendations for health and social services.

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**Context—this may be an issue because:**

- The Yukon government (YG) previously made public its intention to fulfill its commitments to the Truth and Reconciliation Commission's (TRC) Calls to Action.
- The Calls to Action were a topic at the November 29, 2022 Yukon Forum.

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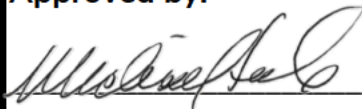
**Background:**

- 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

**Truth and Reconciliation Commission  
– Update on Calls to Action**Executive Council  
Office

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 YFNs 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

February 6, 2023

Date



**Session Briefing Note****Spring 2023****Corporate Note – Budget Highlights**

Finance

**Embargoed until day of budget tabling**

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**Recommended response:**

- In 2023-24, the Yukon continues to demonstrate its robust position nationally with population and economic growth among the strongest in the country.
- Budget 2023-24 delivers spending initiatives aimed at making life more affordable for Yukoners while also including several inflation relief measures to help combat the rising cost of goods.
- This budget continues to invest in the Yukon's health and social system and includes investments in new and expanded health services through the implementation of *Putting People First*. This includes addressing the substance-use health emergency and supporting the mental health of Yukoners.
- It delivers on our commitment to support a green economy with investments outlined in *Our Clean Future*.
- There are also strategic investments in infrastructure, particularly in housing for the most vulnerable. Other investments in housing include funds for land development, investments in housing projects in Dawson City, Watson Lake and Teslin, subsidies and supports for renters and funding for various affordable and community housing projects.
- Like in previous budgets, Budget 2023-24 continues to build relationships and further reconciliation with Yukon First Nations.

**Session Briefing Note****Spring 2023****Corporate Note – Budget Highlights**

Finance

**Embargoed until day of budget tabling**

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**Additional response:**

- The Yukon government is delivering on its commitment to grow a strong and resilient economy while ensuring robust, sustainable fiscal management.
- A surplus of 2.49 per cent of expenditures serves as a prudent fiscal management tool and demonstrates the ability of the government to address unforeseen events without going into a deficit.
- The fiscal summary includes a \$50 million contingency for presently undefined expected expenditures in 2023-24. This will not affect the Yukon's forecast fiscal position and allows the government to remain transparent about potential pressures.

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**Context—this may be an issue because:**

- The 2023-24 Main Estimates will be debated during the March 2023 legislative session.
- 

**Background:**

- The 2023-24 Main Estimates include a surplus of \$48.2 million and year-end debt of \$374.8 million.
- Total revenue is expected to be \$1.58 billion in 2023-24. This is an increase of \$115.2 million or 7.3 per cent from the 2022-23 Main Estimates.
- Forecast O&M expenditures total \$1.45 billion, with O&M recoveries offsetting this amount by \$130.9 million. This is an increase of 2.6 per cent in net O&M expenditures from the 2022-23 Main Estimates.

**Session Briefing Note****Spring 2023****Corporate Note – Budget Highlights**

Finance

**Embargoed until day of budget tabling**

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- Forecast capital expenditures total \$483.8 million with recoveries of \$164.5 million. This is a 9.9 per cent decrease in net capital expenditures from the 2022-23 Main Estimates. This represents a reduction of \$63 million from last year's capital budget. This reduction reflects a sustainable approach to budgeting in the territory following elevated capital spending over the last two years, which helped stimulate Yukon's economy during the pandemic.
- There are 5,332.0 FTEs in the 2023-24 budget, which is a decrease of 89.1 FTEs from 2022-23.

**Approved by:**

a/Deputy Minister, Department

February 23, 2023

Approved

## **Session Briefing Note**

**TAB#28**

**Corporate Note – Fin/HPW 2022-23**

**Spring 2023**

## **Supplementary Overview**

**Embargoed until day of budget tabling**

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### **Recommended response:**

- Overall, the changes outlined in the Supplementary Estimates #2 show a government that continues to make sure Yukoners and our economy remain healthy as we emerge from the pandemic while also responding to new and emerging challenges.
- Inflation continues to have an impact on Yukoners, as well as an impact on government projects. Several changes included as part of this Supplementary Estimates are in response to higher costs or work progressing faster than planned.
- The capital budget has no overall gross change in this Supplementary Estimates, but this is not because no adjustments were made. Major projects are still getting the resources they need to reach completion, but other projects were decreased to reflect timelines and funds were reallocated accordingly.
- The increase of \$37.5 million for the Department of Highways and Public Works is being offset by deferrals and offsets in other projects.

## Session Briefing Note

**TAB#28**

**Corporate Note – Fin/HPW 2022-23**

**Spring 2023**

## Supplementary Overview

**Embargoed until day of budget tabling**

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### Additional response:

- The largest expenditures are on three important capital projects, accounting for \$53.8 million altogether.
- The first is the replacement of the Nisutlin Bay Bridge. This increase covers higher costs and an accelerated schedule. The additional work on this project results in an increase of \$35.8 million as part of this Supplementary Estimate.
- We also provided additional funding for building the Carmacks Bypass, which is part of the Yukon Resource Gateway Program. Work in this area makes up \$11.8 million of the Capital increase.
- The third project is the construction of the Dempster Fibre Line, which will open a second fibre optic link instead of relying just on one, and so give Yukoners more reliable access to the internet as well as necessary redundancy. This project includes a proposed increase of \$5.7 million.

## Session Briefing Note

**TAB#28**

## Corporate Note – Fin/HPW 2022-23

**Spring 2023**

## Supplementary Overview

**Embargoed until day of budget tabling**

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- These increases are offset by decreases in capital. The most significant reductions can be seen in the Yukon Housing Corporation. This is largely the result of revised timelines for various projects and initiatives as well as lower uptake in application-based programs, but also accounts for the housing and building cycle as Normandy Living, Cornerstone and the 47-unit 4th and Jeckell facility are all ready and taking in clients and we are now shifting towards building new relationships for potential future projects.
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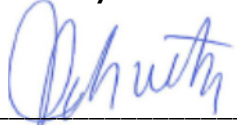
### Context—this may be an issue because:

- The 2022-23 Supplementary Estimates #2 is tabled in the spring session and will be the subject of debate.
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### Background:


- Opposition may request an explanation for the changes included as part of the Supplementary Estimates #2.

#### Approved by:

  
\_\_\_\_\_  
a/Deputy Minister, Finance

March 02, 2023

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Approved

  
\_\_\_\_\_  
Deputy Minister, HPW

March 02, 2023

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Approved