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Arctic Security and Sovereignty and International Issues

Executive Council
Office

Recommended response (Arctic security)

- The security of the Yukon is key to our safety and prosperity.
- Our government is working to establish a Yukon Arctic Security Advisory Panel which will bring together experts in the field to help shape our strategic thinking and identify opportunities for potential dual-use infrastructure and other investments.
- No decisions should be made about us, without us.
- We will continue to engage with the federal government on investments that increase the capabilities of the Armed Forces in Canada's North while providing infrastructure that supports our resilience and development.

Recommended response (recent security incidents)

- There is increasing interest and activity in Arctic regions by multiple global actors – most recently, we observed naval exercises conducted by Russia and China off the coast of Alaska.

We are strengthening the lines of communication with the federal Department of National Defence and Joint Task Force North to ensure we are informed of matters that could impact the security of the Yukon.

Recommended response (Ukraine)

- We continue to condemn President Putin's 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.

Arctic Security and Sovereignty and International Issues

Executive Council
Office

- The Yukon has welcomed 80 Ukrainians to our territory since the invasion. We are proud to support these individuals and families as they settle here and become a part of our community.

Context—this may be an issue because:

- On August 7, 2023, media reported that the U.S. military responded to Chinese and Russian vessels near Alaska. Given the heightened attention to Arctic security and our proximity to Alaska, this may bring up additional questions.
 - This incident follows the downing of an unidentified aerial object and reports of Chinese monitoring buoys in the Arctic in February 2023.
 - Messaging on Arctic security has been amplified by northern Premiers and at the Council of the Federation table throughout the summer.
-

Background:

Arctic Security

- Northern Premiers 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 have changed since the invasion of Ukraine. Russia is sanctioned and economically isolated and the 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.

Arctic Security and Sovereignty and International Issues

Executive Council
Office

- 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 Department of National Defence (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.

Recent security incidents

- Ongoing military interactions with non-NATO nations in the Arctic are garnering increased attention in recent years due to increased sensitivity on Arctic Security
- On August 7, national media reported US military responded to Chinese and Russian vessels off the coast of Alaska's Aleutian Islands. This Chinese and Russian military exercise is understood to have been conducted in international waters.
- NORAD aircraft downed an unidentified aerial object over the Yukon on February 11. CAF aircraft were mobilized and appeared in the territory on February 12 to search for the object, since believed to be of benign origin.
- ECO provided operational connection into Joint Task Force North and the Yukon Detachment throughout the operation.
- The government's Emergency Measures Organization and Wildland Fire Management provided space and some resources to support the location and recovery effort.
- ECO is establishing quarterly meetings with JTFN and key senior Yukon officials with the intent of increasing communication channels for information sharing.

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.

Session Briefing Note

TAB 1

Fall 2023

Arctic Security and Sovereignty and International Issues

Executive Council
Office

- Canada initiated two special immigration streams for Ukrainians. Canada has approved nearly 900,000 immigration applications and over 170,000 Ukrainians have arrived in Canada since March 2022.

Approved by:



September 8, 2023

Deputy Minister, Executive Council Office

Date

Session Briefing Note**ECO #2 / EMR #4 / ENV #34****Fall 2023****Kudz Ze Kayah Mine
Project (BMC Minerals)**ECO – EMR - ENV

Recommended response:

- The Yukon government is committed to continuing consultation with the Kaska First Nations on the Kudz Ze Kayah mine licencing in a way that supports our commitments to build strong relationships with First Nations and meets our obligations to consult on this project.
- We are committed to implementing the Finlayson Caribou Herd Oversight Committee and implement terms and conditions of the decision document in collaboration with the Ross River Dena Council and the Liard First Nation.

[If a court decision has been issued]

- We are currently reviewing the court decision. Once we have analyzed the decision, we will decide on next steps.

[If a court decision is still pending]

- We look forward to the court providing clarity on the issues raised in the judicial review. As this case is before the court, we will not be commenting on it further at this time.

Additional response:

- Our government is committed to responsible mineral resource development and collaborative resource stewardship.
- We are partnering with Yukon First Nations to develop new minerals legislation. We are proud of this government-to-government collaboration to develop a modernized resource management regime that serves the interests of Yukoners.

Session Briefing Note**ECO #2 / EMR #4 / ENV #34****Fall 2023****Kudz Ze Kayah Mine
Project (BMC Minerals)**ECO – EMR - ENV

Context — this may be an issue because:

- The Yukon Supreme Court is expected to issue a decision in early fall 2023 on the judicial review of the decision to approve the Kudz Ze Kayah project.
 - Ross River Dena Council and Liard First Nation identified impacts of the project to their Aboriginal rights and title. The Kaska Nations requested the project be rejected or be referred to a panel during the assessment.
-

Background:

- On June 15, 2022, a joint decision document was issued by the governments of Canada and Yukon to vary the Executive Committee's recommendations that the project be allowed to proceed, subject to terms and conditions specified in the Final Screening Report.
- On July 20, 2022, the Ross River Dena Council, 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 in April 2023.
- In August 2022, BMC Minerals submitted the application to the Yukon government for a quartz mining licence, a Type-A water licence and land leases. The Yukon government's regulatory review is ongoing.
- The Yukon government submitted an intervention to the Yukon Water Board on April 21, 2023, outlining concerns and gaps in BMC's water licence application.
- The Yukon government is aiming to establish the Finlayson Caribou Herd Oversight Committee and implement terms and conditions of the decision document. The Yukon government has committed to providing Liard First Nation and Ross River Dena Council capacity funding.
- Liard First Nation and Ross River Dena Council have indicated they would prepare a draft Terms of Reference for the Finlayson Caribou Herd Oversight Committee and noted the need for capacity funding to support development of the committee and consultation with the Yukon government on the project.

Session Briefing Note**ECO #2 / EMR #4 / ENV #34****Fall 2023****Kudz Ze Kayah Mine
Project (BMC Minerals)**

ECO – EMR - ENV

- Discussions with the Yukon government, Liard First Nation and Ross River Dena Council on the Oversight Committee, capacity funding, and the regulatory review and oversight of the proposed project are ongoing. (See ECO TAB 31 Ross River Dena Council – Issues and Initiatives).

Approved by:

September 11, 2023

A/Deputy Minister of the Executive Council Office

Date approved



September 8, 2023_

a/Deputy Minister of Energy, Mines and Resources

Date approved



2023-09-08

Briar Young

Date approved

A/Deputy Minister of Environment

Alaska Relations

Executive Council Office
Economic Development

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 investment and geopolitical focus remains on the North.
- We regularly engage with our American and Alaskan counterparts as part of our long-standing positive relations.
- I was happy to speak with newly installed Consul General in Vancouver, Jim DeHart, in August, and had a call with Governor Dunleavy in September.

Additional response (Shakwak/Alcan Highway):

- 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.
- We continue to work in collaboration with the State of Alaska to identify short- and long-term funding solutions for this critical infrastructure.

Alaska Relations

Executive Council Office
Economic Development

- 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 borders.
- With our Alaskan counterparts, we are refining the application seeking approximately \$25 million USD of the Rebuilding American Infrastructure with Sustainability and Equity, or "RAISE", grant program.
- This grant will allow our government to restore some of the most degraded sections of the north Alaska Highway in the Yukon to improve this critical overland route that is adversely affected by thawing permafrost and 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.
- We are 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 Yukon's current and future ore terminal users.
- We signed a non-binding term sheet with Skagway on September 7th that outlines the general terms of the Export Cooperation Agreement.
- We are finalizing the binding Export Cooperation Agreement that will fully define our benefits and the funding that Yukon government will

Alaska Relations

Executive Council Office
Economic Development

provide for the construction of the marine services platform in Skagway.

- **[Response—Higher Bid Price:** We are taking into account the higher-than-expected current bid and working with Skagway to determine a path forward that works for both parties.]

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 neighbours in Skagway, Haines and beyond.
- Our government is 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.

Context—this may be an issue because:

- There may be interest in our efforts to secure funding for the Shakwak 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 the 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. Stakeholders in Dawson City have expressed concern that this has resulted in loss of business for local tourism operators and suppliers.

Alaska Relations

Executive Council Office
Economic Development

Background:

US relations:

- The Canada/US Roadmap announced by Prime Minister Trudeau and President Biden in February 2021 is guiding relationships across borders. We are seeing more engagement with US 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.
- Premier Pillai met with the newly installed Consul General Jim DeHart on August 22, 2023, to discuss the Yukon-US relationship.
- Premier Pillai met with Alaska Governor Mike Dunleavy on September 26, 2023 and discussed a number of areas for intergovernmental collaboration. The discussion was wide-ranging and included shared infrastructure, physician assistants training, Arctic security, fish and wildlife, and wildfire management.

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 and 2023 to apply to the RAISE grant program for USD \$25 million over five years, the maximum available for an individual project. The proposal would have funded reconstruction of permafrost-affected areas in an 80-kilometre stretch of the highway.
- The application was not successful in 2022 or 2023. While the proposal was rated "recommended", it fell short of the "highly recommended" rating that is required to get funding. Even then, only one quarter of the "highly recommended" projects were awarded funding.

Alaska Relations

Executive Council Office Economic Development

- Ambassador Cohen had a follow-up call with the undersecretary after the 2023 decision was made not to fund this project. The key gap in the application that was identified is related to insufficient evidence and data to support the claims related to quality of life, mobility, and connectivity.
- The Yukon government is continuing to work with Alaska to advance the project through the RAISE program, as the program runs until 2028 with a further five-year funding window.
- The total project cost is USD \$31.25 million. RAISE is proposed to make up 80 per cent of that cost, with Alaska and the Yukon covering 10 per cent each.
- There is strong communication and support for our application in both the US Consulate in Vancouver and the Alaska Department of Transportation and Public Facilities.

Skagway Port redevelopment:

- The Port of Skagway is the closest ice-free, deep-water port to most of the Yukon. Skagway plans to demolish the current ore loader as part of a port redevelopment project, which would eliminate its ore export capability.
- Skagway took control of the ore terminal in March 2023 and has tendered its port redevelopment project beginning fall 2023. It received one bid, which came in significantly over design estimates.
- Skagway signed a contract with the sole bidder for its portion of the port redevelopment project but at a substantially reduced scope of this base project to keep it roughly within the municipality's budget.
- The Yukon is negotiating the inclusion of a marine service platform capable of supporting ore loading equipment, as part of the redevelopment project.
- The Department of Economic Development has concluded a "terms sheet" and has begun negotiations on a final Export Cooperation Agreement, which is anticipated to be completed this fall.
- The non-binding terms sheet will outline the conditions and structure of a final agreement. Negotiations on this document have taken longer than anticipated, in

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Fall 2023

Alaska Relations


Executive Council Office
Economic Development

part to resolve more detailed questions that would otherwise be raised in discussions for the final agreement.

Approved by:


Deputy Minister, Executive Council Office

October 4, 2023
Date Approved


A/Deputy Minister, Economic Development

October 3, 2023
Date Approved

Session Briefing Note

Fall 2023

Eagle Gold Mine

Energy, Mines and Resources

Recommended response:

- Victoria Gold continues to operate its open pit, heap leach gold mine in the Traditional Territory of the First Nation of Na-Cho Nyäk Dun. Many Yukoners are employed at the mine and many Yukon companies are providing contract services to the mine.
- The Government of Yukon is completing its review of the 2022 Reclamation and Closure Plan and updating the required financial security for the Eagle Gold Mine. The Government of Yukon currently holds \$68.7 million [for the site](#).

Additional response:

- Victoria Gold pleaded guilty on September 28, [2023](#) to contraventions of its water licence conditions [in 2021 and 2022](#), namely failure to maintain minimum water storage requirements and a cyanide process solution spill on site. The total fine for the infractions was \$95,000.
- [The most recent inspection of the site on October 18, 2023 identified issues related to water management requirements. As this is part of an ongoing investigation, I will not be commenting further at this time.](#)
- [We are responsible for ensuring that mining is conducted in an environmentally responsible manner in accordance with regulatory authorizations.](#) Natural Resource Officers continue to regularly [inspect](#) this site to ensure the company complies with its licence terms and conditions.
- [The Government of Yukon conducted a review of Victoria Gold's cyanide management and heap leach facility operations on site and the company is implementing recommendations from that review. The First Nation of Na-Cho Nyäk Dun is engaged regarding progress.](#)

Session Briefing Note

Fall 2023

Eagle Gold Mine

Energy, Mines and Resources

Context — this may be an issue because:

- Victoria Gold's [2022](#) court filing regarding the Yukon Water Board's security determination and charges filed by the Government of Yukon regarding water management have drawn media attention. [The court process is ongoing.](#)
- There have been cyanide spills ([six during 2021 and 2022](#)) on site.

Background:

- The Eagle Gold Mine is a large conventional open pit and heap leach gold operation located in north-central Yukon within the First Nation of Na-Cho Nyäk Dun Traditional Territory. Victoria Gold's [Eagle mine is in its 3rd year of commercial production of an approximate 9 year mine life](#).
- Victoria Gold and the First Nation of Na-Cho Nyäk Dun developed and implemented a Comprehensive Cooperation and Benefits Agreement in 2011.
- The "Eagle Gold Mine Extension Project" has been submitted to the Yukon Environmental and Socio-economic Assessment Board Executive Committee. The Project Proposal Guidelines were issued to Victoria Gold in March 2023, and they have 24 months from the issued date to respond (Phase 3 of the pre-submission engagement process).
- The Extension Project proposes to extend the mine life to 15 years, and it 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.
- Water management at the Eagle Gold mine has been of concern in that desired available storage has been exceeded upon inspection.

[Infractions in 2021 and 2022 leading to guilty pleas:](#)

- Victoria Gold was charged by Energy, Mines and Resources' Compliance, Monitoring and Inspections branch and pled guilty to unauthorized water transfers [made in 2021 and 2022](#).
- Victoria Gold paid \$95,000 in fines to these charges in [September 2023](#).

[Other infractions in 2022 and 2023:](#)

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Fall 2023

Eagle Gold Mine

Energy, Mines and Resources

- As a result of water-related infractions between October 2, 2022 and October 23, 2023, in consultation with Department of Justice, a total of five charges have been sent for review by Justice for consideration of prosecution.
- Water-related compliance issues are noted in the publicly available reports.

Security

- The Government of Yukon currently holds \$68,662,300 in financial security for the Eagle Gold mine. Energy, Mines and Resources is revising the required security determination based on the most recent update to the Reclamation and Closure Plan.
- Energy, Mines and Resources and the Yukon Water Board are conducting a second pilot project to review the 2022 Reclamation and Closure Plan and Security costing for the Eagle Gold mine. Determinations have not yet been made.
- The Yukon Water Board issued a final security determination (based on the 2020 Reclamation and Closure Plan) 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. [The Court recently noted that the timeline for this decision is approximately April 2024.](#)

Evacuations this summer

- Victoria Gold was evacuated twice (July and August) due to the threat of wildland fire. [\(See BN #96\)](#)
- The evacuations did not disrupt environmental protection measures at the site.

Most recent inspection report:

- The recent inspection of the Eagle Gold mine on October 18, 2023 found the operator had failed to maintain the site's minimum water storage requirements. This has been a recurring issue at the mine site

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Fall 2023

Eagle Gold Mine

Energy, Mines and Resources

- There is an ongoing investigation on site. The Government of Yukon does not comment on ongoing investigations.
- Inspection reports are published on the Yukon Water Board's Waterline website.

Approved by:



Deputy Minister
Department of Energy, Mines and Resources

November 16, 2023

Date approved

Session Briefing Note Minto Mine

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Fall 2023
Energy, Mines and
Resources

Recommended response:

- Following the operator's decision to abandon the Minto mine site in May, the Government of Yukon is applying lessons learned from the Wolverine mine and taking necessary steps to protect people, property and the environment.
- We are undertaking water management and treatment activities at site and working closely with Selkirk First Nation on the planning for early reclamation and closure.
- We are pleased the outstanding royalty payments owed to Selkirk First Nation were recently resolved through a court order.
- We are cooperating with the Receiver, PricewaterhouseCoopers, in its efforts to find a buyer for the site. We remain hopeful for a sale, given the significant copper reserves still in the area.

Additional response:

- Yukon businesses that are owed money are now able to advance their claims through PricewaterhouseCoopers in their role as Receiver for the site.
- Since May 13, we have issued several direct award contracts given the immediate need to ensure ongoing human health and safety and environmental protection of the site. Planning is underway to ensure any future contracts are procured in an open and competitive manner, should they be required.
- The Government of Yukon expects to spend approximately \$25 million in 2023-24 on work at the mine site, anticipating this will be recovered from the \$75.2 million in security we currently hold.

Session Briefing Note Minto Mine

Fall 2023
Energy, Mines and
Resources

Context — this may be an issue because:

- There has been significant media attention on the recent abandonment of the Minto Mine. Selkirk First Nation and the public will want to know that the environment is being protected at the mine site. There may be questions about the amount of money expended on-site and the number of direct awards related to the project.

Background:

- The Minto Mine is an underground copper mine with gold and silver byproducts located on Selkirk First Nation's Category A Settlement Land.
- On May 13, 2023, Minto Metals abandoned the site, and the Government of Yukon took over short-term environmental management of the site.
- The Government of Yukon contracted JDS to immediately mobilize the site under a short-term contract to secure critical resources and subcontractors and initiate required activities. This contract ended on July 27, 2023, when Boreal Engineering took over as the site operator.
- On July 24, 2023, the B.C. Supreme Court appointed PricewaterhouseCoopers as the receiver of the Minto Mine site. The receiver is responsible for all of Minto's assets, undertakings and property, and has the authority, among other things, to put the mine up for sale.
- As Minto Mine is on Category A Settlement Land, Selkirk First Nation holds surface and subsurface rights and the Government of Yukon collected royalty payments on behalf of Selkirk First Nation under the *Quartz Mining Act*.
- Through a court Settlement Order, royalties owed to Selkirk First Nation were resolved by a payment of \$1.3 million USD and the retention of \$700,000 CAD previously paid to Selkirk directly by Minto Metals Corporation.
- Selkirk First Nation also received additional financial benefits under its net smelter royalty arrangement with Minto Mine's owner, Minto Metals Corp. There are still monies owed to Selkirk First Nation from this arrangement.

Session Briefing Note Minto Mine

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Fall 2023
Energy, Mines and
Resources

- Now that the site is under receivership, former employees are able to access the federal government's Wage Earner Protection Program.
- The Government of Yukon holds \$75.2 million through a combination of cash and a surety bond for the Minto mine and intends to use this funding to cover eligible costs to protect the environment and for remediation activities.
- Contracts to support this work include:
 - JDS Energy and Mining for interim water management – \$6.87 million (contract over)
 - Ensero Solutions for water monitoring – \$1.26 million
 - BQE Water for water treatment - \$1.94 million
 - Boreal Engineering Ltd. for maintenance - \$11.6 million

Approved by:



August 30, 2023

A/Deputy Minister
Department of Energy, Mines and Resources

Date approved

Session Briefing Note

Fall 2023

Firearms – Federal Changes & Buyback Program

Justice

Recommended response:

- 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.
- Canadians are concerned about gun violence and the Government of Canada has reaffirmed that they are committed to protecting Canadians and making communities safer for everyone.
- The Government of Yukon supports the rights of legal gun owners in the territory, while also supporting an approach to gun control that helps protect the community and public safety.

Additional response:

- Our government will be closely monitoring the roll out of the Buyback Program to ensure that program implementation does not impact front line policing.
- The Government of Canada will need to ensure that Federal resources are provided to support the roll out of the Buyback Program.

Context:

- Bill C-21 aims to bolster border and law enforcement capacity, reduce the number of firearms in circulation, stop crime before it starts, address root causes of violence, create red and yellow flag laws, and provide resources to help combat domestic violence involving firearms.
- The Yukon has the highest per capita number of prohibited and restricted firearms licenses in Canada. Lawful firearm owners in the territory include many hunters, trappers and people performing remote wilderness work.
- While many of the provisions of Bill C-21 have not been contentious, concerns heard in the Yukon relate to the Buyback Program and the impacts on hunters.

Session Briefing Note

Fall 2023

Firearms – Federal Changes & Buyback Program

Justice

Background:

- On February 16, 2021, the federal government introduced Bill C-21. The Bill contains amendments to the Criminal Code and Firearms Act, including new “red flag” and “yellow flag” laws to allow people to apply to a court for the removal of someone’s firearm if there is cause to fear for personal safety (such as domestic violence or mental health concerns).
- Other changes introduced by Bill C-21 include measures to combat gun-related organized crime; provisions allowing municipalities to ban handguns through bylaws; violence prevention programming; stronger border controls for firearm offences; stricter criminal penalties; and technical amendments to federal authorities.
- The Bill passed third reading in the House of Commons on May 18, 2023, and its second reading at the Senate on June 21, 2023. It is currently at consideration in committee in the Senate but has not yet become law.
- On January 19, 2023, the Yukon’s MP Brendan Hanley and the federal Minister of Public Safety, Marco Mendicino, hosted a roundtable with Yukoners to discuss Bill C-21 and the proposed amendments (which have since been withdrawn).
- On January 20, 2023, Premier Ranj Pillai issued a statement on Bill C-21 that supports the Yukon MP Brendan Hanley’s efforts to advocate for and defend the interests of Yukoners, and his stance that the Yukon does not support Bill C-21 in its present form.
- On May 1, 2023, the Government of Canada introduced revised proposed amendments to Bill C-21. The proposed amendments align with recommendations put forward in the Final Report of the Mass Casualty Commission released on March 30, 2023.

Buyback Program

- In 2022, the Government of Canada banned more than 1,500 models and variants of assault-style firearms. The federal government is finalizing the development of a Buyback Program to safely remove the now prohibited firearms from our communities.

Session Briefing Note

Fall 2023

Firearms – Federal Changes & Buyback Program

Justice

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- The firearms ban includes 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 2025 to ensure affected firearm owners and businesses continue to be protected from criminal liability for unlawful possession while they come into compliance with the law.
 - According to the 2020 Commissioner of Firearms Report, the total number of individual firearms licenses in the Yukon was 8,056 in 2020. Of those, 2,050 licenses were for restricted firearms and 143 were prohibited firearms registered to Yukon residents.
 - Firearm owners will need to confirm intent to participate, disposal choice and the compensation amount for assault-style firearms using a Buyback Portal.
 - The buyback process is expected to involve four stages:
 - notification;
 - collection;
 - transportation/storage; and
 - destruction.
 - Once the Buyback Program is completed, the Government of Canada will create a report on the firearms collected, processed, destroyed and payments issued.
 - In keeping with its core policing mandate, the RCMP will be the agency responsible for leading the collection of these assault-style firearms as it has operations in the Yukon.
 - All RCMP resources used to support the delivery of this program will need to be funded exclusively by the federal government.
 - The mandatory buyback component is a departure from past Canadian firearm regulation changes, in which “grandfather clauses” allowed firearms owners to keep previously legal firearms already in their possession.

Privately made firearms:

- The Government of Yukon strongly supports measures to counter the manufacturing and prohibited use of privately made firearms (commonly known as ghost guns).

Session Briefing Note

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Firearms – Federal Changes & Buyback Program

Justice

- Privately made firearms are printed using a 3D printer and gun blueprints which can be downloaded online and assembled within hours at a low cost.
- The receiver portion of the firearm can be printed and will not have a serial number, while the remaining firearms parts can all be purchased at gun stores and online without a firearms license.
- The Government of Yukon is currently doing its due diligence by:
 - researching the social, political and criminal aspects of ghost guns;
 - keeping up-to-date on media and social media discussions on these guns;
 - keeping up-to-date with federal/provincial/territorial colleagues; and
 - following world and domestic news on illegal firearms.

Statistics:

- Statistics Canada (2022) notes that police-reported crime included a national increase in incidents of discharging a firearm with intent (up 8 per cent) and using a firearm in the commission of an indictable offence (up 3 per cent).
- The rate of violent *Criminal Code* firearm offences has increased for the eighth consecutive year (rising 4 per cent in 2022), while non-violent firearm offences remain stable.
- Of the 342 firearm-related homicides, 63 per cent were committed with a handgun, and 23 per cent were committed with a rifle or shotgun. The firearm type was unknown or of another type for the remaining 14 per cent of firearm-related homicides.

Approved by:



Deputy Minister, Justice

November 23, 2023

Date approved

Streamlining of Regulatory Assessment Process

Executive Council Office

Recommended response

- Our government 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 Yukon First Nation's consent, 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 started work on implementation actions based on the priorities outlined in the Policy.
- The Government of Yukon is committed to working with Yukon First Nations, Government of Canada and relevant Boards and Councils to ensure project proposals have effective Regional Land Use Plan conformity checks.

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.

Streamlining of Regulatory Assessment Process

Executive Council Office

- 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. It is important that governments and regulatory bodies operate within certain parameters to support predictable assessment and regulatory processes and reasonable outcomes.
-

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 formed the basis of the public engagement held in early 2023. Results from the public engagement will be made available in a 'what we heard' report.
 - The Steering Committee for New Public Lands Legislation is currently developing potential approaches for key policy issues and will engage the public on these approaches once complete.
-

Streamlining of Regulatory Assessment Process

Executive Council Office

- 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.
- Consultation and engagement on a proposed approach to renewals and amendments under YESAA occurred in late 2022-2023. The YESAA Oversight Group has directed the Technical Working Group to continue to advance the initiative. A draft Guidance Document and Implementation Plan are currently being developed with a tentative completion date in early fall 2023.
- 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.
- YG has completed staffing of wetland implementation positions, and established a cross-departmental working group to aid with implementation and coordination on policy actions. The working group has identified 9 priority implementation actions and three operational priorities for advancement.
- 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 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.
- Section 12.17.1 of the Final Agreements and section 44(1) of the Yukon *Environmental and Socio-economic Assessment Act* provide for the continued participation of Regional Land Use Plan Commissions as the conformity check body for approved regional land use plans.
- Section 11.7.1 of the Final Agreements states the YG shall exercise any discretion it has in granting an interest in, or authorizing the use of, land, water or other resources in conformity with the Regional Land Use Plans.

Streamlining of Regulatory Assessment Process

Executive Council Office

- Once the North Yukon and Peel Watershed land use planning commissions disbanded, the Parties agreed Yukon Land Use Planning Council would undertake compliance checks, but there has been no dedicated funding for this.
- ECO, Energy Mines and Resources, and Environment have been collaborating for several months to determine options for conformity checks for Regional Land Use Plans.
- Administrative, financial and legal analysis is required prior to determining if any processes for conformity checks are preferred by YG. Discussions with Canada, CYFN and YFN representatives will also be a basis for confirming a preferred approach.
- 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 also has obligations 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 operational direction from the Board.

Approved by:



A/Deputy Minister
Executive Council Office

September 8, 2023

Date approved

Session Briefing Note**Fall 2023****Substance Use Health Emergency**Health and Social
Services

Government priority:

- The Government of Yukon is committed to working with our partners to respond to the Substance Use Health Emergency.

Key messages:

- In January 2022, our government declared a Substance Use Health Emergency in response to an increase in substance use related harms in the territory, including a significant increase in opioid-related deaths.
- This is a territory-wide challenge that cannot be solved alone, which is why we continue to work with partners to coordinate our response.
- In response to the Substance Use Health Emergency, we have developed Car 867, an Overdose Outreach Team, increased Opioid Treatment Services and access to safer supply, expanded the methods of consumption available at the Supervised Consumption Site, held two Mental Wellness Summits, initiated a Paramedic Response Unit in the downtown core, and increased access to harm reduction supplies such as naloxone kits.
- We understand that there is still work to be done to address the Substance Use Health Emergency in the territory.
- We appreciate the work of our partners including: Blood Ties Four Directions, the Yukon Hospital Corporation, the RCMP, Yukon First Nations, and all levels of government towards addressing this public health emergency.

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Services

Key facts:

- A Substance Use Health Emergency was declared January 20, 2022.
- As of July 12, 2023, there have been over 2,800 visits to the Supervised Consumption Site since January 1, 2023.
 - In 2022, there were 1,997 visits to the Supervised Consumption Site.
- As of July 12, 2023, a total of 4,318 take home naloxone kits have been distributed in 2023.
 - In 2022, we distributed 7,264 kits.
 - In 2021, we distributed 3,571 kits.
- A Substance Use Health Emergency Project Executive Committee has also been formed. This committee met twice per month between March 2022 and August 2022. As of September 2022, the committee continues to meet monthly.
 - This committee is made up of representatives from the Department of Health and Social Services including EMS, the Department of Justice, the Department of Community Services, the Executive Council Office, Council of Yukon First Nations, Kwanlin Dün First Nation, Carcross Tagish First Nation, Tr'ondëk Hwëch'in, Little Salmon Carmacks First Nation, Whitehorse General Hospital, Blood Ties Four Directions and the RCMP. As well as, Referred Care Clinic physicians, the Chief Medical Officer of Health, and the Chief Coroner.
- As of July, there have been 12 confirmed substance-related deaths in the Yukon in 2023.
 - In 2022, there were 25 confirmed substance-related deaths in the Yukon.

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Services

- As of July 12, 2023, there were 98 visits to Whitehorse General Hospital for drug poisoning and 283 for alcohol poisoning since January 1, 2023.
 - In 2022, there were 140 drug poisoning and 677 alcohol-related visits to the Whitehorse General Hospital Emergency Department.
 - In 2021, there were 200 drug poisoning and 677 alcohol-related visits to the Whitehorse General Hospital Emergency Department.
- As of July 2023, Emergency Medical Services has responded to 179 calls related to suspected drug poisoning and 379 calls related to alcohol poisoning since the beginning of this year.
 - In 2022, Emergency Medical Services responded to 341 calls related to suspected drug poisoning and 1,076 calls related to alcohol poisoning.
 - In 2021, Emergency Medical Services responded to 360 calls related to suspected drug poisoning and 1,225 calls related to alcohol poisoning.
- Never use alone - call the National Opioid Response Service at 1-888-688-6677. This anonymous service will have someone stay on the phone with you so you can use safer.
- If you are thinking of changing or managing your opioid use, Opioid Treatment Services can help, call 867-668-2552.
- Rapid Access Counselling is available to all Yukoners – call 867-456-3838 to make a counselling appointment within 72 hours.

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Actions to date:

- On September 30, 2021, we opened the Supervised Consumption Site and in May 2022 we completed renovations to support inhalation as a consumption method.
- As of January 25, 2022, we have increased access to Opioid Treatment Services at 405 Alexander by expanding physician coverage to two days weekly.
- We have strengthened Opioid Treatment Services by hiring seven new employees, including nurses and people with lived and living experience as community engagement workers.
- As of January 28, 2022, we expanded opioid medication coverage to include Sublocade.
- On November 1, 2022, we launched Car 867, a mobile crisis unit that includes an RCMP officer and a trained mental health nurse.
- We have organized two territory-wide public awareness and education campaigns.
- On November 16 and 17, 2022 we held Youth Roots: A Substance Use Prevention Gathering, where we explored innovative and emerging approaches with Yukoners, partners and subject matter experts.
- We continue to gather information from the ongoing Ministerial Advisory Committee, Communications Working Group, and Project Executive Committee.
- We hosted two Mental Wellness Summits on February 14 and 15, 2022 and September 21 to 23, 2022 to hear from leaders, partners, subject matter experts and people with lived and living experience.

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Services

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- We continue to increase on-the-land healing and treatment options in the territory which includes:
 - working with the Teslin Tlingit Council to develop a co-facilitated, land-based healing option in Mental Wellness and Substance Use Services programming;
 - supported a week-long family camp from July 24 to July 30, 2022 at Jackson Lake in partnership with Fetal Alcohol Syndrome Society Yukon;
 - working with Tr'ondëk Hwëch'in to support a land-based camp for youth involved with the Mental Wellness and Substance Use Services' Roots of Hope initiative from March 6 to 10, 2023;
 - partnering with the Nelson Project, which supports at-risk Indigenous and non-Indigenous men across the Yukon, for a three day cultural learning camp from December 13 to December 15, 2023; and
 - supporting the Hives for Watson Lake partnership with Liard First Nation.
 - The Rapid Access Bike paramedic team launched in summer 2022 to improve EMS service and provide faster response in downtown Whitehorse during the summer months. This Yukon EMS program is a partnership with the RCMP and City of Whitehorse.
 - Emergency Medical Services has expanded their Paramedic Specialist Clinic hours at 405 Alexander to at least 20 hours a day.
 - Emergency Medical Services has implemented a Paramedic Response Unit in downtown Whitehorse which provides harm reduction supplies and drug checking kits.

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Alcohol Use and Strategy:

- On March 29, 2023, the Northwest Territories released an alcohol strategy aimed at reducing alcohol-related harm in their territory.
- We recognize the health risks associated with alcohol-use and continue to deploy a variety of public awareness strategies to promote responsible alcohol use to keep Yukoners safe and healthy.
- In January 2023, the Canadian Centre of Substance Use and Addiction released updated low-risk drinking guidelines, which are supported by the Council of Chief Medical Officers of Health.
 - These updated guidelines recommend a weekly alcohol use of a maximum of 2 standard drinks or less to avoid alcohol-related consequences and higher health risks.
- Our government now provides coverage for medications to support people diagnosed with alcohol use disorder through the Chronic Disease and Disability Benefits Program.
- The forthcoming Yukon Substance Use Health Emergency Strategy includes recommendations to address alcohol-use in the territory.

Awareness Campaign:

- We have deployed two territory-wide public campaigns to raise awareness about resources that are available across the territory, and to reduce the stigma around substance use.
- We worked closely with our partners at the Council of Yukon First Nations, Blood Ties Four Directions and with many others on this campaign.

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Community Outreach:

- We appreciate the work of Yukon First Nations governments to address the unique needs of their communities in response to this health emergency.
- We will continue to support Yukon First Nations governments to improve health and social services in Yukon communities.
- We have supported Blood Ties Four Direction's initiative to increase distribution of take home fentanyl testing kits in rural Yukon communities.
 - Blood Ties Four Directions continues to provide harm reduction services in Whitehorse through the Outreach Van, and Mental Wellness and Substance Use Services staff working in Whitehorse and communities also provide harm reduction supplies and training.
- Expanding Opioid Treatment Services, including safer supply, to communities outside of Whitehorse is an element of the upcoming Yukon Substance Use Health Emergency Strategy.
- Emergency Medical Services has provided approximately 1,000 home drug checking kits across the territory.

Coroner's Report:

- On August 5, 2022, the Chief Coroner called for an inquest into the deaths of Myranda Tizya-Charlie and Cassandra Warville which occurred at 405 Alexander on January 19, 2022 as a result of toxic illicit drugs.
- We support the important work of Yukon Coroner's Service and are collaborating fully in their investigation into these tragic deaths. We

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welcome any feedback the Coroner may provide in preventing further deaths.

- We implemented a number of changes at 405 Alexander after the deaths due to toxic illicit drugs in January 2022.
- A physician from the Referred Care Clinic provides Opioid Treatment Services at 405 Alexander two days per week, an approach which has been very successful in increasing engagement in Opioid Treatment Services.
- BRAVE Sensors were installed in bathrooms to alert staff if someone ceases to move for reasons such as an overdose or other health emergency.
- We are working with Blood Ties Four Directions to increase awareness of the Supervised Consumption Site among guests of 405 Alexander and have expanded the services and hours of operation of the outreach van.
- Additionally, to mitigate risks associated with substance use such as overdose, shelter guests and residents continue to have access to harm reduction education and supplies, including Naloxone kits, drug checking kits, spectrometer drug testing and connection to appropriate supports and services.
- Staff receive training in recognizing and responding to the signs and symptoms of overdose.

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Decriminalization of Substances:

- The criminal law around controlled drugs and substances is under the purview of the Government of Canada.
- Our government has been working with partners to address the Substance Use Health Emergency, including support for a range of harm reduction initiatives aimed at reducing overdose deaths and curbing stigma around drug use.
- The Substance Use Ministerial Advisory Committee was briefed on decriminalization by Blood Ties Four Directions, RCMP and others.
- The Government of Yukon is gathering information and carefully considering available options for further action.

Emergency Medical Services:

- Emergency Medical services has a Paramedic Specialist Clinic located at 405 Alexander. The clinic ensures a paramedic is on site at least 20 hours a day.
 - Emergency Medical Services has expanded hours at 405 Alexander clinic hours to 20hr/day. We are continuing to work towards having a paramedic on site 24/7.
 - The clinic has a spectrometer to test samples of drug supply on site. The spectrometer provides a more accurate detection of benzos, fentanyl and other contaminants in the drug supply.
- Emergency Medical Services has expanded the Paramedic Specialist Clinic to include a Paramedic Response Unit in the downtown core of Whitehorse.
 - The Paramedic Response Unit operates 10.7 hours a day, seven days a week.

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- Both the Paramedic Response Unit and the Paramedic Response Clinic provide Drug Testing Kits and harm reduction supplies to the public.
- The Rapid Access Bike paramedic team provides faster responses in downtown Whitehorse during the summer months.
 - All members of the Rapid Access Bike team are trained to the Primary Care Paramedic level or higher.
 - While there will always be an ambulance deployed at the same time as the Rapid Access Bike, the team can provide initial patient care before an ambulance arrives.
 - The Rapid Access Bike team also hands out Naloxone kits, drug checking kits, delivers education about safe injections, and provides general information on safety to the public.
- All Emergency Medical Services ambulances carry drug checking kits and Naloxone kits to provide to the public.
- EMS has distributed over 1,000 drug checking kits across the territory.

Managed Alcohol Program:

- As part of the 2023 Confidence and Supply Agreement, our government has committed to establishing a Managed Alcohol Program within the next year.
- The Managed Alcohol Program will attempt to reduce harms related to alcohol use amongst alcohol-dependent individuals and reduce the use of non-beverage alcohol.
- This initiative will help protect one of the Yukon's most vulnerable populations and will support public health and resource allocation.

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- We are taking steps in the development of this initiative and will continue to work closely with our partners and stakeholders throughout this process to ensure the Managed Alcohol Program meets our goals of increasing access to harm reduction services to improve health outcomes of Yukoners.

Mental Wellness Summit:

- On February 14 and 15, 2022, our government hosted a Mental Wellness Summit that brought together leaders, partners and those with lived experience from across the territory to identify collaborative solutions to support communities. Over 550 people took part in the summit.
- The second phase of the Mental Wellness Summit was held between September 21 and 23, 2022. There were 320 people who attended the second phase of the Summit either in-person or virtually.
- Presentations from both parts of the Mental Wellness Summit are available for streaming on Yukon.ca.
- Information and feedback from the Mental Wellness Summit was used to inform the Yukon Substance Use Health Emergency Strategy.

Mobile Crisis Unit (Car 867):

- On November 1, 2022, our government and the RCMP announced the launch of Car 867, the new Mobile Crisis Unit.
- The Mobile Crisis Unit (Car 867) is a program in partnership with the RCMP to provide RCMP and mental health nursing responses for mental health and wellness related 911 calls.

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- Staffed with a police officer and a Registered Psychiatric Nurse from Mental Wellness and Substance Use Services, its duty is to respond to calls for service related to mental health issues and suicide risks.
- They provide a specialized joint response including on-site mental health assessments and referrals to other appropriate care providers (such as Rapid Access Counselling, the Child, Youth and Family Treatment Team, the Psychiatric Outreach Program and Adult Protection Services), as well as safety planning and working with the client on issues in real-time.
- Currently, this program is being implemented exclusively in Whitehorse.

Naloxone:

- Naloxone kits, including nasal naloxone, are available, free of charge, at many locations across our territory, including pharmacies, Kwanlin Dün First Nation Health Centre, Blood Ties Four Directions, 405 Alexander, Emergency Medical Services and from Mental Wellness and Substance Use Services locations throughout the territory.
- Mental Wellness and Substance Use Services staff in communities also distribute Naloxone Kits and have worked with First Nations governments to ensure that kits are widely available.
- Upon request, staff provide Naloxone training to First Nations governments and community partners.
- If you want to get a Naloxone kit or learn ways to reduce harm when you or your loved one uses substances, you can contact the opioid overdose prevention coordinator.

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Out-of-Territory Treatment:

- Insured Health Services and Mental Wellness and Substance Use Services continue to work with Yukoners to ensure they receive the medically necessary mental wellness and substance use care they need, including if that care is out-of-territory.
- In February 2022, Insured Health Services implemented a directive that expanded coverage for out-of-territory residential treatment centers to support Yukoners to access pre-approved out-of-territory medically necessary mental wellness and substance use care at approved facilities.
- Yukoners who wish to seek treatment out-of-territory should work with their primary care provider who will submit an application to Insured Health Services.
- Treatment is being supported in BC and Alberta through Homewood Ravensview, Edgewood Treatment Centre, Last Door Recovery Centre, and Last Door Addiction Recovery Services.
- The Council of Yukon First Nations with temporary funding from the federal government provides support to send individuals out-of-territory to access residential treatment.

Overdose Outreach Team:

- Mental Wellness and Substance Use Services has established an Overdose Outreach Team through Opioid Treatment Services.
- The Overdose Outreach Team provides harm reduction education, supports clients with system navigation and provides connections to other services related to substance use.

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- The Team also provides support to individuals who have recently experienced drug overdose.
 - The Overdose Outreach Team includes support workers, social workers and community engagement workers.
 - The Team currently operates Monday to Friday from 8 am to 8 pm.
 - Yukoners can call (867) 333-9717 to be referred to the Overdose Outreach Team.

Supervised Consumption Site:

- On September 30, 2021, our government opened the Supervised Consumption Site in Whitehorse in partnership with Blood Ties Four Directions.
- The Supervised Consumption Site currently operates five days per week.
 - The hiring of additional staff is currently underway to expand the operating hours of the Supervised Consumption Site to seven days per week, including holidays.
- As of July 12, 2023, there have been nearly 5,000 visits to the Supervised Consumption Site since it opened in 2021.
- Methods of drug consumption at the Supervised Consumption Site include injection, inhalation, oral and intranasal.
 - Upgrades to the Supervised Consumption Site to accommodate inhalation (smoking) as a method of drug consumption were completed in May 2022.
 - Inhalation is one of the most common methods of drug consumption in the territory. Since the inhalation room opened,

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use of the Supervised Consumption Site has increased significantly.

- At the site, clients can access a range of harm reduction and social services including drug testing, counselling, access to Naloxone, drug use equipment exchange, medical care, and training in safer use practices. Clients can also receive referrals to social, medical and mental wellness and substance use supports.

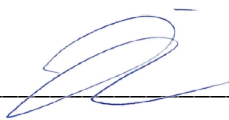
Yukon Substance Use Health Emergency Strategy:

- The declaration of a Substance Use Health Emergency in early 2022 was a commitment to respond and a call to action for all governments, communities, organizations, partners, and Yukoners to do their part in preventing the next tragedy.
- Since the declaration, our government has been actively engaged in collaborative work with health system and community partners on the development of the Yukon Substance Use Health Emergency Strategy.
- The primary purpose of this strategy is to provide a roadmap for action on how the Government of Yukon, working with partners, can reduce substance use-related harms in the territory.
- The Yukon Substance Use Health Emergency Strategy is a living document, designed to evolve over time as it adapts to the changing needs of the communities and incorporates ongoing valuable feedback from our partners.
- The vision of the strategy is that all Yukoners will be mentally, emotionally, spiritually, and physically well and safe throughout their

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lifespan and able to contribute to wellness in their families, cultures, and communities.

- The strategy's mission is that partners will work together to implement innovative, bold, and evidence-based actions so that substance use related harms are reduced and the health and wellbeing of Yukoners flourishes.
- The strategy is set to be released publicly this summer.

Approved by:

Deputy Minister, Health and Social Services

August 22, 2023

[Date approved]

Session Briefing Note**FALL 2023****Nisutlin Bay Bridge**Highways and
Public Works

Recommended response: General

- The Nisutlin Bay Bridge is a critical link along the Alaska Highway and is an important landmark for Teslin.
- The bridge is nearing the end of its life and requires replacement.
- In spring 2019, the Yukon government and the Teslin Tlingit Council signed a project charter to work together to design and build a reliable structure that accommodates more traffic, while also improving access for pedestrians and cyclists.
- This project provides a significant positive economic outcome for the territory, local businesses, and the community of Teslin.
- The existing bridge will be replaced by constructing a new bridge, which will span 483 metres across the Nisutlin Bay, and have a scheduled service life of 100 years.

Additional response: Project schedule

- The contract was awarded on May 3, 2022, to Graham Infrastructure LP.
- Project work began in the summer of 2022 with a planned winter shutdown between mid-December 2022 to March 2023.
- The 2023 construction season started on March 16. Work continued to ramp up this construction season, with 30-50 rotating staff onsite at the construction camp throughout the summer.
- A planned winter shut down of major construction works is scheduled to begin mid-December 2023.
- Ongoing winter work will consist of:

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Public Works

- receiving material;
- site and equipment maintenance; and,
- a winter crew of 8 to 12 people on-site.
- The spring start-up date is March or April 2024. This date depends on the weather conditions.
- The anticipated substantial completion date is September 30, 2025, and the total completion date is March 31, 2026.

Additional response: Contractor's work plan

- The contractor is constructing a temporary trestle bridge, which will serve as a working platform for the construction of the new bridge.
- As of now, 21 out of the total 30 spans have been completed and are facilitating the construction of the new bridge, starting with the piling.
- As of October 24, 2023, the following work has been completed by the contractor:
 - site mobilization and permanent pilings for the north and south abutments;
 - the south abutment, along with its seat, back wall, and wing walls;
 - the south embankment has been built up to the subgrade level;
 - riprap has been placed on the north-facing slope of the south abutment;
 - at Pier 2, all eight permanent piles are complete with concrete infill;

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Public Works

- at Pier 3, all eight permanent piles are complete with concrete infill and the pile cap has been cast;
 - piles of the north abutment are complete with concrete infill;
 - the north embankment has been constructed up to the bottom of the abutment seat;
 - installation of cofferdams for Piers 2 and 3 are complete and installation of the cofferdam for Pier 4 is ongoing; and,
 - clearing and grubbing for the new road on the south side.
- Granular pit development and rock production near Teslin and environmental measures such as hydroacoustic monitoring, fish salvage and water sampling are ongoing.

Additional response: Project cost

- The contract with Graham Infrastructure LP is \$159.96 million.
- Infrastructure Canada's *Building Canada Fund* committed a \$41.25 million contribution to the project.
- Transport Canada will also contribute \$52.5 million through the *National Trade Corridors Fund* to the project.
- The capital plan indicates that approximate spending in 2023-24 is \$40 to 45 million, for fiscal year 2024-25 it is \$45 to 50 million, and for fiscal year 2025-26 it is \$25 to 30 million. These numbers are subject to change as the work progresses.

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Public Works

Additional response: Benefits for Local Businesses

- As per the terms of the construction contract, the contractor, Graham Infrastructure LP, is responsible for the hiring sub-contractors for the project.
- Sub-contractors perform work including electrical, logistics, earthworks, quarry development, materials procurement, and environmental monitoring.
- There are several Teslin and Yukon businesses that were named under the contractor's proposal.
- This list exists for the life of the project, and the contractor can hire from this list at any time. They can also add to this list if need arises.
- The Yukon government does not direct the contractor, Graham Infrastructure LP, on sub-contracting opportunities.

Additional response: First Nations Participation

- Both Teslin Tlingit and Yukon First Nations participation hours are tracked throughout the project.
- They are submitted monthly by Graham Infrastructure LP to the Yukon government.
- The department is monitoring the project to ensure the contractor is following the commitments made.
- We continue to engage with Teslin Tlingit Council to inform them of opportunities on the project.

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Public Works

Additional Response: Granular Material

- This project will use over 100,000 cubic metres of aggregate for the various components. This does not include asphalt.
- All the granular material for roadwork is locally sourced.
- However, the Nisutlin Bay Bridge Project will require approximately 2,400 m³ of coarse aggregate for the cast-in-place concrete being used.
- This small amount of coarse aggregate for concrete work is coming from Whitehorse.
- The aggregate being used in this concrete has specific requirements to ensure the structural integrity of the bridge.
- There are very limited sources of aggregate in Yukon that meet this requirement which is why aggregate from the Whitehorse area will be used for this specific portion of the project, which equates to less than 2.5 per cent of the aggregate needed.

Additional response: Granular Material at Ten Mile Pit (km 1258)

- A granular pit located at kilometer 1258 of the Alaska Highway, near Teslin, also called Ten Mile Pit, was developed in line with the construction contract.
- Granular sources for the project, including granular-E will be shipped from the gravel pits located at kilometre 1184 and kilometre 1238.
- The granular resources from Ten Mile Pit will be used by the Yukon government for other projects or construction activities in the surrounding area.

Session Briefing Note**FALL 2023****Nisutlin Bay Bridge**Highways and
Public Works

- Half of the Ten Mile Pit area is also shared with the Teslin Tlingit Council. The First Nation will help to manage the development of the pit.

Additional response: Engagement

- Highways and Public Works continues to work collaboratively with the Teslin Tlingit Council and engage with the Village of Teslin, the public and specific stakeholders on this project as it moves forward.
- The Yukon government project team meets with Teslin Tlingit Council on a bi-weekly basis to discuss the project and troubleshoot challenges together.
- As well, the Yukon government, Teslin Tlingit Council and the primary contractor, Graham Construction, meet on a monthly basis to review the project and discuss potential community issues and solutions.

Additional response: Community wellness and environmental monitoring

- Graham Infrastructure LP have staffed a community wellness team that includes a liaison for workers to contact, and a separate liaison for community members to contact, with any health and wellness issues pertaining to the project they may have.
- The contractor has developed and enforces policies for all staff regarding drugs and alcohol, and a respectful workplace including equity and inclusion and diversity.
- Transfer Payment Agreements were signed with the Teslin Tlingit Council that addressed project planning, participation and

Session Briefing Note**FALL 2023****Nisutlin Bay Bridge**Highways and
Public Works

implementation support and Environmental and Socio-economic Baseline Studies.

Additional response: Fisheries Act authorization and water licence

- The water licence for the project was issued on August 31, 2022.
- The *Fisheries Act* authorization was issued on October 17, 2022.
- In response to the licence and authorization, the Yukon government successfully worked with its partners, Teslin Tlingit Council and Graham Construction LLP, and the regulator (DFO) on an amendment and a variance to better support the work activities required to construct the new bridge.
- We received the amendment on February 24, 2023, and a variance on March 8, 2023.
- Since then, the project is progressing well, and 88 pilings have been installed that meet the thresholds set by the FAA and Water Licence.

Additional Response: Sonar Enumeration TPA for Teslin Tlingit Council

- Environmental protection of the Nisutlin Bay area is a major component of the project, and under our *Fisheries Act Authorization* we are required to establish a sonar enumeration project.
- The sonar enumeration is to make sure that the construction work is not negatively impacting fish populations or migrations.
- I'm happy to report that we have now signed a Transfer Payment Agreement with Teslin Tlingit Council that provides funding to support this sonar project.

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Public Works

- The sonar enumeration project will last until the Nisutlin Bay Bridge project is finished.
 - The project helps researchers with Teslin Tlingit Council count Chinook salmon passing through the Nisutlin River Delta National Wildlife Area.
 - This important natural area is along the migration route for Chinook salmon returning to the Nisutlin and Wolf rivers and their tributaries.
 - The sonar covers a relatively narrow and shallow section of river. Like a police officer measuring cars' speed with a radar gun, the sonar “pings” various objects, in this case salmon, as they go by the sonar. The result is translated into a daily count of the salmon.
 - This work is essential to protecting salmon and making sure the fish reach their spawning grounds while a new bridge is being built in Nisutlin Bay.
-

Context—this may be an issue because:

- The Nisutlin Bay Bridge is a landmark feature in Teslin and a key part of the Alaska Highway transportation infrastructure.
-

Background:**Existing Nisutlin Bay Bridge**

- The existing bridge crosses the Nisutlin Bay at kilometre 1,243 on the Alaska Highway and was constructed in 1953 by the Department of National Defence.
 - The current bridge is the longest on the Alaska Highway within the Yukon Territory, spanning 584 metres.
 - Maintenance costs of the existing bridge are between \$0.5 to \$1 million per year.
-

Session Briefing Note

FALL 2023

Nisutlin Bay Bridge

Highways and
Public Works

Historic Public Engagement

- In early 2020, we engaged with residents and business owners of Teslin, the Teslin Tlingit Council and the Village of Teslin to discuss potential options for the bridge.
- In January 2021, we hosted an open house in Teslin to present the design of the bridge to the community.
- In August 2021, during Teslin Tlingit Council's Annual General Assembly, Highways and Public Works had an information booth for citizens to learn more about the project.
- In October 2021, another open house was held in Teslin to provide a project update and introduce the community to the two contractors so they could learn of potential employment opportunities.
- A ground-breaking celebration was held on October 21, 2022, with Teslin Tlingit Council, Village of Teslin, the contractor and officials from the Department of Highways and Public Works.

Approved by:



November 8, 2023

Deputy Minister, Highways and Public Works

Date Approved

Media Monitoring

Executive Council Office

Recommended response:

- The Government of Yukon supports informed decision making through an internal media monitoring and transcription service. Such services are universally regarded as an essential service by governments.
- In the new year, the Government of Yukon will post a new Request for Proposals to best meet the emerging media monitoring needs of the public service.
- The upcoming Request for Proposals will include clear direction that news reports are captured verbatim in the twice daily media monitoring report, and that interview transcripts be billed at a per-word fee.

Additional response:

- Transcripts of media coverage are for the exclusive use of Government of Yukon staff for internal review, analysis and research.
- As a courtesy, we provide several arm's-length offices with the media monitoring service.
- Following a request for proposals a Canadian company from outside the territory was awarded the media monitoring contract based on their experience, skills and expertise, as well as their price submission.

Context — this may be an issue because:

- The opposition has reached out to the Executive Council Office several times since the new contract was put in place to state dissatisfaction with the current media monitoring and transcript service.

Media Monitoring

Executive Council Office

- The Leader of the Yukon Party Official Opposition and the Leader for the Yukon NDP Caucus wrote a letter to the Premier stating, “The recent change to a new contractor that provides news stories, instead of verbatim transcripts, is a downgrade in service that hampers the ability of the Yukon government officials to perform their duties.”
- The Executive Council Office pays for the media monitoring service and transcript requests are paid for by the department or office requesting them.

Background:

- When the last media monitoring and transcription services contract ended, the department was required by government procurement processes to send out a Request for Proposals. The most cost-effective and qualified supplier was awarded the contract. This new vendor is providing a similar service at a reduced price.
- While the previous supplier chose to provide verbatim transcripts of news broadcasts in the media monitoring reports, the new provider considers them transcripts and charges accordingly. When concerns were first raised about this change, the department worked with the vendor to provide expanded descriptions of each broadcast in the report. We are unable to make any further changes within the scope of the contract.
- Procurement best practice is to continue with the current pricing schedule and apply the lessons learned to the next contract.

Approved by:



Deputy Minister
Executive Council Office

September 8, 2023

Date approved

Response to Office of Auditor General on COVID Vaccine Rollout

Executive Council Office
Health and Social Services

Recommended response:

- The Government of the Yukon is grateful to the Office of the Auditor General of Canada for their examination and constructive feedback on the Yukon's COVID-19 vaccine rollout.
- The Office of the Auditor General acknowledged our government's efforts in managing the rollout of COVID-19 vaccines in a quick, fair and effective manner.
- Our united response played a significant role in protecting the lives of Yukoners and this reinforces our confidence in the effectiveness of our response to the pandemic.

Additional response:

- We are making progress on several of the recommendations contained in the Office of the Auditor General's report, including:
 - conducting a review of the *Civil Emergency Measures Act*;
 - working with First Nations governments and municipalities to update their emergency plans;
 - reviewing and improving existing cultural competency training included in the Yukon Immunization Program's immunizer certification program; and
 - establishing and finalizing data-sharing protocols with First Nations governments.

Context — this may be an issue because:

- In June 2023, the Office of the Auditor General of Canada released a report on the Government of Yukon's COVID-19 vaccine rollout.

Response to Office of Auditor General on COVID Vaccine Rollout

Executive Council Office
Health and Social Services

- The Government of Yukon submitted our work plan to the Public Accounts Committee by September 30, 2023, as required, outlining its response to the Office of the Auditor General of Canada's recommendations.

Background:

- The Office of the Auditor General of Canada's report found that the rollout was quick and effective but there were a few areas for improvement, including communication with First Nations.
- **Approved by:**



A/Deputy Minister
Executive Council Office

September 8, 2023
Date approved



Deputy Minister
Health and Social Services

September 12, 2023
Date approved

Session Briefing Note

Outfitting in the Yukon

ENV #2
Fall 2023
Environment

Recommended response:

- Outfitting is a valued industry in the Yukon that benefits communities through employment opportunities, the purchase of goods and services and, in many cases, a donated supply of fresh meat.
- Our government continues to work with the Yukon Outfitters Association to support the industry while ensuring the sustainability of Yukon wildlife.
- We recognize that there continues to be several outstanding issues of concern, and we are committed to resolving them collaboratively with the outfitting industry.
- To improve support for the outfitting community, the Department of Environment hired an Outfitter Liaison Officer in May of 2023.
- The Outfitter Liaison Officer has been proactively working with Yukon outfitters and the Yukon Outfitter Association to answer questions, address specific issues of concern, and identify potential ways to resolve them.
- Earlier this year, the Department of Environment received recommendations from the Yukon Fish and Wildlife Management Board to modernize the Yukon Outfitter Quota Guidelines.
- We agree that modernization of these guidelines is necessary for various reasons, like ensuring they conform with the Yukon Wildlife Act, addressing the Yukon's legal obligations to consult First Nations, and better aligning with how wildlife management is conducted in the Yukon.

Session Briefing Note Outfitting in the Yukon

ENV #2
Fall 2023
Environment

- The Government of Yukon has responded to the Board that given its mandate to make recommendations on all matters related to Yukon fish and wildlife management, legislation, research, policies and programs, that the Board could initiate the review and engagement on the Yukon Outfitter Quota Guidelines.
- Should the Board accept this role, the Government of Yukon is committed to providing the Board with technical and financial support to undertake this work.

Additional response:

- We recognize the certainty that multi-year quotas provide to Yukon outfitters. However, multi-year and over-harvest quotas do not comply with the *Wildlife Act*.
- The Department of Environment has implemented an interim solution to provide outfitters certainty, flexibility and predictability.
- This interim process states that unless a legal, environmental or socio-economic factor necessitates a change in the non-resident allocation, quotas will remain unchanged until we have a new process in place to establish quotas.
- It also allows outfitters with quota agreements before 2022 to access unused moose and caribou quotas from the previous four years, up to a maximum value.
- We remain committed to working with the outfitting industry, Renewable Resources Councils, the Yukon Fish and Wildlife Management Board, licensed hunters, and Yukon First Nations to ensure a fair, transparent, and sustainable solution.
- There are currently 20 outfitting concessions in the Yukon. All are active.

Session Briefing Note

Outfitting in the Yukon

ENV #2
Fall 2023
Environment

Third Response:

- Prior to the 2022 hunting season, the Department of Environment worked with outfitters to place outfitters on quotas.
- In 2021, the Department of Environment was made aware that multi-year quotas and roll-over provisions do not comply with the Wildlife Act. As a result, starting in 2022, quotas are established annually.
- Given the changes made to the quota process and the fact that some outfitters were assigned quotas for the first time in 2022, the Outfitter Quota Appeal Committee and the Concession and Compensation Review Board received an unprecedented number of appeals.
- Our government responded to all timelines and information requests from the coordinating Secretariat on these hearings, but the number of appeals created significant delays in the appeal processes.
- The deadline for outfitters to submit appeals for their 2023 season quotas was April 18, 2023. Five outfitters submitted appeals to the Outfitter Quota Appeal Committee. Two of the five also submitted similar appeals to the Concession and Compensation Review Board. These requests are now following the appropriate procedures.
- Written submissions have been provided to the Secretariat for three Outfitter Quota Appeal Committee appeals and two Concession and Compensation Review Board appeals.
- Concession and Compensation Review Board hearings are scheduled for December 4, 2023. No Outfitter Quota Appeal Committee hearing have been scheduled yet.
- In 2022, two of the 36 caribou quotas and three of the 20 moose quotas were used to their maximum.
- These are complex matters, and we are allowing the outfitter appeals to work through the process before any decisions or changes are made.

Session Briefing Note Outfitting in the Yukon

ENV #2
Fall 2023
Environment


Context—this may be an issue because:

- Ongoing questions have been raised in the Legislative Assembly and in the media regarding outfitter guidelines, outfitter harvest quotas, and the quota appeal process.

Background:

- Allocating quotas for all outfitters for all big game species provides a level playing field for the industry in the Yukon and business predictability for individual outfitters.
- The Department of Environment is responsible for making decisions about wildlife management to conserve all wildlife while respecting treaty rights and the diverse needs of Yukoners.
- In 2022, a total of 11 appeals were submitted; nine outfitters submitted appeals to the Outfitter Quota Appeal Committee. Two of the nine also submitted similar appeals to the Concession and Compensation Review Board.
- Seven of the 11 appeals from 2022 did not go to hearing: three were withdrawn by the appealing outfitters and four were cancelled by the Outfitter Quota Appeal Committee for various reasons.
- The Department of Environment meets frequently with the Yukon Outfitter Association and Yukon outfitters. Since December of last year, the Yukon Outfitter Liaison Committee has met four times to discuss issues important to the industry. The department's Outfitter Liaison Officer and Wildlife Harvest Specialist also meet regularly with Yukon outfitters.

Approved by:



Deputy Minister of Environment

2023-11-07

Date approved

Appointments to the Yukon Environmental and Socio-economic Assessment Board and Yukon Water Board

Executive Council Office

Recommended Response:

- There are several vacancies with both the Yukon Environmental and Socio-economic Assessment Board (YESAB) and the Yukon Water Board (YWB). Yukon government recognizes the importance of these Boards in the review of projects in the Yukon.

Yukon Environmental and Socio-economic Assessment Board

- The *Yukon Environmental and Socio-economic Assessment Act* is federal legislation and YESAB appointments are made by the federal Minister based on nominations from Yukon government, Council of Yukon First Nations, and the Government of Canada.
- The Council of Yukon First Nations is aware of the three CYFN nominations to YESAB and is actively recruiting. Yukon government has sent a nomination letter to the Federal Minister regarding the YG nomination position to YESAB.
- The YESAB Chair is appointed by the federal Minister after consultation with the other two Executive Committee members.
- Quorum for Executive Committee is 2/3 members.
- S. 15(1) of YESAA states, “A quorum of the Board consists of a majority of the members holding office or three members, whichever is greater.”

Yukon Water Board

- The *Waters Act* is territorial legislation. The Yukon government Minister appoints YWB members through an Order-in-Council process based on nominations from Yukon government, Government of Canada, and Council of Yukon First Nations.
- The Environment and Climate Change Canada (ECCC) nominated board member has been vacant since April 2023. We have discussed this matter with our federal counterparts.

Appointments to the Yukon Environmental and Socio-economic Assessment Board and Yukon Water Board

Executive Council Office

Current Status

- The following is the status of the YESAB:

Name	Title	Nomination	Term of Appointment	Notes
Vacant	Chair	Consultation with other ExCom members		Lauren Haney, the previous Chair was appointed February 25, 2022 for a 3-year term to July 5, 2025. Ms. Haney resigned June 2, 2023.
Bryonny McIntyre	Executive Committee Member	YG Minister	June 30, 2022 - June 30, 2025	
Dennis Nicloux	Executive Committee Member	CYFN	November 5, 2020 November 5, 2023	
Vacant	Board Member	YG Minister	October 26, 2020 - October 26, 2023	Mike Walton was nominated for a second term by YG on September 13, 2023.
Vacant	Board Member	CYFN	October 26, 2020 - October 26, 2023	
Kirk Cameron	Board Member	Canada	April 21, 2021- April 21-2024	Acting Chair. Not an Executive Committee member.
Vacant	Board Member	CYFN		

Appointments to the Yukon Environmental and Socio-economic Assessment Board and Yukon Water Board

Executive Council Office

- The following is the status of the YWB

Name	Nomination	Expiry
McDonald, Piers: Chairperson	Government of Yukon	December 10, 2024
Smoler, Russel Vice-Chair	Government of Yukon	February 26, 2025
Barrett, Wesley	Council of Yukon First Nations	April 20, 2026
Leckie, Anne	Federal (Indigenous and Northern Affairs)	May 5, 2026
McIntyre, Robert	Federal (Health)	October 1, 2025
Sidney, Carl	Council of Yukon First Nations	April 20, 2026
Wallingham, Sam	Government of Yukon	January 31, 2026
Warnsby, Bruce	Council of Yukon First Nations	November 10, 2025
Vacant since April 17, 2023	Federal (Environment and Climate Change)	

	2023 11 02
Deputy Minister Executive Council Office	Date Approved

Session Briefing Note

Whitehorse Rapids Generating Station

ECO #14
Executive Council
Office

Recommended response:

- The Whitehorse Rapids Generating Station is a critical source of reliable, renewable electricity in the territory. The Yukon government has been working with Carcross/Tagish First Nation, Kwanlin Dün First Nation, Ta'an Kwäch'än Council and Yukon Energy Corporation on agreements to support the renewal of the water licence which expires in 2025.
- I would like to highlight the intent of this work including:
 - A commitment to build strong relationships with First Nations impacted by the project.
 - A commitment to strengthen our understanding and conservation of environmental and cultural values.
 - A commitment to establish honest and collaborative processes to work together.
- The Whitehorse Rapids Generating Station renewal will go through an independent environmental and socio-economic assessment and a independent water licence review prior to the licence being renewed.
- The Yukon government anticipates that concerns such as potential impacts to salmon will be discussed as part of the assessment and regulatory review.
- As a decision body for this project, the Yukon government is consulting with the Carcross/Tagish First Nation, Kwanlin Dün First Nation, Ta'an Kwäch'än Council and Taku River Tlingit First Nation in a way that meets our obligations and our commitment to build strong relationships with First Nations.

Additional response:

Session Briefing Note

Whitehorse Rapids Generating Station

ECO #14
Executive Council
Office

- We are committed to establishing a constructive, collaborative long-term relationship with respect to the continued operation of the Whitehorse Rapids Generating Station, planning to meet the Yukon's future energy needs as well as supporting cultural practices and traditional uses in the Southern Lakes area.

Context—this may be an issue because:

- A November 6, 2023, CBC News article titled “Unsafe Passage: How the Whitehorse Dam and its Powerful Turbines Could be Affecting Young Chinook Salmon” referred to a study conducted by Yukon Energy Corporation that estimated as much as a third of juvenile salmon could be killed while passing through the Whitehorse dam.

Background:

- The Whitehorse Rapids Generating Station (WRGS) is operating under 25-year Water Licence that expires on May 31, 2025.
- Yukon Energy Corporation, the proponent, is working collaboratively with the Yukon government and affected First Nations to support the relicensing of the generating station. The affected First Nations are Carcross/Tagish First Nation (C/TFN), Kwanlin Dün First Nation, Ta'an Kwäch'än Council. The Yukon government will also consult with Taku River Tlingit First Nation during the assessment of the project.
- This collaborative work began in April 2022 for WRGS and has been ongoing since then. Work to date has been primarily focused on:
 - Developing a project proposal to submit to the Yukon Environmental and Socio-economic Assessment Board. This work is led by a Technical Working Group.
 - Preparation for licensing (Water Licence and Fisheries Act Authorization) and associated application materials.
 - Negotiated agreements to supplement assessment and licensing processes and support a long-term relationship. This work is being led by negotiators.
- A Technical Working Group and a negotiators group have been established with representation from Yukon government, Yukon Energy Corporation, Carcross/Tagish First Nation (C/TFN), Kwanlin Dün First Nation, and Ta'an Kwäch'än Council.

Session Briefing Note
Whitehorse Rapids Generating
Station

ECO #14
Executive Council
Office

Approved by:



Deputy Minister, Executive Council Office

2023 11 06

Date

Carcross/Tagish First Nation Public Statement

Executive Council
Office

Recommended response:

- The Yukon government is aware of the public statement released by Carcross/Tagish First Nation regarding their approach to the various project proposals in their Traditional Territory.
- We have been consulting with the First Nation about both the potential impacts of these proposals on their rights and how to mitigate any such impacts should the projects proceed.
- We are also committed to working with Carcross/Tagish First Nation to ensure that their government and citizens can realize benefits from projects occurring in their Traditional Territory.

Additional response:

- Our government is working with both Carcross/Tagish First Nation and the Taku River Tlingit First Nation to gain clarity regarding the overlap between the territories of both First Nations in the Yukon.
- We also understand that the two First Nations will be engaging directly on these issues.
- We are working with both First Nations and the Government of B.C. to establish a cross-border regional land use planning process that we anticipate will help resolve some of the issues raised in the public statement.
- We have already done a lot of good work together to develop ways to address the First Nation's concerns and interests and look forward to having further discussions with Carcross/Tagish First Nation leadership about this in the near future.
- **See topic-specific Key Messages on the following pages.**

Context—this may be an issue because:

- On October 31, 2023, Carcross/Tagish First Nation (C/TFN) issued a public statement

Carcross/Tagish First Nation Public Statement

Executive Council
Office

indicating that they will not continue to participate and agree to projects in the overlap areas of their Traditional Territory until there are “agreed transboundary delineations and clear and agreed upon mitigation of impacts”. The matter was raised in the Legislative Assembly on November 1, 2023.

Background and Key Messages:

Atlin Hydro Expansion and Transmission Line

- Tlingit Homeland Energy Limited Partnership (THELP) is proposing to expand its Atlin hydroelectric generation infrastructure to increase its power output from 2.1MW to 10 MW, some of which would be sold to the Yukon Energy Corporation (YEC). The project includes a transmission line from Atlin, B.C., to Jake’s Corner, a new substation, and upgrades to the transmission line from Jake’s Corner to Whitehorse.
- EMR and HPW consulted with C/TFN during the assessment phase prior to issuing a Decision Document in July 2023, and are continuing to consult on the remaining required permits during the regulatory phase. During the assessment phase consultation, C/TFN raised concerns about the potential for the transmission line to adversely affect the Southern Lakes Caribou Herd and their associated subsistence harvesting rights.
- **Key Message:** The Yukon government is aware of discussions between C/TFN and the project proponent and we are hopeful that they will come to a satisfactory resolution to C/TFN’s concerns.

ATCO Electric Transmission Line Upgrade

- ATCO Electric is proposing to upgrade the existing distribution line from Carcross Corner to Jake’s Corner along the Alaska Highway, and to construct a substation at Jake’s Corner. These upgrades are required to support the anticipated increase in power from the proposed Atlin Hydro expansion and associated transmission line.
- **Key Message:** We understand that this project is still undergoing an assessment under the *Yukon Environmental and Socio-Economic Assessment Act*. We remain committed to carrying out meaningful consultation about the potential for the project to impact the rights of C/TFN as well as Ta’an Kwäch’än Council and Kwanlin Dün

Carcross/Tagish First Nation Public Statement

Executive Council
Office

First Nation as the assessment proceeds.

Whitehorse Rapids Generating Station (WRGS) Relicensing

- The water license for the WRGS expires on May 31, 2025.
- YG and Yukon Energy Corporation (YEC) have been negotiating a package of Energy Agreements with C/TFN, Ta'an Kwäch'än Council (TKC) and Kwanlin Dün First Nation (KDFN) to support the relicensing of the WRGS. The Energy Agreements are intended to address the concerns and interests of the First Nations and lay the groundwork for their ongoing participation in the operation of the facility.
- The Parties are aiming to reach the first project milestones (submission of the assessment project proposal and agreement in principle on a suite of energy agreements) on November 30, 2023.
- **Key Message:** The Yukon government and Yukon Energy Corporation have been working closely with Carcross/Tagish First Nation, Ta'an Kwäch'än Council and Kwanlin Dün First Nation to ensure that their concerns and interests with respect to the relicensing and ongoing operation of the Whitehorse Rapids Generating Station are addressed. We look forward to ongoing collaboration with our partners to ensure that this facility not only continues to provide clean energy to Yukoners but also respects the rights of the affected First Nations.

Proposed Connection to BC Grid

- YG/YDC are at the preliminary stages of exploring the feasibility of a grid connection with British Columbia. The proposed route for the potential transmission line linking Yukon's main grid to B.C.'s grid has not been determined.
- **Key Message:** We look forward to further discussions with Yukon and transboundary First Nations about the potential for the Yukon to connect to the B.C. grid and are committed to ensuring that the rights and interests of affected First Nations are respected and protected.

Proposed Moon Lake Pumped Storage Facility

- The Moon Lake Pumped Storage Facility project is one of several concepts being considered by YEC to meet future energy demand in the Yukon by adding additional generating capacity. If the project were to proceed, it would be located in northern B.C., in C/TFN's asserted traditional territory, and the associated transmission line would traverse C/TFN's Traditional Territory in the Yukon.

Carcross/Tagish First Nation Public Statement

Executive Council
Office

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- **Key Message:** We understand that the Yukon Energy Corporation will be undertaking a planning exercise starting this fall, during which the feasibility of the Moon Lake project will be examined. We look forward to learning about the results of that work.

Proposed Southern Lakes Enhanced Storage Project

- The Southern Lakes Enhanced Storage Project was being considered by YEC to help meet energy demand in the Yukon by adding additional generating capacity at the Whitehorse Rapids Generating Station.
- Additional capacity would be achieved by increasing the level of Marsh, Tagish and Bennett Lakes (above the current permitted maximum levels) in the fall and lowering their levels in the winter (below the current permitted minimum levels).
- In the ongoing discussions about the Whitehorse Rapids Generating Station relicensing project, C/TFN has raised concern that higher lake levels could result in increased shoreline erosion.
- **Key Message:** We understand that the Yukon Energy Corporation has indicated to C/TFN and the Yukon Utilities Board that it is no longer pursuing the Southern Lakes Enhanced Storage Project.

Proposed Transfer of Aashu Lands to Taku River Tlingit First Nation (TRTFN)

- In a letter dated May 19, 2023, C/TFN expressed their views on the potential for the proposed Land Transfer to impact their Treaty rights and questioning why YG is, in their view, attempting to settle TRTFN's transboundary claims outside of the process set out in the C/TFN Final Agreement.
- **Key Messages:** The proposed transfer is not a land claim settlement but rather, part of a potential agreement to resolve issues related to the Court's decision in the 2014 case brought by the Taku River Tlingit First Nation against the Yukon government.
- We understand that C/TFN is concerned about the potential for the proposed transfer of the Áashú Lands to the Taku River Tlingit First Nation to impact their Treaty rights. We are committed to continuing to consult with C/TFN about those impacts and potential accommodations for them and will not make a decision about the proposed transfer while those discussions are ongoing.

Carcross/Tagish First Nation Public Statement

Executive Council
Office

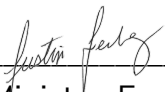
Land Use Planning

- Land Planning Branch has been meeting with C/TFN, Teslin Tlingit Council, and the governments of BC and Canada bi-weekly via Teams since March 2023 to develop a collaboration agreement on cross-border land use planning. If approved, the next steps would be to develop an MOU and work plan for the planning process.
- **Key Message:** We have been working with C/TFN, Teslin Tlingit Council and the governments of B.C. and Canada to develop a land and water planning process for the C/TFN Traditional Territory in the Yukon and B.C. We look forward to continuing to collaborate with our partners on this important initiative.

Background:

- On March 30, 2022, C/TFN adopted their Proclamation, which refers to C/TFN's jurisdiction over lands, waters and other resources across their Traditional Territory (not just Settlement Land), and states that any future use of lands, waters, or other resources within their Traditional Territory requires their "free, prior and informed consent".
- In Spring 2023, negotiators with Aboriginal Relations and C/TFN completed a bilateral agreement to address a number of C/TFN's interests; however, C/TFN's Executive Council declined to sign the agreement.

Approved by:



Deputy Minister, Executive Council Office

2023 11 14

Date

First Nations Interest in Energy Projects

Executive Council
Office

Recommended response:

- The Yukon government is committed to supporting the development of cost-effective renewable energy projects in a way that fulfills treaty obligations, promotes reconciliation, and provides energy security for the Yukon.
- Our government is taking new collaborative approaches to working with First Nation governments 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 regarding the Whitehorse Rapids Generating Station and with the First Nation of Na-Cho Nyäk Dun regarding 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.
- Our government will ensure that discussions regarding these and any other future energy projects will include consideration of the rights, interests and potential involvement of affected Yukon First Nations and transboundary Indigenous governments and groups.

Context—this may be an issue because:

- Some First Nations have indicated they may not support energy projects without

First Nations Interest in Energy Projects

Executive Council
Office

greater collaboration and commitments to address their broader interests.

- On January 23, 2023, the Minister of Energy, Mines and Resources committed to exploring a potential connection to the BC grid at a meeting with the leaders of Selkirk First Nation and the First Nation of Na-Cho Nyäk Dun.

Background:

Aishihik Generating Station (AGS)

- The AGS Agreements 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 five-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.
- Negotiations between YG, YEC, Carcross/Tagish First Nation (CTFN), Kwanlin Dün First Nation (KDFN) and Ta'an Kwäch'än Council (TKC) regarding the relicensing are underway and are intended to:
 - 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.
- Negotiations between YG, YEC and the First Nation of Na-Cho Nyäk Dun (FNNND) regarding the relicensing are underway and are intended to:
 - 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

First Nations Interest in Energy Projects

Executive Council
Office

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 generation infrastructure to increase its power output from 2.1 megawatts (MW) to 10 MW. 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.
- EMR consulted with C/TFN during the assessment phase prior to issuing a Decision Document in July 2023, and is now consulting with C/TFN in the regulatory phase.
- The 2023 Federal Budget identified the Atlin Hydro Expansion as a priority project but did not provide new dedicated funding for it. The Proponent, supported by YG, continues to seek clarity from the 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).
- 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.
- On December 15, 2022, TH indicated to YG that they do not support the project due to potential impacts to TH Traditional Territory and TH treaty rights. YG has encouraged the proponent to contact TH directly to better understand their concerns.

Approved by:



September 8, 2023

Deputy Minister, Executive Council Office

Date

**Mineral Staking Prohibitions
in Response to Litigation**

Recommended response:

- Our government has continued the mineral staking prohibition within the Kaska asserted traditional territory in the Yukon to allow time to address the court declarations made in the Ross River Dena Council and Kaska Dena Council mining cases.
- We also instituted a mineral staking prohibition 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 are working collaboratively with First Nations to develop new mineral legislation to replace the *Quartz Mining Act* and *Placer Mining Act*. In that process, we are considering many of the issues raised in the court cases and anticipate that the new legislation will help address those as well as the 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 court declarations regarding mineral staking, exploration and development.
- Ross River Dena Council has been actively participating in the work to develop the new mineral legislation, most recently at the meeting held on September 19 – 22 of this year.
- It remains the view of the Yukon government that the discussions around the development of the new mineral legislation will create the foundation

**Mineral Staking Prohibitions
in Response to Litigation**

to address the issues covered by the Declarations, after which we will be able to re-assess the need for the mineral staking prohibition in the Ross River area and in other areas in the territory.

- These important discussions about Yukon's mining legislation are ongoing. On behalf of the Yukon government, I would like to extend my thanks to the representatives from Ross River Dena Council and all of our other First Nations partners for their valuable input to date.

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, 2017, and is in place until April 30, 2024.
- Liard First Nation has been actively participating in the work to develop the new mineral legislation.

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 December 31, 2024.


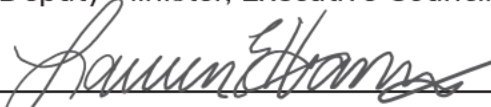
Context — this may be an issue because:

Mineral Staking Prohibitions in Response to Litigation

- 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.
- The Leader of the Official Opposition asked about the status of discussions with Ross River Dena Council on the removal of the staking prohibition in the Ross River Area in the House on October 26, 2023.

Background:

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

	2023 11 02
Deputy Minister, Executive Council Office	Date
	2023-11-01
Deputy Minister, Energy, Mines and Resources	Date

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

Executive Council
Office / Justice

Recommended response:

- The ongoing process of reconciliation remains a key priority of the government. We are guided in that work by *Together Today for Our Children Tomorrow*, the Truth and Reconciliation Calls to Action, and the principles set out in the United Nations Declaration on the Rights of Indigenous Peoples.
- Our approach to reconciliation is characterized by the implementation of modern treaties with Yukon First Nations, the Tetlit Gwich'in and the Inuvialuit; 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 to identify how it might further advance reconciliation.

Additional Response:

- The Declaration recognizes the important role of treaties in strengthening relationships between the federal, territorial, and Indigenous governments and the need to take into account the unique 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.
- An invitation was extended to the leaders of Yukon First Nations to begin discussions on the Declaration and its potential application in the Yukon.

United Nations Declaration on the Rights of Indigenous Peoples

Executive Council
Office / Justice

- The Yukon government continues to monitor the Government of Canada's efforts to implement its *United Nations Declaration on the Rights of Indigenous Peoples Act* and the associated Action Plan, recognizing that each province and territory has its own approach to reconciliation and the Declaration.

Context—this may be an issue because:

- 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.
- The governments of Canada, British Columbia and the Northwest Territories have affirmed in legislation that the *United Nations Declaration on the Rights of Indigenous Peoples* (the "Declaration") applies to their laws. These actions have raised expectations that other jurisdictions will adopt similar legislation.
- 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.

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.
- 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.

The Government of Canada and the Declaration

- In 2016, Canada committed to developing legislation to implement the Declaration. In

United Nations Declaration on the Rights of Indigenous Peoples

Executive Council
Office / Justice

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.
- The Action Plan required under the Act to achieve the objectives of the Declaration was developed in consultation with Indigenous Peoples and finalized in June 2023.
- It is unclear how implementation of the federal Act and Action Plan may affect the Yukon. Potential implications include a shift in Canada’s approach to treaty implementation and/or the amendment of 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*.

The Yukon Context and YG’s Commitments Related to the Declaration

- 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. That Committee has been working with departments to prepare for potential future engagement on the Declaration with Yukon and transboundary First Nations and the Inuvialuit.
- In March 2023, YG sought consent from Yukon First Nation Chiefs to initiate a discussion on the Declaration with the Premier and the Leader of the NDP. The Chiefs asked for the Leader of the NDP to approach them separately and deferred on consenting to a discussion.
- YG has not committed to implement the Declaration but has made commitments related to the Truth and Reconciliation Commission’s *Calls to Action* and *Changing the Story to Upholding Dignity and Justice: Yukon’s Missing and Murdered Indigenous Women, Girls and Two-spirit+ People Strategy*, both of which reference the Declaration.
- Strategic Priority 1 of the Yukon *Mineral Development Strategy and Recommendations* is to establish a modern mineral resource management regime that aligns with treaties,

United Nations Declaration on the Rights of Indigenous Peoples

Executive Council
Office / Justice

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

The Government of Northwest Territories and the Declaration

- On October 5, 2023, the Legislative Assembly of the Northwest Territories passed the *United Nations Declaration on the Rights of Indigenous Peoples Implementation Act*. The Act, developed in partnership with Indigenous governments and organizations, formalizes the mechanisms to be used by the GNWT to ensure that future legislation and policies are consistent with the Declaration.
- The leaders of the GNWT and Indigenous governments and organizations have also signed a 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.

Approved by:


Deputy Minister, Executive Council Office

Oct. 11. 2023
Date


Deputy Minister, Department of Justice

Oct 11, 2023
Date

Acting

First Nation Court Case Updates

Executive Council
Office

Recommended response:

- The Carcross/Tagish First Nation and the First Nation of Na-Cho Nyäk Dun asked the courts to address issues related to Yukon government decisions regarding two subdivision applications and a Class 3 mining application in their Traditional Territories.
- 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 legal issues beyond this one exploration project.
- We committed to work with Yukon First Nations to accelerate the pace of land use planning in response to their concerns and have 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 cases that are before the court and look forward to the clarity that each decision is expected to provide.

Context—this may be an issue because:

- Court cases involving Yukon First Nations receive a high level of public interest.
-

Background:

First Nation Court Case Updates

Executive Council
Office

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.
- The hearing was held from April 11 to 14, 2023 in the Supreme Court of Yukon.
- **Next step:** The parties are now awaiting the Court's decision, which is not expected before Fall 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. FNNND is contesting the appeal.
- In July 2023, Champagne and Aishihik First Nations (CAFN) filed an application to be recognized as an intervener in the appeal. They have requested that the court hear that application on September 11, 2023.

First Nation Court Case Updates

Executive Council
Office

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- **Next step:** The Parties and CAFN are awaiting the Court's decision on CAFN's application, and for the Court to set a hearing date for the appeal.

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 and cross-appeal on April 28, 2022. On June 24, 2022, YG filed a notice of intervention respecting a constitutional question.

First Nation Court Case Updates

Executive Council
Office

- **Next step:** The hearing was held on February 7, 2023. The Parties are now awaiting the Court's decision.

Federal Child and Family Services Act (Inuvialuit Regional Corp.):

- Bill C-92 (*An Act Respecting First Nations, Inuit and Métis Children, Youth and Families*) came into force on January 1, 2020. The Act affirms the inherent jurisdiction of Indigenous peoples in relation to child and family services.
- The Province of Quebec has filed an appeal with the Supreme Court of Canada regarding the constitutionality of the Act. YG determined that it would not request intervenor status in the case but is closely monitoring it for implications to the Yukon.
- The Inuvialuit Regional Corporation (IRC) served YG notice on November 24, 2021 of their intention to exercise legislative authority in relation to child and family services under subsection 20(2) of the Act and requested to enter into a Coordination Agreement.
- Indigenous Services Canada (ISC) has proposed that Canada and YG work together to establish a process to develop a Yukon-specific fiscal and jurisdictional framework to support the implementation of the federal Act, which may inform discussions at the IRC Coordination Agreement table (and any future tables that may be requested by other First Nations).
- It will be important to understand how this Coordination Agreement framework will compare to Program and Services Transfer Agreements under the Self-Government Agreements.
- **Next step:** The hearing was held on December 7 and 8, 2022. The Parties are now awaiting the Court's decision.

Approved by:



September 8, 2023

A/Deputy Minister, Executive Council Office

Date

Reconciliation with First NationsExecutive Council
Office

Recommended response:

- A top priority 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.
- Together with our partners, in June 2023 we released an implementation plan for Yukon's Strategy for Murdered and Missing Indigenous Women, Girls and 2-Spirit+ Peoples. We continue to undertake key actions in support of 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.
- We are also prepared to discuss the United Nations Declaration on the Rights of Indigenous Peoples and what it may offer to support and strengthen our existing reconciliation efforts and commitments to all Yukon and transboundary Indigenous governments.

Reconciliation with First Nations

Executive Council
Office

Context—this may be an issue because:

- The Yukon government (YG) 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.
- A number of Yukon and transboundary First Nations, and the Inuvialuit, have individually requested that YG formally implement the United Nations Declaration on the Rights of Indigenous Peoples (Declaration).

Background:

- YG supports reconciliation with YFNs and transboundary Indigenous governments and groups in many ways, including:
 - Working with YFNs through the Yukon Forum and implementing the Joint Priority Action Plan (refer to [TAB 31 "Yukon Forum and Joint Priority Action Plan"](#)).
 - Presenting a united voice to the federal government (Canada) at Yukon Days (refer to [TAB 75 "Yukon Days"](#)).
 - Negotiating and implementing bilateral and trilateral agreements, including government-to-government accords, that support shared priorities (refer to [TAB 32 "First Nation Community Priorities and Accords"](#)).
 - Meeting our consultation obligations and building shared expectations about how consultation and engagement will occur through the development of an electronic consultation and engagement system and corporate policies and procedures.
 - Finalizing 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 84 "Truth and Reconciliation Commission – Update on the Calls to Action"](#)).
 - Implementing the Representative Public Service Plan, *Breaking Trail Together*, in support of meeting the goal of increasing Indigenous representation in the public service to 22 per cent by the end of 2029.

Reconciliation with First Nations

Executive Council
Office

-
- YG has signaled its willingness to enter into a broad discussion of the potential application of the Declaration in the Yukon.

Approved by:



A/Deputy Minister, Executive Council Office

September 8, 2023
Date

Support for Burial Sites Investigations

Executive Council
Office

Recommended response:

- The Government of Yukon recognizes the lasting and widespread trauma caused by the residential school system, and the recent release of findings at the Choooutla site highlight the need for continued support and compassion.
- We continue to support the Yukon Residential Schools and Missing Children Project Working Group in their efforts to bring to light the history and impacts of residential schools.
- We remain available to the Working Group 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 the governments of Yukon and Canada and is administered by the Council of Yukon First Nations.
- The Yukon government is working internally to ensure that we can provide a coordinated response to the report on the Choooutla Residential School ground search conducted on behalf of the Working Group.

Context—this may be an issue because:

- The Yukon Residential Schools and Missing Children Project researchers and technical team recently announced that a search involving ground-penetrating radar at the former site of the Choooutla Indian Residential School in Carcross found 15 potential grave sites and noted the number of students missing is 33 (originally believed to be 20).
- The announcement on September 26th, 2023, and future work at the site is a topic of public interest, and research continues at this time.
- Support for residential school burial site investigations is a commitment made by the Yukon government (YG) at the Yukon Forum and is a priority for all Yukon First Nations.

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

**Support for Burial Sites
Investigations**Executive Council
Office

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 Yukon Residential Schools and Missing Children Project Working Group (the “Working Group”, formerly the Burial Sites Investigation Working Group) is mandated by Yukon First Nations leadership and supported by Yukon Government leadership through the Yukon Forum to identify and locate unmarked or missing graves at residential school sites in the Yukon with ground penetrating radar.
- All Yukon First Nations are now represented on the Working Group. The Working Group is continuing to seek the participation of transboundary First Nations.
- Officials from YG and Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) are assisting the Working Group to develop a work plan to guide the project and continue to attend Working Group meetings when invited.
- In October 2021, the Working Group submitted a four-year (2021-2025) funding request to YG and CIRNAC focusing on sites in Carcross, Whitehorse and Dawson. The Working Group 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: ~\$525K/ 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 Working Group notes a need for community-led health and wellness initiatives as they reach out to Survivors.
- All the information held by the Working Group is public information, but material related to interviews with survivors and witnesses will be stored in a secure data system maintained by CYFN.

**Support for Burial Sites
Investigations**

Executive Council
Office

- The Working Group also has a list of Yukon research information stored at the National Centre for Truth and Reconciliation (NTRC).

Approved by:



Deputy Minister, Executive Council Office

October 10, 2023

Date

Session Briefing Note

FALL 2023

Yukon First Nations Procurement Policy

Highways and
Public Works

Recommended response:

- The Yukon First Nations Procurement Policy is providing opportunities for Yukon First Nations people and businesses to be active partners in the economy.
- This policy positions the Yukon government as a trailblazer in Indigenous procurement and has been widely praised as a model for other jurisdictions to follow. It has opened the door for larger conversations between governments, First Nations, and Industry on how we can make government procurement benefit everyone.
- This policy represents a positive step toward advancing reconciliation, and it has been done in collaboration with Yukon First Nations partners every step of the way.
- It has been more than 3 years since this policy was implemented, and Yukon is still ahead of other jurisdictions when it comes to commitments and actions on Indigenous procurement.
- The other provinces and territories, and even the federal government are looking to the Yukon to understand how they can leverage our experience to advance their own journeys toward reconciliation.
- This is the type of bold leadership required to acknowledge the injustices of the past and commit to doing better moving forward.

Yukon First Nation Business Registry:

- On December 1, 2021, verified Yukon First Nation businesses started to be listed on the Yukon First Nation Business Registry.
- Over 120 verified Yukon First Nation businesses are currently listed on the registry.

Session Briefing Note

FALL 2023

Yukon First Nations Procurement Policy

Highways and
Public Works

-
- To be verified and listed on the registry, the business must meet the definition of a Yukon First Nations business.
 - Over the past year, the Yukon government has received feedback from industry and Yukon First Nation partners on the Yukon First Nation business definition.
 - We are continuing our relationship with the Yukon First Nation Chamber of Commerce to administer the registry. We signed a letter of understanding in March 2023, and are now engaging together to develop a longer-term agreement.
 - The feedback focused on ensuring that Yukon First Nation businesses were being properly designated and that the definition of a Yukon First Nation business aligned with the policy's intent.
 - Through a minor policy change on May 1, 2023, and in collaboration with our First Nation Partners, we have been able to continue processing applications to the business registry.
 - There have been some larger complex applications and Highways and Public Works is making progress on processing these.
 - As we learn more through implementation, we will continue to review and refine the verification process and the business registry as needed with our First Nation partners and the Monitor and Review Committee to ensure that we are meeting the intent of the policy.
 - To provide support to the Yukon First Nation business community in how they can work with the policy and apply to be on the Yukon First Nation Business Registry, the Yukon First Nation Chamber of Commerce is planning a Yukon-wide engagement in the coming months.

Session Briefing Note

FALL 2023

Yukon First Nations Procurement Policy

Highways and
Public Works

Contractors Proof of YFN (Yukon First Nations) Involvement:

- The Yukon government is committed to ensuring the benefits from the Yukon First Nations Procurement Policy flow to the intended recipients.
- It is extremely important for contractors to know that when they place bids, they are then responsible for upholding the commitments within their bid.
- This is why we require contractors to provide sufficient proof that they met their Yukon First Nation Participation Plan commitments, which includes the submission of a statutory declaration.
- This applies to all contracts where a bid value reduction was earned for Yukon First Nation participation.
- Vendors will be evaluated on how well they fulfilled their Yukon First Nation commitments following implementation of the Vendor Performance Review program.

Monitor and Review Committee:

- With Yukon First Nation and industry representatives, we co-developed the terms of reference for the Monitor and Review Committee.
- This committee meets monthly and is responsible for monitoring outcomes of the policy and for providing recommendations to the Yukon government for interventions or continuous improvement.
- This committee's role is vital to ensuring that the policy measures are contributing to advancing the policy's objectives and principles.

Session Briefing Note

FALL 2023

Yukon First Nations Procurement Policy

Highways and
Public Works

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- The committee's first annual report was released on March 15, 2023, and is available online at Yukon.ca/growing-together. The report provides over one year's worth of data on the outcomes of the policy.
 - Some of the highlights include:
 - 6.2 per cent of contracts that were awarded went to Yukon First Nation businesses.
 - 17 tenders were re-ranked due to the application of bid value reductions.
 - The total dollar value of the contracts awarded to Yukon First Nation businesses was \$48 million.
 - Moving forward, the committee will continue to conduct regular data analysis and to monitor for any market disruption.
 - The next report will be released in early 2024 and will provide an updated performance review of the policy.

Bid Value Reductions:

- Bid value reductions are an important way to meet the objectives of the Yukon First Nations Procurement Policy.
- They are accessible to all businesses and increase the competitiveness of bids that have Yukon First Nation participation.
- As part of our commitment to continuous improvement, we hired an independent contractor this spring to conduct a review of the bid value reduction measure over the past two years.
- The consultant has produced a report, which was published on Yukon.ca/growing-together on October 18, 2023.

Session Briefing Note

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Yukon First Nations Procurement Policy

Highways and
Public Works

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- Using the information from this report, the Monitor and Review Committee has made recommendations to Highways and Public Works on how to make improvements to the bid value reduction process.
 - Highways and Public Works continues to work closely with First Nation and industry partners to ensure that the outcomes of the policy are met, partly through the bid value reduction measure.

Workforce Development:

- Workforce development is critical for First Nations to fully participate and benefit from the Yukon First Nations Procurement Policy.
- We have been working with the Yukon First Nations Procurement Policy working groups and the Council of Yukon First Nations on a path forward to support workforce development.
- The Yukon government will supply funding for a First Nations workforce development program to support and enhance the Yukon First Nations Procurement Policy implementation.
- It is important that this initiative is led by Yukon First Nations. The Council of Yukon First Nations have taken the lead on getting Yukon First Nations governments and citizens engaged with this program.
- We are committed to working with the Technical Working Group and industry to further refine and implement the workforce development components of the policy.

Context—this may be an issue because:

- This is an important policy shift in the Yukon government's procurement system. It demonstrates a tangible commitment to reconciliation.
-

Session Briefing Note

FALL 2023

Yukon First Nations Procurement Policy

 Highways and
Public Works

Background:

- The policy was developed through partnership with First Nation Governments. All 14 Yukon First Nations were invited to contribute, and most collaborated on its development.
- This level of collaboration on a policy was a first for our government and has been a key feature of this policy to this day.
- The Yukon government listened to the public and took a phased approach to the implementation of this important policy to ensure that Yukon businesses, Yukon First Nations and Yukon government employees had adequate time to prepare for and understand the policy.
- The Yukon First Nations Procurement Policy was approved on December 9, 2020, and endorsed through a joint announcement with Yukon First Nation leaders at the Yukon Forum on December 11, 2020.
- The policy came into effect on February 22, 2021, with added measures being implemented on April 26, 2021, and October 4, 2021, with the latest revisions made May 1, 2023.
- The Council of Yukon First Nations hired a consultant to design the workforce development program with direct engagement with Yukon First Nation governments. We expect to have a fully mapped out process in May 2024.
- The Monitor and Review Committee meets monthly to review the policy's performance.

Approved by:



October 19, 2023

Deputy Minister, Highways and Public Works

Date Approved

Yukon Forum and Joint Priority Action Plan

Executive Council
Office

Recommended response:

- The Yukon Forum is an important venue for government-to-government collaboration and meaningful dialogue.
- 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 September 26 and 27, 2023, Yukon Forum leaders met at Tr'ondëk Hwëch'in's Community Hall in Dawson City.
- Leaders were briefed by the Yukon Residential Schools and Missing Children Project Committee on the Chooutla Residential School investigation and discussed the findings. (See ["Support for Burial Sites Investigations"](#))
- We also discussed working together to respond to the Yukon's Substance Use Health Emergency, and on emergency preparedness and coordination in response to disasters such as wildfires and floods.
- We had constructive discussion on the Yukon Wetlands Policy, Successor Resource Legislation, and Canada's Critical Minerals Strategy.
- Leaders had a strategic conversation about advancing shared priorities and collaborative work between governments through venues such as Yukon Days, the Intergovernmental Forum and the Yukon Forum.
- The next Yukon Forum meeting is anticipated to be held this winter.

Context—this may be an issue because:

Yukon Forum and Joint Priority Action Plan


Executive Council
Office

- The Yukon Forum is a regular meeting between leaders of the Yukon government (YG), Yukon First Nations and the Council of Yukon First Nations. There may be interest in what was discussed during Yukon Forum or what happens next.

Background:

- The Yukon Forum was established in 2005 under the *Cooperation in Governance Act* between the Government of Yukon, Council of Yukon First Nations and Yukon First Nations with Final Agreements.
- In January 2017, the governments signed a declaration to renew the Forum and committed the governments to meet four times a year.
- In May 2017, the governments agreed on the four joint priority areas which include:
 - fiscal relations;
 - bilateral and trilateral engagement on justice, health and social services, education and heritage;
 - land claim and self-government implementation; and
 - ensuring the territory's legislative agenda considers First Nation priorities.
- In September 2017, the Yukon Forum approved a joint priority action plan. It lays out the next steps on topics such as justice, heritage, education, health, land claim agreement implementation and fiscal relations.
- In June 2018, the Yukon Forum agreed to add fish and wildlife to the joint priority action plan.
- In June 2021, the governments reconfirmed their commitment to advancing the joint priorities and discussed plans to investigate all former residential school grounds in the territory.

Approved by:

	2023 10 11
Deputy Minister, Executive Council Office	Date Approved

First Nation Community Priorities and Accords

Executive Council Office

Recommended response:

- We are committed to working collaboratively with Yukon First Nation governments to address issues that matter to their citizens and communities.
- We work on a government-to-government level with Yukon First Nations to identify shared priorities and develop practical ways of working together on those priorities.
- Our government has formalized commitments with several Yukon First Nations through government-to-government accords and is ready to discuss accords with other interested Yukon First Nations.
- While accords provide a practical and transparent way to work together by setting out a process and action plan for collaboration, our government will continue to meet with and hear directly from Yukon First Nations governments regarding community priorities and needs.
- Our strong working relationships with Yukon First Nations leaders and officials have allowed us to advance a number of priorities of interest to the communities, and we look forward to continuing collaboration.
- **See First Nation community-specific recommended responses below.**

Context — this may be an issue because:

- MLAs commonly raise issues of concern to communities in their ridings or ask what the government is doing to support Yukon First Nations communities more broadly.
-

Yukon First Nations Community-Specific Recommended Responses:

Carcross/Tagish First Nation

- **Community meetings:** Leaders have not had a bilateral meeting yet this year. Premier Pillai and Minister Streicker had a planned meeting with C/TFN Chief Benoit and Council on August 3, 2023, which was postponed to the early fall.

First Nation Community Priorities and Accords

Executive Council Office

- **Community priorities:** Choooutla Residential School burial site investigations and site contamination and remediation project (ECO), the substance use health emergency (HSS), protection of caribou (ENV), and housing (YHC).
- **Accord status:** No accord. The previous five-year accord expired in 2020.
- **Recommended responses:**
 - The Yukon government looks forward to future opportunities to meet with Carcross/Tagish First Nation to discuss our shared priorities and how to advance them for the benefit of the community and all Yukoners.
 - We will continue to consult Carcross/Tagish First Nation about the potential for project proposals in their Traditional Territory to impact their Aboriginal and treaty rights, including the Atlin hydro transmission line and the Áashú Lands transfer.

Champagne and Aishihik First Nations

- **Community meetings:** The leaders of the Yukon government and Champagne and Aishihik First Nations met on June 6 and 23, 2023 to discuss issues of importance to the community. The annual Aishihik Generation Station Principals meeting regarding the implementation of the relicensing agreements occurred on August 9, 2023.
- **Community priorities:** Infrastructure development (CS, EMR, HPW), housing (YHC), recreation (CS), and the Yukon government's hiring policies (PSC).
- **Accord status:** No general accord. In 2022, the Yukon government entered a project-specific accord with Champagne and Aishihik First Nations regarding the licensing of the Aishihik Generating Station, demonstrating our government's commitment to working collaboratively with the community.
- **Recommended response:**
 - The Yukon government welcomes additional future opportunities to build on our positive relationship with the Champagne and Aishihik First Nations, including by discussing the development of a government-to-government accord which identifies our shared priorities and a plan to advance them.

First Nation of Na-Cho Nyäk Dun

- **Community meetings:** Premier Pillai had a planned meeting with FNNND Chief Hope and Council on August 7, 2023, which was postponed due to the community wildland fire evacuation order.
- **Community priorities:** Health and wellness (HSS), the substance use emergency

First Nation Community Priorities and Accords

Executive Council Office

(HSS), public safety (JUS), protection of lands/land use planning (EMR, ENV), education (EDU), and infrastructure (CS).

- **Accord status:** No accord.
- **Recommended responses:**
 - The Yukon government looks forward to future opportunities to meet with the First Nation of Na-Cho Nyäk Dun to establish shared priorities and to collaborate on ways to deliver on those priorities for the benefit of the community and all Yukoners.
 - Our government looks forward to beginning the regional land use process for the Traditional Territory of the First Nation of Na-Cho Nyäk Dun.

Kluane First Nation

- **Community meetings:** Leaders have not had a bilateral meeting yet this year.
- **Community priorities:** Construction of Kêts'ádañ Kù (KETS-ADUN-koo "House of Learning") (the new school in Burwash Landing) (HPW/EDU), education (EDU), community development projects (CS), strengthening language and culture (EDU, T&C), and strengthening wellbeing (HSS).
- **Accord status:** No accord. The previous five-year accord expired in 2018.
- **Recommended response:**
 - The Yukon government looks forward to future opportunities to build on the positive relationship with Kluane First Nation that was fostered as we worked together to plan and design the new school in Burwash Landing.

Kwanlin Dün First Nation

- **Community meetings:** Officials are working toward arranging a bilateral leaders meeting this fall.
- **Community priorities:** Housing (YHC), governance (ECO), and culture (T&C).
- **Accord status:** No accord. The previous five-year accord expired in 2020.
- **Recommended response:**
 - The Yukon government looks forward to future opportunities to meet with Kwanlin Dün First Nation to discuss our shared priorities, including housing, and to collaborate on ways to deliver on those priorities for the benefit of the community and all Yukoners.

Liard First Nation

- **Community meetings:** Leaders last met in spring 2023. Yukon government officials
-

First Nation Community Priorities and Accords

Executive Council Office

have been meeting regularly with Liard First Nation to work collaboratively on issues important to the community.

- **Community priorities:** Frances Avenue housing development project (CS), fish and wildlife (ENV), forest planning and management (EMR).
- **Accord status:** No accord. The previous one-year accord expired in 2019.
- **Recommended response:**
 - The Yukon government is encouraged by the progress made by our officials on shared priorities with Liard First Nation, including the Frances Avenue development project.
 - We look forward to continuing to collaborate with Liard First Nation on other priorities, including forest planning and management, for the benefit of the community and all Yukoners.

Little Salmon/Carmacks First Nation

- **Community meetings:** The leaders of the Yukon government and Little Salmon/Carmacks First Nation met on May 26, 2023, to discuss issues of importance to the community.
- **Community priorities:** Housing (YHC), land-based healing (HSS), infrastructure (CS), fish depletion (ENV), the Carmacks bypass (HPW), and a government-to-government accord (ECO).
- **Accord status:** No accord, although an accord has been proposed. Chief Tom expressed interest in an accord at the meeting with Premier Pillai in May. ECO-AR sent a formal letter and follow-up correspondence proposing to initiate accord discussions but has not received a response. AR will continue to follow-up.
- **Recommended response:**
 - The Yukon government looks forward to working with Little Salmon/Carmacks First Nation to advance our shared priorities, including housing, for the benefit of the community and all Yukoners.

Ross River Dena Council

- **Community meetings:** Premier Pillai met with Ross River Dena Council and Chief Loblaw on May 25, 2023, to discuss issues of importance to the community.

First Nation Community Priorities and Accords

Executive Council Office

- **Community priorities:** Housing (YHC), mental health supports (HSS), land-based healing initiatives (HSS), public safety (JUS), infrastructure (CS), the land guardian program (ENV), roads (HPW), and citizen transportation.
- **Accord status:** No accord.
- **Recommended response:**
 - The Yukon government looks forward to additional future opportunities to meet with Ross River Dena Council to advance our shared priorities, including housing, for the benefit of the community and all Yukoners.

Selkirk First Nation

- **Community meetings:** Premier Pillai and Selkirk First Nation Chief Nelson met on June 14, 2023, to discuss issues of importance to the community.
- **Community priorities:** Minto, Vangorda, and Casino mines (EMR); health and wellness (HSS), and recreation programming (CS).
- **Accord status:** No accord, although an accord has been proposed. Chief Nelson expressed interest in an accord at the meeting with Premier Pillai in June. ECO-AR sent a formal letter and follow-up correspondence proposing to initiate accord discussions but has not received a response. AR will continue to follow-up.
- **Recommended response:**
 - The Yukon government looks forward to additional future opportunities to meet with Selkirk First Nation to discuss our shared priorities and to collaborate on the advancement of those priorities for the benefit of the community and all Yukoners.

Ta'an Kwäch'än Council

- **Community meetings:** Leaders have not had a bilateral meeting yet this year. Premier Pillai attended the Ta'an Kwäch'än Council General Assembly on August 13, 2023.
- **Community priorities:** Housing (YHC), community hub (ECO).
- **Accord status:** No accord.
- **Recommended response:**
 - The Yukon government looks forward to future opportunities to meet with Ta'an Kwäch'än Council to discuss our shared priorities, including housing, and to collaborate on the advancement of those priorities for the benefit of the community and all Yukoners.

Teslin Tlingit Council

First Nation Community Priorities and Accords

Executive Council Office

- **Community meetings:** Leaders have not had a bilateral meeting yet this year. Premier Pillai attended the Teslin Tlingit Council General Assembly on August 4, 2023.
- **Community priorities:** Nisutlin Bay Bridge project (HPW), subdivision development (CS), forestry (EMR), education (EDU), health and wellness (HSS), fish and wildlife (ENV), economic development (EcDev), infrastructure (CS), tourism (T&C), and land exchanges (EMR).
- **Accord status:** The 2018 Intergovernmental Agreement (accord-like) continues to be implemented.
- **Recommended response:**
 - The Yukon government looks forward to future opportunities to build on the strong working relationship with the Teslin Tlingit Council that was instrumental to the development and initiation of the Nisutlin Bay Bridge project.
 - We will continue to work together to advance our shared priorities, including those set out in our Intergovernmental Agreement and emerging issues such as the need to understand the implications of the potential expansion of the municipal boundaries of the Village of Teslin.

Tr'ondëk Hwëch'in

- **Community meetings:** Premier Pillai and Tr'ondëk Hwëch'in Hähké (HAW-kay) Taylor met on June 14, 2023, to discuss issues of importance to the community.
- **Community priorities:** New mining legislation process (EMR), child care (HSS), and a heritage complex (T&C).
- **Accord status:** No accord.
- **Recommended response:**
 - The Yukon government looks forward to additional future opportunities to meet with Tr'ondëk Hwëch'in to establish shared priorities and to collaborate on ways to deliver on those priorities for the benefit of the community and all Yukoners.

Vuntut Gwitchin First Nation

- **Community meetings:** Premier Pillai last met with Vuntut Gwitchin Chief Frost during Caribou Days in mid-May 2023.
- **Community priorities:** Community wellness (HSS), childcare (HSS), access to mental health and substance use services (HSS), community safety (JUS), education (EDU), community development (CS), and economic development (EcDev).

First Nation Community Priorities and Accords

Executive Council Office

- **Accord status:** In negotiations. ECO-AR and VGG officials are in advanced discussions toward a government-to-government accord. A final draft accord is expected to be advanced by officials in **October 2023** for consideration and respective approval processes of the parties.
- **Recommended response:**
 - The Yukon government looks forward to finalizing a new government-to-government accord with Vuntut Gwitchin First Nation, which will set out our shared priorities and establish a plan to deliver on those priorities for the benefit of the community and all Yukoners.

White River First Nation

- **Community meetings:** Leaders have not had a bilateral meeting yet this year. ECO-AR has drafted a letter to confirm interest in arranging an annual Accord Principals' (Premier and Chief) meeting. AR has delayed sending the letter due to recent deaths in the community.
- **Community priorities:** Capacity development (ECO), education (EDU), justice (JUS), health (HSS), infrastructure & land (ECO/CS), emergency planning (CS), hunting (ENV), community hub (ECO), and relationship-building (ECO).
- **Accord status:** Accord signed in 2020.
- **Recommended response:**
 - The Yukon government continues to work with White River First Nation on the shared priorities set out in our 2020 government-to-government accord and looks forward to future opportunities for our leaders to meet to discuss and address issues of importance to the community.

Background:

- Accords are non-legally binding bilateral agreements between the Yukon government and a Yukon First Nation that identify shared priorities and set out a plan to coordinate the governments' actions in addressing those priorities.

Approved by:

Deputy Minister

Executive Council Office

October 20, 2023

Date Approved

Liard First Nation – Issues and InitiativesExecutive Council
Office

Recommended response:

- The Yukon government and Liard First Nation are working together to advance shared priorities including capacity development, economic development, land planning, forestry management, fish and wildlife management, and a renewed government-to-government relationship.
- In particular, we are working directly with Liard First Nation and industry representatives to ensure that Yukoners will have access to a reliable source of firewood for this coming winter.
- We are working with Liard First Nation to explore approaches to reconciliation, including self-government, and look forward to participating in future discussions with the First Nation and the federal government.

Additional response:

- We are awaiting a decision in the judicial review of the Kudz Ze Kayah Decision Document filed by Ross River Dena Council on behalf of the Kaska Nation and will not comment while this issue is before the courts.
- 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.
- 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 new mineral legislation that addresses mineral staking, exploration, and development.

Context—this may be an issue because:

- In April 2023, the Yukon Supreme Court heard arguments in relation to the application for Judicial Review of the Decision Document for the Kudz Ze Kayah (KZK) project. A decision is anticipated in Fall 2023.

Liard First Nation – Issues and Initiatives

Executive Council
Office

Background:

Negotiations

- YG and LFN are engaged in bilateral negotiations to develop a more effective and efficient approach to addressing the potential impact of new residential, commercial and industrial lot development, agriculture, forestry and gravel quarries on LFN's asserted rights in the vicinity of Watson Lake. The parties are also discussing land planning and fish and wildlife management.
- In spring 2023, YG and LFN concluded an agreement to advance the development of 43 residential lots within the Town of Watson Lake, under which 18 lots, previously 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**").
- YG and LFN have signed an interim wood supply agreement to ensure that the primary commercial harvester of fuelwood in southeast Yukon has access to an adequate supply of dry timber to meet the demand in southeast Yukon and the Whitehorse area. YG and LFN are also seeking to advance planning for a new harvesting area north of Watson Lake, and the completion of regional forest management planning in the area.

Mineral Staking Prohibition

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

Land Use Planning/ Mineral Development

- In response to concerns raised by LFN during the assessment of the 3 Aces advanced mineral exploration project, YG and LFN have agreed to begin 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 to support participation in negotiations and consultation and engagement processes.

Approved by:



September 8, 2023

A/Deputy Minister, Executive Council Office

Date

Ross River Dena Council – Issues and Initiatives

Executive Council
Office

Recommended response:

- I would like to take a moment to acknowledge that Ramona Peters has been missing from the community of Ross River since April. I encourage anyone who has information about her whereabouts to contact the RCMP.
- Her family, friends and community miss her and want her back home, and her disappearance is a reminder to all of us that we must continue to work together to address the ongoing crisis of Missing and Murdered Indigenous Women, Girls and Two-Spirit+ People.
- While the search for Ramona Peters continues, our government is continuing to engage in discussions with the Ross River Dena Council on priority areas including socio-economic issues, fish and wildlife management, land use planning and resource development.
- Over the summer, I travelled to Ross River to meet with Ross River Dena Council leadership and discussed the community's near-term priorities and interests.
- **Additional response:**
- We are awaiting a decision in the judicial review of the Kudz Ze Kayah Decision Document 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 within the Kaska asserted traditional territory in the Yukon.
- 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.

Ross River Dena Council – Issues and Initiatives

Executive Council
Office

Context—this may be an issue because:

- In May 2023 Ross River Dena Council (RRDC) declared a state of emergency in relation to the disappearance of Ramona Peters, illegal drug and alcohol sales, and bears within the community.
- In April 2023 the Yukon Supreme Court heard arguments in relation to the application for Judicial Review of the Decision Document for the Kudz Ze Kayah (KZK) project. A decision is anticipated in Fall 2023. (See #24 “First Nation Court Cases Updates”)

Background:

Mineral Staking Prohibitions

- In 2013, YG implemented a notification regime for Class 1 mining activities in the Ross River Area (RRA) and withdrew the RRA from mineral staking. The staking prohibition was extended to April 30, 2024, to continue discussions with RRDC on implementing the two mineral declarations. (See #22 “Mineral Staking Prohibitions in Response to Litigation”)
- YG continues to be of the view that the new mineral legislation under development may address the issues covered by the two declarations.

Negotiations and Funding

- In October 2022, YG committed to establishing new YG-RRDC tables for Land Use Planning and Resource Development, Socio-economic Issues and Fish and Wildlife Management.
- Aboriginal Relations (AR) anticipates that one of the issues to be discussed at the bilateral tables is RRDC’s Tu Lidlini Assessment Process and how it will work with the assessment process under the *Yukon Environmental and Socio-economic Assessment Act* (YESAA). In the interim, YG declined RRDC’s request to impose a moratorium on project approvals in the RRA unless RRDC provides their consent.
- In December 2022, RRDC requested discussions with the Government of Canada on climate change, fish and wildlife management, jurisdiction issues, and socio-economic needs, and that those discussions include YG.
- Aboriginal Relations (AR) is providing up to \$500,000 in 2023-24 to support RRDC’s capacity development and participation in consultations and bilateral negotiations.
- Major Projects and Initiatives

Ross River Dena Council – Issues and Initiatives

Executive Council
Office

- 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.
- Aboriginal Relations 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.
- Since 2018, RRDC has requested that non-Kaska hunters request a hunting permit from RRDC and respect their hunting conditions. As of September 5, no such request by RRDC for the 2023 hunting season has been made public.

Approved by:



September 8, 2023

A/Deputy Minister, Executive Council Office

Date

White River First Nation – Issues and InitiativesExecutive Council
Office

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.
- We are encouraged to see this positive example of a proponent and First Nation working together to address their shared interests and look forward to further consultation and discussion with White River First Nation in the regulatory phase of the project.
- We also look forward to beginning discussions with White River First Nation in relation to the proposed Casino mine as more details about that project become available.

Context—this may be an issue because:

- The proposed Casino mine will be the first project to be assessed via Panel Review under the Yukon Environmental and Socio-economic Assessment Act (YESAA) and will require extensive consultation and accommodation with all affected First Nations, including White River First Nation (WRFN) and Tr'ondëk Hwëch'in.
- WRFN has expressed interest in entering into a project-specific consultation plan with the Yukon government (YG) in the pre-submission engagement phase of the assessment.

White River First Nation – Issues and Initiatives

Executive Council
Office

Background:

Government-to-Government Accord

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

Bilateral and Trilateral Negotiations

- WRFN and YG developed a Negotiation Agreement to guide bilateral negotiations on topics such as 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.
- YG is working with WRFN and other affected First Nations to develop and implement a monitoring program for the project.
- YG and WRFN have agreed to develop a project-specific consultation plan for the proposed Casino Mine. That work is expected to begin in Fall 2023.

Capacity Funding and Consultation

- YG has renewed an annual funding agreement with WRFN to support their participation in YG's negotiations and consultation and engagement processes.
- YG has developed an interim consultation approach for use in WRFN's asserted traditional territory and is continuing to develop a longer-term approach for use with all Yukon First Nations and transboundary Indigenous governments and groups.

Approved by:



September 8, 2023

A/Deputy Minister, Executive Council Office

Date

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

Recommended response:

If asked about the negotiations with the Taku River Tlingit First Nation and/or the proposed transfer of the Áashú (a-shoo) Lands

- The Yukon government is committed to advancing reconciliation with all First Nations, including the Taku River Tlingit First Nation.
- We are advancing bilateral discussions with the Taku River Tlingit on a number of matters including their land interests in the Yukon. These discussions do not involve the Government of Canada, although the Yukon government is engaging with the federal government and the Taku River Tlingit on other matters, including the proposed expansion of the Atlin hydro plant.
- As a part of our bilateral discussions with the Taku River Tlingit, we are considering a land transfer and a government-to-government agreement that would address other matters of mutual interest.
- These discussions are not treaty or self-government agreement negotiations. Rather, they are intended to address the decision of the Supreme Court of Yukon in the litigation brought by the First Nation against the Yukon government in 2014.
- The potential land transfer relates to an eleven and a half square kilometre area, known as the Áashú Lands. It is located 120 kilometres 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 decision of the Supreme Court in that case does not require the Yukon government to transfer the Áashú Lands to the Taku River Tlingit. Rather, the transfer is being contemplated as one means of ensuring that the Yukon government can comply with the court's direction **related to**

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

the assignment of mining rights in the asserted traditional territory of the Taku River Tlingit First Nation in the Yukon.

- We are also looking at other options that would enable us to be compliant with the court's direction in this case.
- We are consulting with Carcross/Tagish First Nation regarding potential impacts to their treaty and Aboriginal rights should the transfer go ahead.
- Carcross/Tagish First Nation has indicated their view that the transfer would negatively impact their Treaty rights. We are in the process of discussing C/TFN's concerns with them, as well as potential mitigations for any impacts to their rights.
- It is important to note that no decision will be made about the land transfer before the consultation with Carcross/Tagish First Nation has concluded, and appropriate accommodations put in place if required.
- The land we are considering transferring would surround, but not include lots held by private landowners. The private lots would remain with their existing owners and access to their lots would not be affected because the access roads are, and will remain, public roads under the *Highways Act*.
- If transferred, the land would become private land, and would not be equivalent to Settlement Land. As such, the Taku River Tlingit First Nation would determine who could access the Áashú Lands, including the trails on the parcel, just like any other private landowner.
- We have encouraged private landowners to reach out to the Taku River Tlingit First Nation if they have further questions regarding their interests.

Context—this may be an issue because:

- The potential transfer of the Áashú Lands has been publicly announced by the Taku River Tlingit First Nation (TRTFN) in their newsletter. Carcross/Tagish First Nation (C/TFN) has also distributed a letter to its citizens about TRTFN's land interests in the Yukon.

Taku River Tlingit First Nation – Issues and Initiatives

Executive Council
Office

-
- The Leader of the Official Opposition asked several questions related to the potential transfer of the Áashú Lands in the Legislative Assembly in Spring and Fall 2023.
-

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. Declaration 2 regarding mineral exploration is in effect and was addressed through the implementation of the Class 1 notification system. A consent order which suspends Declaration 1 from coming into effect is currently in place. (Declaration 1 states that YG has a duty to consult TRTFN before granting mineral rights, which is not possible under the current free entry 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 land dispositions on the Áashú Lands. Those prohibitions are in place until September 30, 2023.
- YG and TRTFN negotiators have now agreed on draft agreements to resolve the litigation,
- Aboriginal Relations will forward the draft agreements to Cabinet for consideration after consultation with C/TFN has concluded.

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

Executive Council
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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:



Deputy Minister, Executive Council Office

2023 11 14

Date

Projects in Executive Committee Pre-submission Engagement Process

Executive Council
Office

Recommended response:

- Our government supports an assessment and regulatory system that is streamlined and effective.
- The Government of Yukon is working with the Yukon Environmental and Socio-economic Assessment Board as it implements the Pre-Submission Engagement process.
- The Pre-Submission Engagement process is new and participants, including governments, industry and First Nations, are all learning about it and its implementation.
- There are three projects currently in the Pre-Submission Engagement process: the Eagle Gold Mine Extension Project, Brewery Creek Mine Project and the Mount Nansen Mine Remediation Project. Our government is participating in each of them.
- Based on the stages of the process completed to date, we appreciate the value of providing early input on projects.

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.

Background:

- The PSE process came into effect on June 1, 2022, after the Yukon Environmental and Socio-economic Assessment Board (YESAB) spent approximately three years developing it.

Projects in Executive Committee Pre-submission Engagement Process

Executive Council
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- YESAB worked with industry, First Nations governments, other governments and NGOs to develop the process. The Yukon government (YG) participated in developing the process and provided comprehensive comments during all stages of consultation.
- The new process is proactive and 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 before a detailed proposal is submitted for assessment. The process is intended to identify gaps and issues of concern, define values and baseline information requirements and ensure a timely and efficient screening process.

Projects in the PSE process:

- Three projects are currently in the PSE process:
 - Eagle Gold Mine Extension Project (YESAB Online Registry #2022-0125) (see TAB 4 Eagle Gold)
 - Brewery Creek Mine (YESAB Online Registry #2022-0134)
 - Mount Nansen Remediation Project (YESAB Online Registry #2022-0136) (see TAB 53 Mount. Nansen)
- All three projects entered the process in August 2022 and are in the "Project Proposal Guideline Response" phase of PSE, which is the third of six PSE phases. The proponents have two years to submit their Project Proposal Guideline Responses from the date the Project Proposal Guidelines (PPG) were issued. Those dates are:
 - Eagle Gold Mine Extension Project: PPG issued on March 8, 2023.
 - Brewery Creek Mine: PPG issued on May 15, 2023.
 - Mount Nansen Remediation Project: PPG issued on May 19, 2023.
- Two additional projects are anticipated to enter the PSE process before the end of this year: Yukon Energy Corporation's 'Callison Thermal Generating Station Project' (in Dawson City) and their 'Whitehorse Rapids Thermal Project'. Chance Oil and Gas's 'Eagle Plains Exploration Project' is expected to enter into the PSE process early in 2024.

Approved by:

_____	2023 10 03
Deputy Minister of Executive Council Office	Date Approved

YESAA Reset Oversight GroupExecutive Council
Office

Recommended Response:

- The Yukon Environmental and Socio-economic Assessment Oversight Group, also known as the Oversight Group, is a joint effort between the governments of Canada, Yukon, and Yukon First Nations to oversee the YESAA process and promote its ongoing improvement.
- The Oversight Group is making progress on an amendment to the *Yukon Environmental and Socio-economic Assessment Act* to allow existing projects requiring amendments or renewals of their authorizations to be exempted from a reassessment when certain criteria are met.
- Phase one consultations on the concept of the proposed amendment were completed in December 2022. Officials from the governments of Canada and Yukon as well as the Council of Yukon First Nations are developing a guidance document and implementation plan to help support federal legislative drafting requirements.
- The Oversight Group continues to work with the YESAA Board to identify and advance other improvements to the YESAA process.

Additional Response:

- The Oversight Group committed to undertake a comprehensive review of YESAA by 2027, as outlined in their Terms of Reference. The Oversight Group will define the scope and approach for a future review.

Context - this may be an issue because:

- Some industry representatives may be frustrated with the amount of progress on YESAA amendments.

YESAA Reset Oversight Group

Executive Council
Office

Background:

- The Oversight Group is a joint effort between the governments of Canada, Yukon, and First Nations to seek efficiencies and ongoing improvements to the YESAA and YESAA processes.
- The Oversight Group was established because of the YESAA Reset Memorandum of Understanding ("Reset MOU"), signed in November 2017.
- In 2018, the Oversight Group 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.
- The Oversight Group meets regularly to continue its work under the YESAA Reset MOU.
- The Government of Yukon and the Council of Yukon First Nations (CYFN) sent a joint letter to the Minister of Northern Affairs in December 2020 requesting a focused review of the YESAA.
- In February 2021, the Minister of Northern Affairs indicated his commitment to working with members of the Oversight Group on amendments and renewals.
- The purpose of the review will be to propose amendments to address the need for an assessment of 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. The Government of Yukon supports Yukon First Nations' position.
- The Technical Working Group, supporting the Oversight Group, 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, 2022. The engagement period closed December 2, 2022. A What We Heard report was developed and shared with the Oversight Group.

YESAA Reset Oversight Group

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- The Oversight Group continues to advance the targeted amendment.

Approved by:



September 8, 2023

A/Deputy Minister, Executive Council Office

Date

**Session Briefing Note
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Energy, Mines and Resources

Recommended response:

- I am pleased to share that we are working on a number of initiatives for the wetland stewardship policy.
- The implementation working group identified several priority actions, including wetland classification, guidance for wetland identification, and comprehensive, territory-wide wetland mapping.
- We are developing guidance to ensure wetland impacts are considered in project assessments and finalizing guidance for the nomination, evaluation and protection of Wetlands of Special Importance.
- We will be initiating collaborative research on wetlands to further the implementation of this important policy.

Additional response:

- Our wetland stewardship policy implementation actions include broad-scale wetland mapping within the Peel, Beaver River, Mayo and McQuesten watersheds.
- We are collecting data to support local mapping in key areas, and we will be initiating a multi-party research project designed to explore the extent of carbon release and potential for carbon sink restoration following placer mining. (See EMR BN #92)
- We will be launching new wetland information pages on Yukon.ca.

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Implementation**Environment and
Energy, Mines and Resources

Third response:

- We acknowledge the importance of being responsive to new information as we continue to build our knowledge and improve our understanding of Yukon's wetlands, including recognizing and respecting traditional, local, and scientific knowledge.
- We will continue to engage with other governments, departments, agencies, regulatory bodies, and external partners to discuss specific aspects of wetland stewardship policy implementation.
- We remain committed to addressing wetland stewardship and protection within land use planning discussions and project reviews.

Context:

- Implementation of the Yukon Wetland Policy and the ongoing management of wetlands is of significant interest to Yukoners.

Background:

- A Policy for the Stewardship of Yukon's Wetlands was released on January 10, 2023. The goal of the policy is to ensure the benefits of Yukon's wetlands are sustained.
- The Government of Yukon conducted an online public survey in October 2021 to gather feedback on the draft policy. First Nations consultation in 2022 followed the release of the March 2022 What We Heard report from the public survey.
- In January 2023, the Government of Yukon formed an internal working group to advance and coordinate the implementation of the wetland stewardship policy.
 - The working group is co-chaired by the Energy, Mines and Resources - Strategic Alliances Branch (Manager, Partnerships and Strategic Initiatives) and Environment - Fish and Wildlife Branch (Senior Biologist, Habitat).

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- The working group is composed of members of Environment (Environmental Protection and Assessment, Fish and Wildlife, Policy and Planning), Energy Mines and Resources (Strategic Alliances, Compliance Monitoring and Inspection, Mineral Resources Branch, Corporate Policy, as well as occasional members from Agriculture and Forest Management Branch), Executive Council Office (Major Projects Yukon), and Highways and Public Works.
- The group meets monthly to advance various aspects of policy implementation, as well as ensuring a whole-of-government approach to policy implementation.
- In addition to policy approval, Management Board approved \$1.68 million in time-limited funding over two fiscal years (2023-24 to 2024-25) for the departments of Environment and Energy, Mines and Resources to begin jointly implementing the Wetlands Policy. This included:
 - \$840,000 in 2023-24 and \$840,000 in 2024-25 to support the policy's implementation.
 - Personnel have also been approved for one, 2-year FTE at the Department of Environment, and one 2-year and one permanent FTE at the Department of Energy, Mines and Resources.
- The Wetlands Policy contains 16 implementation actions with near-term, mid-term and long-term implementation targets over the next 10 years.

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Appendix A: Actions described and committed to within the wetland stewardship policy			
Policy Actions (bold = near-term priorities)	Timeline * priority adjusted	Lead Department	Status update Inactive Initiated Underway Near_Complete
1. Develop guidance for the evaluation of wetland benefits in the Yukon	Long-term	ENV	
2. Update and finalize a Yukon wetland classification system	Near-term	ENV	External review and engagement
3. Develop an accessible and easy to use guide to identifying Yukon's wetlands for proponents and the public	Mid-term	External	DUC-lead (ENV supporting), completion in 2024
4. Develop wetland mapping standards for regional, local, and project specific mapping applications	Near-term	ENV	Ready for internal review
5. Create a broad scale territory-wide wetland inventory	Near-term	ENV	Underway (year 1 of 5)
6. Support local scale wetland mapping, where needed	Near-term*	ENV	Underway (Data acquisition for priority areas of goldfields)
7. Promote northern wetland research	Near-term*	EMR	Limited communications to potential research partners
8. Promote public awareness of wetlands	Long-term	ENV	
9. Develop guidance for the application and use of the mitigation hierarchy	Near-term	EMR / ENV	Internal guidance only

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Appendix A: Actions described and committed to within the wetland stewardship policy			
Policy Actions (bold = near-term priorities)	Timeline * priority adjusted	Lead Department	Status update
			Inactive Initiated Underway Near_Complete
10. Update or develop proponent guidance to be used when submitting wetland impact mitigation information	Near-term	EMR	Limited new guidance; reliance on existing guidance (Ruby Creek guidelines)
11. Update or develop Standard Operating Procedures / Preferred Management Practices for different activities impacting wetlands	Long-term	EMR	
12. Update or develop general wetland reclamation guidelines, and, where required, sector specific guidelines	Near-term*	EMR	Limited new guidance; reliance on existing guidance (Ruby Creek guidelines)
13. Develop guidance for offsetting wetland impacts	Long-term	ENV / EMR	
14. Develop specific and measurable guidance for the interpretation and application of Wetland of Special Importance nomination criteria	Near-term	ENV	Draft being finalized for internal review
15. Establish a process for legal designation of Wetlands of Special Importance, e.g., through existing legislation such as application of Wilderness Management Areas under the Environment Act	Mid-term*	ENV	
16. Create a publicly accessible catalogue of Wetlands of Special Importance.	Mid-term	ENV	Initial discussions underway

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Appendix B: Detailed Status of Wetlands Policy Implementation Working Group Priorities

Timeline	Commitment/Description	Rationale / Plan to complete and achieve	Lead department
BUILDING KNOWLEDGE – WETLAND RESEARCH, CLASSIFICATION AND MAPPING			
Near-Term (1 – 3 years)	2. Update and finalize a Yukon wetland classification system Engagement level outlined in policy: YG-led, with review from all parties	<ul style="list-style-type: none"> ENV is currently developing updated descriptions and classification of wetlands with authoritative descriptions of each wetland class. A draft version was completed in June 2023. A technical wetland identification key is being finalized, which is intended for experienced/qualified professionals doing wetland field identification/mapping. Broader YG engagement and refinement is underway and will be complete in October 2023. External engagement, including Ducks Unlimited Canada (DUC), on this will be conducted following a YG review. This classification and key will be used by Ducks Unlimited Canada in the development of a more widely accessible field guide to Yukon wetlands (Policy Action 3). DUC is aiming to complete this in 2024. 	ENV lead, multi-depart. support
Near-Term (1 – 3 years)	4. Develop wetland mapping standards for regional, local, and project-specific mapping applications Engagement level outlined in policy: YG-	<ul style="list-style-type: none"> ENV is leading a cross-departmental working group to develop wetland mapping standards with the objective of meeting technical mapping needs. First draft completed in September 2023. Broader YG engagement and refinement will begin in October 2023. External review will be undertaken following internal YG review. 	ENV lead, multi-depart. support

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	led, with review from all FN and industry		
Within five years of policy approval	<p>5. Create a broad scale territory-wide wetland inventory</p> <p>Engagement level outlined in policy: YG-led, with involvement from FN</p>	<ul style="list-style-type: none"> ENV is initiating a variety of projects to advance this policy commitment and complete territory-wide wetland mapping over the next 5 years. ENV will assemble a standardized inventory of validated data on upland and wetland ecosystems by the end of August 2023, with ongoing efforts to continually build this repository. ENV plans to issue a tender for the next phase of wetland mapping in late 2023. ENV has completed: i) initial feasibility pilot studies in the Peel and Mayo/McQuesten watersheds; ii) initial evaluation of use of SPOT imagery during predictive mapping; iii) piloted a map accuracy assessment protocol; iv) compiled and updated all available wetland ground truthing data; and will be v) orthorectifying territory-wide SPOT imagery for use in future mapping. Indigenous governments will be provided an opportunity to review the mapping tactical plan, and to participate as appropriate/desired in future mapping efforts. 	ENV lead
Ongoing	<p>6. Support local scale wetland mapping, where needed</p> <p>Engagement level outlined in policy: YG, FN and project proponents to complete as necessary</p>	<ul style="list-style-type: none"> ENV has been working with EMR to determine priorities for local and broad-scale wetland mapping. Additional budget and time may be necessary to meet the mapping objectives based on the identified local-scale mapping needs. ENV and EMR-Forest Management Branch are collaborating on aerial imagery acquisition through planned Dawson Vegetation Inventory (planned imagery acquisition in summer 2023). First Nation governments and industry will be engaged as areas are confirmed. 	ENV lead, EMR support

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Ongoing	7. Promote northern wetland research Engagement level outlined in policy: Case-by-case	<ul style="list-style-type: none"> The Government of Yukon plans to proceed with a research initiative on carbon emissions from wetlands affected by placer mining as it aligns with policy research priorities regarding carbon storage and release and wetland reclamation. EMR will lead and facilitate the project through discussions with First Nations and with the assistance of program areas/subject matter experts. Industry associations and ENGOs confirmed their interest in participating and EMR has met with ENGOs to identify their representatives. Once the interest and participation of First Nations has been confirmed, the anticipated next step will be to collaboratively develop a scope and schedule for research. Similar research initiatives are also underway that involve private proponents, research institutes, and some support from Yukon government. 	EMR lead, ENV support
MANAGING WETLAND IMPACTS – PROPONENT GUIDANCE AND GUIDELINES			
Near-Term (1 –3 years)	9. Develop guidance for the application and use of the mitigation hierarchy Engagement level outlined in policy: YG-led, with input and review from FN, boards	<ul style="list-style-type: none"> This applies to all sectors and types of activities. However, the focus for developing written guidance documents will start with the mining sector. ENV and EMR are developing a brief 2-page overview for Mining Land Use Applications. 	ENV and EMR co-lead

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	and councils and assessment and regulatory bodies		
Near-Term (1-3 years)	<p>10. Update or develop proponent guidance to be used when submitting wetland impact mitigation information</p> <p>Engagement level outlined in policy: YG-led, with input and review from FN, boards and councils and assessment and regulatory bodies</p>	<ul style="list-style-type: none"> EMR has released a template for placer wetland reclamation plans within the Indian River Wetlands, based on the wetland reclamation guide developed in 2017 for the Ruby Creek and Indian River East Block Placer Mine. EMR is currently working on a guidance document to help operators use the tools available on GeoYukon for wetland mapping purposes. In addition, ENV and EMR are developing a brief 2-page overview for Mining Land Use Applications. It is anticipated that it will take several months to complete this work. The Yukon Water Board is in the process of developing new Wetland Information Guidelines for Placer Applications. A draft is available on their website for proponent use (see related priority below). 	EMR lead, ENV support
*Near-Term (1 – 3 years)	<p>12. Update or develop general wetland reclamation guidelines and, where required, sector-specific guidelines</p>	<ul style="list-style-type: none"> While identified in the policy as a mid-term action (within 5 years), more comprehensive guidelines for the exploration and mining sector have been identified by the working group as a near-term priority. It is anticipated that this work will follow the completion of #10 above and build off the resulting guidance. Placer and Quartz project proponents are currently being directed to the guidance provided in the Ruby Creek and Indian River East Block Placer Mine wetland reclamation guide. 	EMR lead, ENV support

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	Engagement level outlined in policy: YG-led, with input and review from all parties	<ul style="list-style-type: none"> FN, industry and regulatory partners will have the opportunity to be engaged in developing comprehensive guidelines. Guidelines for other sectors may be developed. 	
Near-Term (1 – 3 years)	14. Develop specific and measurable guidance for the interpretation and application of nomination criteria	<ul style="list-style-type: none"> Wetlands of Special Importance (WSI) nomination process, authorities and criteria were largely completed prior to the approved policy and requires little work. Current Implementation document will be revised and finalized with the nomination process in October 2023. Internal review will be completed in late 2023, and external review in early 2024. 	ENV lead
Mid-Term (3 – 5 years)	15. Establish a process for legal designation of Wetlands of Special Importance	<ul style="list-style-type: none"> While identified in the policy as a near-term action (1 – 3 years), the Department or Environment will focus on developing the WSI nomination process utilizing existing tools (e.g., admin reserves, map notations or Wildlife Key Areas) and look to develop a new legal designation tool in the mid-term (3 – 5 years). 	ENV lead
OTHER/OPERATIONAL NEEDS (NOT OUTLINED IN APPENDIX A OF THE YUKON WETLANDS POLICY)			
High	Project review and approval: The Government of Yukon must ensure that	<ul style="list-style-type: none"> This requirement affects program areas across the Yukon government that are responsible for reviewing, authorizing and overseeing land use activities. Often, project review and approvals involve multiple program areas and require interdepartmental coordination. 	EMR and ENV

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	projects occurring in wetland areas conform to the wetland policy.	<ul style="list-style-type: none"> To meet this requirement, internal operational policies and procedures are required. Process for initial project reviews is established. Processes and resources to oversee projects throughout the term of the project (e.g., to review and respond to reporting, etc.), including the development of database and submission portals, have yet to be established. ENV and EMR have received funding to support this work, including new full-time positions (ENV, MRB and CMI). This work is anticipated to be an ongoing and evolving operational effort. As an external component, proponent guidance and communications will be necessary to support project applications and their conformity with the policy. 	
High	Compliance and enforcement: The Government of Yukon must ensure projects approved in wetland areas comply with the terms and conditions of their authorizations.	<ul style="list-style-type: none"> The Compliance, Monitoring and Inspections Branch is responsible for inspecting mineral projects in wetland areas and ensuring activities comply with any wetland-related terms and conditions. More specifically, the policy requires that projects employ a mitigation hierarchy to plans and activities in wetland areas (i.e., avoid, minimize, reclaim, offset). Inspections of projects will document compliance and enforce the terms and conditions of authorizations to ensure wetland avoidance, where required, and confirm wetland disturbance and wetland reclamation. This will require new tools and resources as well as coordination and communication with project regulators (e.g., Mineral Resources Branch, etc.). CMI is currently reviewing policies and procedures to identify how to incorporate this work into normal duties and investigating additional tools to support the work of Natural Resource Officers. Additional training and technical support for staff may be needed. 	EMR (Mineral projects)

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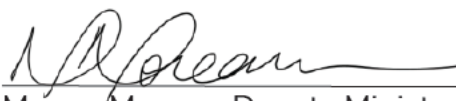
		<ul style="list-style-type: none"> This work is anticipated to be an ongoing and evolving operational effort, dependent on the resources and tools developed (e.g., mapping products, project reporting, etc.), as well as proponent requirements set out in wetland reclamation plans. 	
High	Develop a Yukon.ca wetlands policy landing page as a centralized location for finding relevant information (from mining applications to mapping)	<ul style="list-style-type: none"> ENV and EMR are coordinating the development of a landing page. ENV aims to have structure and content ready for approval/publication by October 2023. 	ENV-lead, EMR support

ENV #3 / EMR #97

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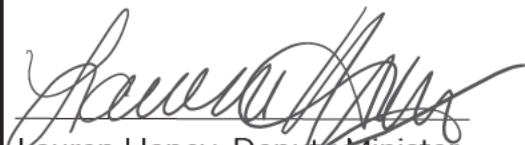
Environment and
Energy, Mines and Resources



Manon Moreau, Deputy Minister
Department of Environment

2023-10-30

Date approved



Lauren Haney, Deputy Minister
Department of Energy, Mines and Resources

2023-10-30

Date approved

Executive Committee Faro Mine Remediation Project Canada

Executive Council
Office

Recommended response:

- The Government of Yukon supports the responsible remediation of historic mine sites including appropriate assessment and regulation.
- The Faro Mine Remediation Project's environmental and socio-economic effects will be considered and evaluated through the Yukon *Environmental and Socio-economic Assessment Act* screening process.
- As a decision body for this project, the 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:

- As with any project, we are committed to continuing our participation in all stages of the assessment.

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.
- The Yukon Act amendment related to Type II Mines announced in the federal Budget 2023 may generate questions about the project.

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

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Office

- 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.

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.
- As part of the project's adequacy review and screening, the Executive Committee held six technical sessions: water (December 2020); adaptive management (October 2021) and scope of the assessment (January 2021, February 2021, March 2022 and June 2022). YG participated in each of the technical sessions as well as submitting detailed comments during the adequacy review and public comment periods.
- On May 16, 2023, the Executive Committee of the Yukon Environmental and Socio-economic Assessment Board (YESAB) began developing the Draft Screening Report (DSR) for the Faro Mine Remediation Project, with a deadline of September 13, 2023. That deadline has been extended twice and is currently set for December 15, 2023.
- Once the DSR is issued, participants will have 30 days to provide comments before the Executive Committee finalizes the Screening Report and issues its recommendation. This timeline can be extended to 60 days.
- Once the Executive Committee issues its recommendation, decision bodies for the project will have either 60 days to issue a decision document accepting the recommendation or 45 days to refer the recommendation back to the Executive Committee for reconsideration.
- On July 12, 2023, CIRNAC provided the Executive Committee with an update on CIRNAC's development of a Socio-Economic Committee to integrate within the project's existing governance structure.

Executive Committee Faro Mine Remediation Project Canada

Executive Council
Office

- CIRNAC issued a call for supplemental participant funding in 2021 for individuals and groups including Indigenous Peoples and governments participating in the assessment of this project. SFN and Liard First Nation (LFN) received funding for 2021–22.

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.

Yukon Act amendment

- An amendment to the Yukon Act gives the federal Minister responsible for Northern Affairs the same powers with respect to a Type II site on federal land as the responsible Minister in the Yukon government.
- This amendment was agreed to as part of transitioning the administration and control of the Faro Mine site from the Government of Yukon to the Government of Canada. It brings together governance of the project, financial responsibility for the remediation and statutory power to manage risks at the site under a single federal Minister.
- This amendment was contemplated in the Faro Mine Transition Agreement, entered into by the federal and territorial governments in 2020. The Yukon government was consulted.

Approved by:



Deputy Minister, Executive Council Office

17. Oct. 2023

Date

Session Briefing Note

Dawson Regional Land Use Planning

EMR #1 / ENV #94
Fall 2023

Energy, Mines and Resources
and Environment

Recommended response:

- The Government of Yukon and Tr'ondëk Hwëch'in are making progress on consensus discussions regarding the decision on the Dawson Regional Land Use Recommended Plan.
- Engagement on the Recommended Plan concluded December 20, 2022. A What We Heard report detailing feedback received during the engagement was released in June 2023.
- Input gathered from the engagement will inform the Parties' decision whether to accept, reject or request modifications to the Recommended Plan.
- If the Parties reject or request modifications to the Recommended Plan, the Commission will prepare a Final Recommended Plan. We anticipate they could provide a Final Recommended Plan by late 2024.

Additional response:

- If a Final Recommended Plan is required, there will be another round of public engagement and First Nations consultation, and the Government of Yukon will provide detailed feedback to the Commission to support their work developing this plan.

Context – this may be an issue because:

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

Session Briefing Note

Dawson Regional Land Use Planning

EMR #1 / ENV #94
Fall 2023

Energy, Mines and Resources
and Environment

Background:

- The Government of Yukon and Tr'ondëk Hwëch'in formed the Dawson Regional Land Use Planning Commission in December 2018.
- The *Umbrella Final Agreement* Chapter 11 process provides the Commission with the autonomy to develop and recommend a plan to the Parties for their consideration.
- The 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 the Government of Yukon pertained to critical minerals, access, rivers and watercourses, cumulative effects and working within the Draft Plan prohibition of entry order (interim and permanent).
- The Planning Commission delivered the Recommended Plan to the Parties (Tr'ondëk Hwëch'in and the Government of Yukon) on June 10, 2022.
- The Government of Yukon and Tr'ondëk Hwëch'in conducted a public consultation on the Commission's Recommended Plan from September 20 to December 20, 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 reflect the Recommended Plan. The interim withdrawal is in effect until December 1, 2023 and may be extended to allow time to complete a final plan for the region.

Session Briefing Note
Dawson Regional Land
Use Planning

EMR #1 / ENV #94
Fall 2023

Energy, Mines and Resources
and Environment

Approved by:



September 1, 2023

A/Deputy Minister of Energy, Mines and Resources

Date approved



2023-09-01

Deputy Minister of Environment

Date approved

Session Briefing Note

Fall 2023

Successor Resource Legislation – Minerals and Public Lands

Energy, Mines and
Resources

Recommended response:

- The Government of Yukon is developing new minerals legislation and new public lands legislation in 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 industry representatives, environmental organizations, and the public have provided as we work together on new minerals legislation.

Additional response:

- In May 2023, the Government of Yukon completed a public engagement with meetings held throughout the territory on approaches we are considering for new minerals legislation. A What We Heard document will be released later this year.
- This feedback will be used by the Government of Yukon, Yukon First Nations governments and transboundary Indigenous groups as we work to collaboratively develop the legislation.
- Last year, the Government of Yukon engaged the public on new public lands legislation. A "What We Heard" report is available online at Yukon.ca.

Session Briefing Note

Fall 2023

Successor Resource Legislation – Minerals and Public Lands

Energy, Mines and
Resources

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.
-

Background:**Minerals**

- 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 formed the basis of a 90-day public engagement which concluded in early May 2023. It is anticipated that a “What We Heard” report will be released by the end of the year.
- The Steering Committee has resumed its monthly meetings to discuss the results of public engagement and to work together to develop a recommended framework for new minerals legislation.

Public Lands

- Work on new public lands legislation has been ongoing since 2020. In November 2022, a Steering Committee was established to direct legislative development that includes representatives of the Government of Yukon, Council of Yukon First Nations, Yukon First Nations governments and transboundary Indigenous governments.
- The Government of Yukon carried out First Nations consultation and public engagement on concepts for new lands legislation in spring 2022. This work is being considered by the Steering Committee for new public lands legislation.

Session Briefing Note**Fall 2023****Successor Resource
Legislation – Minerals and
Public Lands**Energy, Mines and
Resources

- The Steering Committee is currently identifying interests related to key policy issues and developing potential approaches to address those interests in a new legislative regime.
- Once a suite of potential approaches is developed for each key policy issue, public engagement and consultation on the options will occur.
- This work will lead to a modernized land regime that balances a wide range of interests and values, including the sale and lease of public land.

Approved by:

August 30, 2023

A/Deputy Minister

Date approved

Department of Energy, Mines and Resources

Casino Mine Project

Executive Council
Office

Recommended Response:

- YESAB issued the final Revised Environmental and Socio-economic Effects Statement (ESES) Guidelines September 12, 2023, which outlines the requirements of the project proposal submission for a Panel of the Board review. Submission of the ESES will initiate the panel review process.
- On November 10, 2023, Casino Mining Corporation (CMC), provided to YESAB a general schedule for submission of their ESES, indicating the second half of 2024, i.e., Q3 or Q4.

Additional Response:

- We continue to prepare to engage and participate in the panel review process, recognizing the significance of the potential mine to Yukon and to Canada.
- Details of the panel review process are still being developed by YESAB.

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.
- The closure of Minto Mine may bring additional scrutiny and criticism of the Yukon's regulatory regime with respect to mine licensing, including with respect to information requirements for making decisions, e.g., the need for comprehensive risk assessments.

Background:

Project Overview

Casino Mine Project

Executive Council
Office

- The Casino Project (the Project) is a proposed large-scale copper, gold, molybdenum and silver mine located approximately 150 kilometres northwest of Carmacks in west-central Yukon. It is owned by Casino Mining Corporation (CMC), a subsidiary of Western Copper and Gold.
- 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.
- 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 and 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.

Panel Review Process

- In 2014, Casino Mining Corporation (CMC) submitted a Project Proposal to the YESAB Executive Committee for screening. After two years in the Adequacy Review stage, 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 the Yukon; and
 - b) the project might contribute significantly to cumulative adverse environmental or socio-economic effects in the Yukon.
- YESAB issued guidelines for the development of the ESES for the Project in 2016.
- In a letter to Casino Mining Corporation dated October 28, 2022, YESAB outlined the reasons for their decision to revise the ESES guidelines. YESAB issued the draft revised ESES guidelines on January 3, 2023. The Government of Yukon Interdepartmental Working Group for the Casino Mine Project reviewed and provided comments on the guidelines on April 19, 2023.

Casino Mine Project

Executive Council
Office

- YESAB issued the final revised ESES Guidelines on September 12, 2023. CMC provided a schedule for their ESES Submission on November 10, 2023, indicating a submission date in the second half of 2024. Submission of the ESES will initiate the panel review process.
- The Minister of the Executive Council Office is the Government of Yukon decision body for a YESAB Panel Review. There will be several federal decision bodies.
- The Panel will comprise 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.

Approved by:



Deputy Minister, Executive Council Office

2023 11 20

Date

Mount Nansen

Executive Council Office

Recommended response:

- Our government supports a regulatory process that meets the commitments of Yukon First Nation Final Agreements and is grounded in the principles of reconciliation.
- The Government of Yukon is actively engaged in the proceedings of the Yukon Water Board.

Additional response:

- 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. It is important that governments and regulatory bodies operate within their responsibilities to support predictable regulatory processes and reasonable outcomes.

Context — this may be an issue because:

- On February 21, 2023, the Yukon Water Board (the Board) received an application by Little Salmon/Carmacks First Nation (LSCFN) pursuant to Chapter 14 of the LSCFN Final Agreement and ss. 16 & 19 of the Waters Act for the Type B water licence (QZ19-055) issued to the Mount Nansen Remediation Limited Partnership (MNRLP) to determine whether:
 - the terms and conditions of the licence need to be reviewed due to unforeseen impacts on LSCFN including the consideration of alternatives and measures that can be taken to avoid impacts to LSCFN's treaty rights;
 - MNRLP is in compliance with the terms and conditions of the licence;
 - LSCFN is entitled to compensation under various provisions of Chapter 14 for loss and damage caused by MNRLP's use of water under the licence and MNRLP's uses of water that are not covered by the licence; and

Mount Nansen

Executive Council Office

- In the application, LSCFN named three respondents including MNRLP, Government of Yukon (YG) and Government of Canada (Canada).
-

Background:

- In 2016, Canada initiated the sale of Mount Nansen due to a combination of escalating remediation costs (paid for by Canada).
- In May 2018, the Supreme Court of Yukon approved the sale of the Mount Nansen Mine site to Alexco Resource and JDS Energy and Mining. Under this arrangement, Alexco/JDS is required to complete remediation work previously selected and approved by YG, Canada and LSCFN.
- Canada and MNRLP entered into a Remediation and Security Agreement (RASA) which describes how MNRLP shall implement a remediation plan at Mt Nansen.
- Canada, YG, and LSCFN entered into a Governments Agreement on June 13, 2019, describing how the Governments will work together to implement remediation of Mount Nansen.
- In support of the sale and remediation process, YG issued a land lease for an area greater than 640 acres and amended an existing Water Board policy to waive the requirement for financial security.
- The transfer of the site to the MNRLP was contingent on the issuance of the care and maintenance water licence.
- In April 2018, YG submitted a project proposal to the Yukon Environmental and Socio-economic Assessment Board for care and maintenance activities at the site. In April 2019, after consulting with First Nations, YG and Canada issued a joint Decision Document for the project.
- In fall 2019, Canada submitted an application for a water licence for care and maintenance activities. MNRLP assumed responsibility for the application in 2020 and received a water licence from the Yukon Water Board on August 21, 2021. The Yukon Water Board received comments on the application from YG, LSCFN, and the Yukon Conservation Society. There was no public hearing held for the application though one was requested by LSCFN.

Mount Nansen

Executive Council Office

- The water licence was significant because it allowed YG to transfer care and maintenance responsibilities to MNRLP in October 2021.
- The water licence enabled MNRLP to install a water treatment plant to address contaminated water originating in the tailing's storage facility.
- The water treatment plant became operational on April 10, 2022. It is designed to treat Seepage Pond Water before discharge to ensure it is non-toxic.

Approved by:



Deputy Minister
Executive Council Office

September 8, 2023
Date approved

Session Briefing Note

Fall 2023

**YEC Diesel Generator
Stations Projects**

Environment &
Executive Council Office

Recommended response:

- Under the *Environment Act* and *Air Emissions Regulations*, Yukon Energy holds Air Emissions Permits for the operation of their diesel generators.
- Air Emissions Permits contain conditions to mitigate potential impacts to human health from air emissions.
- The operations regulated by these permits are subject to routine inspections to ensure Yukon Energy maintains compliance with permit conditions.

Additional response:

- The Government of Yukon understands the importance of living in a healthy environment and uses technical experts to evaluate the risks and impacts of air emissions from diesel generators.
- If a permit holder is found to be out of compliance with their Air Emissions Permit, the Department of Environment works with the permittee to achieve compliance in a timely manner.

Third response:

- The Government of Yukon recognizes the role diesel generators play in providing a reliable energy supply for Yukoners particularly during winter peaks, emergencies and whenever renewable resources are not available. We are committed to working with Yukon Energy to ensure diesel generators are operated safely and appropriately.
- While diesel generators help to ensure that Yukoners have reliable access to electricity in the short term, the Government of Yukon remains committed to significantly decarbonizing the electricity generation sector by 2030.

Session Briefing Note

Fall 2023

**YEC Diesel Generator
Stations Projects**

Environment &
Executive Council Office

- Our Clean Future: A Yukon strategy for climate change, energy and a green economy commits to requiring 93 per cent of on-grid electricity to be generated from renewable sources.
 - The Department of Environment will continue to operate within its legislative authority over air emissions to support the health of Yukoners.
-

Context—this may be an issue because:

- Some of Yukon Energy's diesel generating stations are located within communities, in close proximity to residential areas.
- Emissions from diesel generators contain pollutants that may impact human health.
- Some Yukon residents have voiced concerns regarding the noise levels of diesel generators in certain communities.

Session Briefing Note**Fall 2023****YEC Diesel Generator
Stations Projects**Environment &
Executive Council Office**Background:**

- Yukon Energy uses diesel generators to supplement hydroelectric power generation at four sites: Whitehorse, Faro, Mayo and Dawson City.
- Air Emissions Permits for Mayo, Whitehorse and Dawson City are expiring within the next two years. Yukon Energy is currently going through the YESAA assessment for the re-permitting of the Mayo diesel generators.

Approved by:

2023-09-11

A/ Deputy Minister of Environment_____
Date approved

September 8, 2023

A/ Deputy Minister of Executive Council Office Date approved

COVID-19 Research Funding

Executive Council
Office

Recommended response:

- Our government is committed to an evidence-informed pandemic recovery, and to applying lessons from this emergency to our future plans and processes.
- The Yukon COVID-19 Recovery Research Program provided funding for research on the direct and indirect impacts of COVID-19 on our health, our economy and our society, as well as for research that explored our collective response to the pandemic.
- While many of the projects highlighted the value of increased collaboration early in the emergency, the research also confirmed that impacts were not felt equally across all segments of society – and that the pandemic highlighted and worsened some existing challenges for vulnerable populations, rural communities and selected sectors.

Additional response:

- This initiative complements other academic and government-led information gathering efforts including public health surveillance; surveys of Yukon businesses and individuals; and other pandemic-focused data and research projects.
- The projects offer insight into the pandemic experiences of Yukon First Nations governments, communities, businesses, trappers, health professionals, educators, youth, women and those who were unhoused or precariously housed.

COVID-19 Research Funding

Executive Council
Office

- Results can be accessed on the Compendium of Science, Research and Monitoring through the Open Government portal at open.yukon.ca.

Context—this may be an issue because:

- In addition to a public event on June 13, 2023, at which highlights from all 10 projects were presented, written results from selected projects were released this past spring and summer and will continue to be released into the fall. Some of the results include recommendations for improvements in the Yukon government's response, processes and programs.
 - The Auditor General's report on the vaccine roll-out, and internal work to assess the Government of Yukon's pandemic response may both complement and draw attention to the results of this research.
-

Background:

Recovery Research Program

- The Recovery Research program was funded by the federal government, via a \$1 million contribution from Crown-Indigenous and Northern Affairs Canada.
- 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 guided funding decisions.
- 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

COVID-19 Research FundingExecutive Council
Office

targeted call for proposals in April 2022. A total of twelve projects were funded under the program and 10 were completed.

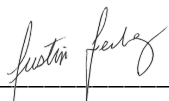
- The Recovery Research program initially provided up to \$75,000 in funding to each successful project. Top-up funding was offered to the eleven active project recipients in August 2022 to allocate remaining funds and address funding shortfalls, making up to approximately \$91,050 in total funding available to each project.
- All of the work funded by this program was completed as of June 30, 2023. A subset of funded projects completed their final research reports following this date (and funded these final stages of work internally or through alternate sources).
- Fund recipients made outcomes and key learnings from their projects available at a June 13, 2023, research results summit in Whitehorse that was open to the public. Outcomes were shared in public reports and/or summaries that were released this past spring and summer as the projects were completed and additional reports will be released in fall 2023.
- The funded and completed projects and recipients are as follows:
 - *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)*

COVID-19 Research Funding

Executive Council
Office

- 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)
- 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)
- Additional projects that were selected but not fully completed include:
 - The impacts of the COVID-19 pandemic on Selkirk First Nation's traditional food-related pursuits (Selkirk First Nation)
 - Understanding COVID-19 impact on housing insecurity among LGBTQIA2S+ Yukoners (Queer Yukon Society).

Approved by:



Deputy Minister, Executive Council Office

2023 10 03

Date Approved

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

Executive Council
Office

Recommended response:

- Our government is committed to working collaboratively with Yukon First Nations to deepen our understanding of their knowledge, values and perspectives so that our actions and decisions respect and reflect Yukon First Nations' ways of knowing, doing and being.
- We have held numerous conversations with Yukon First Nations and transboundary Indigenous groups, as well as across Yukon government departments, to build an understanding of needs, interests, values and concerns related to working with Yukon First Nations knowledge.
- We are working collaboratively toward guiding principles and key implementation priorities, while identifying shorter term opportunities.

Additional response:

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

Context: this may be an issue because:

- The Yukon government reiterated its commitment to this work in the July 2021 mandate letter, though it was not repeated in the 2023 mandate letter.
- Yukon First Nations and transboundary Indigenous groups wish to ensure that the Yukon government proceeds in a way that respects the ownership, value and importance of their accumulated and evolving knowledge.

**Yukon government's approach to
Traditional Knowledge**Executive Council
Office

- Yukon First Nations and others (such as the research community) increasingly reference principles related to data or knowledge ownership and sovereignty.

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.
- Beginning in late 2017, 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.
- A draft approach was brought to the December 2019 Yukon Forum, where discussions reinforced the importance of this work, and the need to proceed carefully.
- The previous Premier issued invitations to Yukon First Nations and transboundary Indigenous groups in summer and fall 2021 for a formal Intergovernmental Working Group to guide this work. To that point, discussions and processes had been guided by an ad hoc group of Government of Yukon and Yukon First Nations representatives.
- Ten members are delegated to the Intergovernmental Working Group 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).
- Three full day, in-person meetings (in addition to shorter virtual meetings) have occurred, and provided an opportunity for relationship and trust building, and for discussing terms of reference; goals and milestones; and related steps on the path toward guiding principles. The next group meeting is scheduled for fall 2023.
- The 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.

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

Executive Council
Office

- In addition, we have been 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:



September 8, 2023

A/Deputy Minister, Executive Council Office

Date

**Youth Directorate Funding to
Community Organizations**

Executive Council
Office

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 include Yukon First Nation governments, non-government organizations, municipalities and Government of Yukon departments that serve youth.
- The Youth Directorate provides annual contributions of more than \$2 million to youth-serving organizations and community groups through several funding programs.
- We committed to increasing investment in initiatives supporting mental health outcomes for youth by an additional \$1 million per year.

Additional response:

- Our government is committed to supporting organizations that provide valuable supports and services to the territory's youth and communities.
- Our contributions help these organizations to keep Yukon youth engaged.

Context – this may be an issue because:

- The Confidence and Supply Agreement includes a commitment to increase Government of Yukon funding by an additional \$1 million for youth mental health outcomes.

**Youth Directorate Funding to
Community Organizations**Executive Council
Office

Background:

- The Youth Directorate was allocated \$500,000 for each of the fiscal years 2023–24, 2024–25 and 2025–26 to provide additional funding support five key youth organizations: BGC Yukon, BYTE – Empowering Youth Society, the Heart of Riverdale Community Centre, Youth of Today Society and Association franco-yukonnaise.
- From 2023–24 to 2025–26, these organizations will receive over \$1.6 million of annual funding as follows:
 - Association franco-yukonnaise – \$32,860 total per year
 - BGC-Yukon – \$479,140 total per year, with the additional funding being to support mental health outcomes as well as a seven-day per week drop-in service pilot project.
 - BYTE-Empowering Youth Society – \$384,000 total per year
 - Heart of Riverdale Community Centre – \$378,000 total per year
 - Youth of Today Society – \$371,000 total per year
- Education is also receiving funding to support mental health in schools.
- In addition, a one-time increase was included in the 2023–24 Main Estimates to support the Yukon Youth Summit and upcoming Territorial Youth Strategy.
- The Territorial Youth Strategy (TYS) is a collaborative effort between many diverse stakeholders (young people, youth serving organizations, businesses, community members and First Nations governments). The strategy is community-driven and includes Government of Yukon input from various levels. The strategy's vision is that all youth in the territory feel empowered, have a positive sense of self, have mutually caring and fulfilling relationships, and feel connected to and supported by their family, community and land.
- Discussions are ongoing with stakeholders on how best to align funding with intended outcomes.
- The Youth Directorate provides up to \$422,000 of annual project funding to support:
 - The Youth Developmental Asset Program – \$320,000 for youth activities, training and employment for Kwanlin Dün First Nation and 16 Yukon communities.

**Youth Directorate Funding to
Community Organizations**

Executive Council
Office

- The Youth Investment Fund – \$102,000 for community-driven initiatives aimed at marginalized youth ages 18 and under.

Approved by:



September 8, 2023

A/Deputy Minister, Executive Council Office

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">• 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).• The application was deemed adequate for public comment and the comment period closed in April 2021.• 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.• 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.• 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.• The adequacy review of the updated documents was nearing conclusion with the assistance of Hutchinson Environmental, when Minto Metals Corp. abandoned the Minto Mine property.
Victoria Gold Corp.	<ul style="list-style-type: none">• The company has a Type A Water Licence and in November 2020 submitted an updated Reclamation and Closure Plan (RCP) and security costing.• The Board and EMR signed an agreement in January 2021 to pilot a process in which the two regulators conducted a collaborative review of the submission and hold joint meetings with the company.• On June 17, 2022, the Board determined to not approve the RCP and Ordered \$104,903,628 in security inclusive of security held under the <i>Quartz Mining Act</i>.

Notable Yukon Water Board Applications

Executive Council
Office

QUARTZ UNDERTAKINGS	
APPLICANT	DETAILS
	<ul style="list-style-type: none"> On August 1, 2022, the company filed documents (an appeal) with the Yukon Supreme Court related to the Board's determinations. 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. On October 3, 2022, the company submitted an updated (2022) RCP and security costing pursuant to the licence which the Board is reviewing. The Board and EMR signed a second pilot process for the review of the RCP and security costing. Two information requests, jointly issued by the Secretariat and EMR, have been sent to VGC asking for more information. The regulators await VGC's responses.
BMC – Kudz Ze Kayah	<ul style="list-style-type: none"> In November 2020 the company created an application for a Type A Water Licence and began submitting supporting documents. 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) had not been issued. A DD was issued for the project on June 15, 2022. On August 23, 2022, the company submitted updated documents. The public comment period for the application began on January 6, 2023. The Board extended the intervention deadline date to May 5, 2023, following a request by Ross River Dena Council and Liard First Nation. The Board is currently waiting for BMC to submit a response to

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

QUARTZ UNDERTAKINGS	
APPLICANT	DETAILS
	the interventions.
Newmont - Coffee	<ul style="list-style-type: none">Company has not submitted an application to the Yukon Water Board.
Alexco Keno Hill Mining Corp.	<ul style="list-style-type: none">The company has a Type A Water Licence and in November 2021 submitted an updated Reclamation and Closure Plan (RCP) and security costing.The Board completed its review of the RCP and security costing and is drafting its findings.

HYDRO UNDERTAKINGS	
APPLICANT	DETAILS
Yukon Energy Corp. – Aishihik Renewal	<ul style="list-style-type: none">YEC submitted an application on April 8, 2022, for a five year renewal of the Aishihik Generating Station Type A Water Licence which expired on December 31, 2022.The application was advertised for public comment and a public hearing was held November 21 to 25, 2022.Licence HY22-016 was issued on December 21, 2022, and the Reasons for Decision were issued on March 31, 2023.On April 30, 2023, YEC submitted for Board Review and Approval, a Five-Year Monitoring and Adaptive Management Plan (“MAMP”) pursuant to the licence.The Secretariat is currently working on adequacy of the MAMP.

MUNICIPAL UNDERTAKINGS	
APPLICANT	DETAILS
YG Community Services – Dawson City	<ul style="list-style-type: none">In July 2021 Community Services applied to amend their Type A Water Licence for the Dawson City Wastewater Treatment Facility in order to improve treated effluent quality.Notification of the application was advertised on March 15,

Notable Yukon Water Board Applications

Executive Council
Office

	<p>2023.</p> <ul style="list-style-type: none"> • An intervention was received from the Government of Yukon. • Community Services responded to the intervention on August 9, 2023. • The Board will be calling a public hearing on this application.
Haines Junction	<ul style="list-style-type: none"> • In May 2021 the Village of Haines Junction opened an application to renew its Type B Water Licence for municipal water supply and waste disposal which expired on January 29, 2022. • Notification of the application was advertised on May 19, 2023. • Interventions were received from Government of Yukon and Parks Canada/Champagne and Aishihik First Nations in June 2023. • The Village of Haines Junction provided a response to interventions in July 2023. • The Board will hold a public hearing on this application.

Miscellaneous Licences	
APPLICANT	DETAILS
Nisutlin Bay Bridge Replacement	<ul style="list-style-type: none"> • In December 2021, YG - Highways and Public Works ("HPW") submitted a water licence application for the replacement of the Nisutlin Bay Bridge located at Teslin. • The Board issued a water licence on August 31, 2022, and reasons for the decision were issued on September 9, 2022. • HPW submitted an application to amend the water licence asking to reduce the environmental monitoring requirements and some other minor changes. • The application is before the Board.

PLACER UNDERTAKINGS	
APPLICANT	DETAILS

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

Tamarack Inc. – Indian River and Montana Creek	<ul style="list-style-type: none">• Tamarack applied for a Type B Water Licence and Placer Mining Land Use Approval for a project in the Indian River wetlands complex.• In June 2017 Tamarack was advised that the Yukon Water Board was satisfied that it would be in the public interest to hold a public hearing given the matters raised in the application and the interventions. Of note was the request for a public hearing by the Tr'ondëk Hwëch'in.• The Board is waiting for a response from Tamarack to an information request before it can continue to process the application and determine when a public hearing can be held.
Indian River Wetlands	<ul style="list-style-type: none">• The Board has several active applications before it which are in the Indian River wetlands complex.• YESAB recommended terms in evaluation reports stating there should be no mining in undisturbed wetlands within the Indian River complex.• The decision body (Energy Mines and Resources) varied the recommendation to allow for mining in these areas subject to submitting an approved wetlands reclamation plan.• Interventions in the water licence process from Yukon Conservation Society and First Nations requested the Board hold public hearings on the matter of wetlands and encouraged the Board to develop a policy to guide decision making.• A three-day virtual public interest hearing was held in October 2020.• Interventions included reference to an MOU between the Yukon government (YG) and Tr'ondëk Hwëch'in (TH) in which YG committed to work with TH to develop a policy and guidelines for the protection and reclamation of Indian River wetlands.• In August 2021 the Board released a "What We Heard Report" and made a recommendation to the Premier to consider the establishment of a Technical Advisory Committee for the Protection, Use and Reclamation of Yukon Wetlands. The Board is participating in the YG Wetland Policy Group and is working on the development and implementation of Water Board Wetland

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

	<p>Information Guidelines, which will eventually be informed by the wetland policy.</p> <ul style="list-style-type: none">• The Board continues to deliberate each application on a case-by-case basis given the evidence provided by all parties.
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Statistics - Water Licence Applications 2013 to Date			
Year	Type B	Type A	Total
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	108	3	111
2023	50	1	51

Statistics do not include plans submitted for review and approval by the Board.

Approved by:

September 8, 2023

A/Deputy Minister, Executive Council Office_____
Date

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 \$3,431,000 broken down in two units: **Ministers** and **Cabinet Office Support**

Ministers

This budget totaling \$348,400 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.

	2023-24		2022-23		2021-22	
	Budget	Estimate	Budget	Actual	Budget	Actual
Travel	293,400	295,000	293,400	250,764	293,400	35,303
Communications	50,000	45,000	50,000	27,938	50,000	27,174
Other expenses	5,000	8,500	5,000	9,344	5,000	4,178
TOTAL	348,400	348,500	348,400	288,046	348,400	66,655

*Reduced travel costs in 2021-22 due to COVID

Budget Operations for Cabinet

Executive Council Office

Cabinet Offices support

This budget totals \$3,083,000 with 98 per cent of the budget funding personnel costs and the remaining being allocated to office operations (supplies, material, training etc.).

- There are currently 24 positions 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 during the pandemic (2020-21 and 2021-22). However, trips have resumed to pre-pandemic levels and may generate questions on spending and value for money considerations.

Approved by:


Deputy Minister
Department of Energy, Mines and Resources

2023 10 03
Date approved

ECO Accomplishments

Executive Council Office

Recommended response:

- Significant programs led by the Executive Council Office contribute to the following six goals:
 - Prioritizing efforts to see reconciliation upheld
 - Improving health care
 - Fostering collaboration with other provinces and territories and other jurisdictions
 - Advancing Arctic security
 - Supporting recovery from COVID-19
 - Supporting Yukoners and Yukon youth

Additional response:

The following specific actions support these six areas.

Prioritizing efforts to see reconciliation upheld

- Throughout the summer, the Premier met with many Yukon First Nations governments to discuss community priorities and reaffirm government-to-government relationships. Aboriginal Relations is supporting the implementation of accords with the Teslin Tlingit Council and White River First Nation and is discussing the establishment of new accords with other interested Yukon First Nations.
- The Premier and Cabinet continue to meet regularly with Yukon First Nations Chiefs at the Yukon Forum. The last meeting was held September 26 and 27, 2023 in Dawson City. Since January 2017, there have been 26 Yukon Forum meetings to discuss and support

ECO Accomplishments

Executive Council Office

the advancement of work on shared priorities established in the Yukon Forum Joint Priorities Action Plan.

- The Government of Yukon and Yukon First Nations governments continue to speak to the federal government about Yukon issues with a united voice where possible, at meetings of the Intergovernmental Forum and at the annual Yukon Days outreach to federal Ministers.
- The Government of Yukon completed several significant agreements with First Nations and is in ongoing negotiations with others on issues related to government-to-government relationships, capacity development and First Nations interests in land planning, resource development, and fish and wildlife management.
 - March 8, 2023 – Liard First Nation and the Government of Yukon signed an agreement that will see the development of 43 new residential lots on Frances Avenue in Watson Lake. Under this agreement, the Government of Yukon will make 25 lots available to the public, while Liard First Nation will hold title to 18 lots.
 - July 21, 2022 – Champagne and Aishihik First Nations, the Government of Yukon and Yukon Energy Corporation reached historic agreements for a collaborative approach to the operation of the Aishihik Generating Station.
 - May 3, 2022 – Negotiations with the Teslin Tlingit Council resulted in the finalization of the Nisutlin Bay Bridge Project Agreement, the implementation of which is being led by the Department of Highways and Public Works.
 - February 14, 2022 – Aboriginal Relations supported the negotiation of the agreement that established the Yukon First

ECO Accomplishments

Executive Council Office

Nation School Board. Eight schools voted to join the First Nation School Board in 2022 and another three schools joined in 2023.

- Negotiations are currently underway with Carcross/Tagish First Nation, Kwanlin Dün First Nation and Ta'an Kwäch'än Council related to the Whitehorse Rapids Generating Station and with the First Nation of Na-Cho Nyäk Dun for the Mayo Generating Station.

Continuing to identify ways to support a broad range of reconciliation initiatives and projects

- In 2022–23, we provided funding support for the Council of Yukon First Nations celebration of the 50th anniversary of Together Today for Our Children Tomorrow.
- In 2022, we provided funding to reimburse Yukon First Nations and transboundary Indigenous governments and groups to attend the Papal visit to Canada.
- Since 2021, we have provided funding and administrative support to the Yukon Residential Schools and Missing Children Project.
- The Government of Yukon also provides funding and administrative support to the Mapping the Way joint public education campaign on the Final and Self-Government Agreements.
- We continue to implement the Truth and Reconciliation Commission's Calls to Action and work collaboratively with Yukon First Nations on these and other reconciliation initiatives.
- Through our "Pathways: Stories of collaboration, partnership and reconciliation" magazine, we highlight the work of the public service

ECO Accomplishments

Executive Council Office

to build relationships, collaborate and advance reconciliation with First Nations.

- March 30, 2023 – A trilateral process to amend the education provisions in five Yukon First Nation Self-Government Agreements was completed. These amendments ensure that the Self-Government Agreements are consistent and support First Nations' involvement in the education system.
- In 2021 and 2022, amendments to the provisions in all 11 Yukon First Nation Self-Government Agreements relating to the Goods and Services Tax rebate and the taxation of interest earned in Registered Pension Plans were approved. The GST amendments ensure that First Nations governments are eligible for the same GST rebates as municipal governments, while the Registered Pension Plan amendments ensure that Citizens of Yukon First Nations with Self-Government Agreements who earn investment interest are subject to the same tax treatment as Citizens of Yukon First Nations without Self-Government Agreements.
- Since 2020, Aboriginal Relations has been working on a Consultation and Engagement Improvement Initiative. This includes the development of a web-based consultation and engagement management system and training and support materials designed to help Yukon government staff carry out meaningful consultation and engagement processes with Yukon First Nations and transboundary Indigenous governments.

Improving health care

ECO Accomplishments

Executive Council Office

- July 26, 2023 – The Premier signed a letter of intent with Nova Scotia to work together to enhance training, recruitment, retention and labour mobility for health human resources.
- July 6, 2023 – following two years of advocacy by Premiers through the Council of the Federation, the Government of Canada and the Government of Yukon concluded an agreement in principle for a shared plan that will invest \$380 million in federal funding over 10 years in the Yukon.

Fostering collaboration with other provinces and territories and other jurisdictions

- July 12, 2023 – The Premier met with his counterparts from across the country at the Council of the Federation summer meeting and discussed topics including health human resources, infrastructure, economic growth, Arctic security and more.
- June 27, 2023 – At the Western Premiers' Conference, the Premier discussed strategic infrastructure and trade corridors, energy security, climate action, Arctic security, mental health and more with his counterparts.
- June 8, 2023 – The Premier met with 25 Ambassadors and High Commissioners to Canada as part of Global Affairs Canada's northern diplomatic tour. They discussed the economy, clean energy, health and more.
- May 17, 2023 – The three northern Premiers met for the Northern Premiers' Forum and discussed shared priorities including Arctic security, infrastructure, critical minerals, housing and more.

ECO Accomplishments

Executive Council Office

- May 8, 2023 – The Premier met with the Consuls General of the Philippines, Indonesia and Japan to discuss issues of shared importance.
- May 2, 2023 – The Premier met with Ontario Premier of Ontario Doug Ford and signed a memorandum of understanding on collaboration in the housing development and investment sectors.
- December 6, 2022 – The Government of Yukon, Yukon First Nations Chiefs and federal Ministers met in Ottawa. They discussed support for Indigenous languages, the Substance Use Health Emergency, land use planning and more.
- July 12, 2022 – Then-Premier Silver attended the Council of the Federation and discussed health care, affordability, labour supply, climate change and more.
- March 1, 2022 – The Government of Yukon donated \$50,000 to support humanitarian efforts in Ukraine following the illegal Russian invasion.
- October 19, 2021 – The Government of Yukon donated \$25,000 to help with relief efforts in response to the humanitarian crisis in Afghanistan.

Advancing Arctic security

- December 5, 2022 – Then-Premier Silver appeared before the Standing Senate Committee on National Security, Defence and Veterans Affairs to share the Yukon government's perspectives on Arctic security and defence issues, including opportunities to strengthen dual-use infrastructure in the Yukon.

ECO Accomplishments

Executive Council Office

- August 29, 2022 – Then-Premier Silver advanced key northern discussions at the Arctic Circle Forum including Arctic sovereignty, housing and health care.

Supporting recovery from COVID-19

- June 16, 2023 – The COVID-19 Recovery Research Program concluded with a public Research Results Summit held in Whitehorse. The program supported 10 project teams in successfully completing research that addresses Yukon-specific research questions.

Supporting Yukon youth

- May 24, 2023 – Twelve community groups from across the Yukon received over \$59,000 through the Youth Investment Fund for a range of artistic and recreational activities, such as therapeutic horseback riding, piano lessons, a rugby club and a theatrical presentation.
- December 20, 2022 – We awarded \$53,000 to 13 community groups through the Youth Investment Fund. Recipients include Kidsfest 2023, a rock-climbing program and a youth café.
- October 24, 2022 – Thirteen Yukon organizations received \$400,000 in funding from the Youth Mental Wellness Grant for programs that promote youth mental wellness.
- August 11, 2022 – Four youth were awarded the Outstanding Youth Achievement Award for their devotion and contribution to their communities.

ECO Accomplishments

Executive Council Office

- December 13, 2021 – The Youth Investment Fund contributed \$45,000 to 11 community groups to support a variety of arts, recreation and educational programming including an art camp, music camp and snowboard program.
- September 21, 2021 – Four youth received the Outstanding Youth Achievement Award for their remarkable service and contribution to their communities.

Supporting Yukoners

- March 28, 2022 – The Government of Yukon released the final report by the Canadian Index of Wellbeing that highlights the quality of life in the Yukon following a major survey completed in summer 2020. The survey received close to 5,000 responses and provided Yukoners with an opportunity to share feedback about community vitality, democratic engagement, education and more.

Other accomplishment to note

- June 13, 2023 – Members held a special sitting of the Yukon Legislative Assembly in its historic home in Dawson City to celebrate the 125th anniversary of the Yukon becoming a territory of Canada.

Approved by:



Deputy Minister

Executive Council Office

2023 10 10

Date approved

Electoral Boundaries

Executive Council Office

Recommended response:

- We are acting on the Chief Electoral Officer's recommendation to establish an Electoral Boundaries Commission before the next territorial general election.
- Making changes to electoral districts ensures that all Yukoners have fair, effective and balanced representation in the Assembly as the territory's population grows and shifts.

Additional response:

- We are making two technical amendments to correct a drafting error and improve the clarity of the *Elections Act*.
- The Act inadvertently prohibits the use of enacted changes to electoral boundaries for the upcoming election, even after the six month "readiness" period granted to the Chief Electoral Officer has passed. This is being fixed to allow the new boundaries to be used in the next election.
- The Act also fails to clarify when a commission should be established if elections occur less than six years apart. The amendments clarify that, in this case, a Commission should be appointed no later than six months after six years have passed since the appointment of the last Commission.

Context — this may be an issue because:

- The Chief Electoral Officer recommended, in his 2019 and 2021 reports, that a Commission be established ahead of the next territorial general election. To do so, the *Elections Act* must be amended.
- The boundaries recommended by the 2018 Commission were introduced as amendments to the *Electoral Boundaries Act* but were defeated by the government. This raised concern at the time about political influence on the electoral district boundary adjustment process.

Electoral Boundaries

Executive Council Office

- The Chief Electoral Officer's reports recommend that other changes be made to the *Elections Act* such as imposing restrictions on political parties and campaign financing. As the only jurisdiction in Canada without such limits, this topic has elicited controversy.

Background:

- Current electoral boundaries were established in 2008. Three elections have been held using these boundaries (2011, 2016, 2021).
- The *Elections Act* provides that Commissions should be appointed after every second general election. A Commission was appointed in 2017 but its recommended boundaries were not enacted in 2018.
- Reasons cited by government for not supporting the new boundaries included: the Commission's proposal to create a 20th district, and insufficient consultation between the interim report and final report stage.
- Yukon's population has grown and shifted significantly since 2008. The growth of the Whistle Bend neighbourhood is one example. The Commission may recommend boundary adjustments and/or new districts to address growth and shifts in population.

Approved by:



A/Deputy Minister
Executive Council Office

September 8, 2023

Date approved

Recommended response:

- This year we commemorate the 125th anniversary of the Yukon becoming a territory of Canada.
- This is a chance to reflect on the long history of this land and think about the territory we want to build for the future.
- We launched several exciting initiatives tied to the Yukon's 125th year:
 - The Yukon 125 Fund provided up to \$7,500 to 62 projects across the territory that pay tribute to Yukon communities, heritage and cultures.
 - The 125 Prize will provide three to five exceptional projects with up to \$125,000 to achieve something extraordinary.
 - A special sitting of the legislature was held in Dawson City on June 13, the day the Yukon became a territory 125 years ago.
 - We are also releasing a commemorative medal, featuring original Yukon artwork, to be awarded to Yukoners who embody values of leadership and reconciliation.

Additional response:

- This anniversary is a significant milestone in our history. It is a time for us to recognize the impacts that the Gold Rush and the Yukon's social, political, and economic development had on First Nations Peoples.
 - The anniversary is an opportunity to celebrate our shared efforts to create a more inclusive society and culture and build more inclusive governance.
-

Context:

- The Yukon became a territory of Canada on June 13, 1898, following the population influx brought by the Klondike Gold Rush.

Background:

- The various funds and initiatives were primarily delivered by the Department of Tourism and Culture and through partnerships with local organizations.
- A special sitting was held in Dawson City to commemorate the 125th anniversary of joining confederation.
- A new logo, using Yukon Place brand themes, was prepared for the occasion and has been used on a new flag.
- A new Instagram page was created for posting 125 days of notable Yukon content.

Approved by:



A/Deputy Minister, Executive Council Office

September 8, 2023

Date approved

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

Recommended response:

- Advancing the Yukon's priorities with other governments is key to ensuring our perspectives are heard and considered at home and abroad.
- Our government's relationships with other provinces and territories and with the federal government are strong and we look forward to continued collaboration on shared priorities.
- Internationally, we are working to promote the Yukon as a place to live and work, visit, and invest.

Recommended response (recent engagements):

- I returned to Ottawa in May to advance our priorities with federal decision makers, such as clean energy and regulatory efficiency.
- Through the summer, I met with Premiers from across the country to discuss opportunities to collaborate on important issues such as infrastructure, housing, health care human resources and immigration.
- We have also been pleased to host a number of diplomats here in the Yukon, including a large group of ambassadors who visited as part of the Northern Diplomatic Tour in June.

Recommended response (travel):

- In-person engagements help to cultivate strong, productive relationships with leaders across Canada and the world.
- There are costs and environmental impacts associated with these trips out of territory. However, nothing can replace the value of looking folks in the eye and listening to what they have to say.

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

-
- We will continue to weigh the merits of travel carefully to ensure it is cost-effective and advances our objectives and priorities.
-

Context—this may be an issue because:

- Opposition may question where the Premier engaged with other governments and how those meetings benefit the Yukon.
 - Engagements outside the territory, including the September mission to Japan and India, may come under scrutiny due to costs and climate (emissions) impacts.
-

Background:

- Since the conclusion of the previous sitting, Premier Pillai has participated in intergovernmental engagements including:
 - Bilateral meetings with provincial Premiers on matters of sharing interest, including ON Premier Ford on housing (May) and NS Premier Houston on health care human resourcing (July);
 - Bilateral meetings with federal ministers in Ottawa, ON (May);
 - Northern Premiers' Forum in Inuvik, NWT (May);
 - Northern Diplomatic Tour visit to Whitehorse (June);
 - Western Premiers' Conference in Whistler, BC (June);
 - Council of the Federation summer meeting in Winnipeg, MB (July);
 - Signing of the Western Arctic – Offshore (Tariuq) Accord in Inuvik, NWT (August);
 - Mission to Japan and India (September);
 - Various bilateral meetings with international diplomats in Canada, including Philippines, Indonesia, and Japan.
- In June 2024, the Government of Yukon will host the next Western Premiers' Conference. The Western Premiers' Conference is an annual meeting of the Premiers of the Yukon, the Northwest Territories, Nunavut, British Columbia,

Session Briefing Note

Intergovernmental Relations (General)

TAB 71

Fall 2023

Executive Council
Office

Alberta, Saskatchewan and Manitoba to discuss issues of common interest and concern.

Approved by:



September 8, 2023

Deputy Minister, Executive Council Office

Date

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

Recommended response:

- As our health care system faces more pressures, we continue to push forward with implementation the Putting People First recommendations, guiding us to improve and modernize the Yukon's health and wellness systems in a sustainable way.
- The \$200 billion over ten years committed by the federal government for health care represents the culmination of more than two years' work and advocacy by Canada's Premiers.
- We worked with the other territories to secure an increased, long-term renewal of the Territorial Health Investment Fund which enables the Yukon to invest in innovation to enhance services in our smaller and more remote communities. This important funding enables Yukoners access to quality health care without having to go too far from home.
- We have now reached an Agreement in Principle with Canada on shared health priorities representing a total \$380 million investment over ten years and are working towards a final health funding agreement.

Context—this may be an issue because:

- As bilateral negotiations on health care funding continue across the country, there may be questions about the Yukon's portion of the federal investment.
- As of August 18, all provinces except Quebec have announced agreement-in-principle with the federal government on health deals for their jurisdictions.

Background:

- On February 7, 2023, Canada proposed a plan to increase health funding over the next 10 years.

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

- 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. Of this, approximately \$20 billion is through the Canda Health Transfer, and \$25 billion will be delivered through bilateral agreements to be negotiated with Health Canada.
- The federal plan also includes \$350 million over ten years to renew the Territorial Health Investment Fund (THIF), with the Yukon receiving \$10 million annually. (This compares to the 2022-23 THIF funding allocation of \$6.4 million for the Yukon.)
- The Canada-Yukon agreement in principle announced on July 6 covers an investment of \$380 million over ten years, including \$73 million for the new bilateral agreement on shared health priorities.

Approved by:

September 8, 2023

Deputy Minister, Executive Council Office_____
Date

Federal Engagement

Executive Council
Office

Recommended response:

- Our work with the federal government achieves results for Yukoners and yields important investments in the territory.
- Engagement with the federal government ensures that the Yukon's distinct perspectives are reflected in national dialogues and federal policy making on significant issues such as Arctic security and sovereignty.
- We look forward to continuing our 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.

Additional response:

- Engagement with the federal government ensures that the Yukon's needs are communicated clearly and consistently to the right people, all the way up to the Prime Minister.
- We continue to work with Yukon First Nations leaders to bring a joint Yukon voice to Ottawa.

Context—this may be an issue because:

- There may be questions about how the Yukon advances its interests on the national stage.
 - A number of high-profile Government of Yukon projects and initiatives will require significant federal investment to be successful.
-

Federal Engagement

Executive Council
Office

Background:

- ECO Intergovernmental Relations coordinates engagement with the federal government on the Government of Yukon's priorities.
- Recent areas of focus for federal engagement include:
 - health care funding, including renewal of the Territorial Health Investment Fund;
 - funding for the Atlin hydroelectric expansion project;
 - support for the Yukon government's infrastructure priorities, including the Port of Skagway redevelopment;
 - regulatory efficiency;
 - funding for affordable housing; and
 - critical mineral development.

Approved by:



A/Deputy Minister, Executive Council Office

September 8, 2023

Date

Arctic and Northern Policy FrameworkExecutive Council
Office

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, within and outside of the scope of the framework.

Additional response (engagement):

- Our government's strategies and priorities on issues from clean energy to health care will continue to guide our work with Canada, as we consider ongoing engagement on the Arctic and Northern Policy Framework and its governance structures.
- On October 13, leaders from across the North gathered in Whitehorse for a meeting convened by the federal Minister of Northern Affairs under the banner of the Arctic and Northern Policy Framework. Discussions touched on Arctic security, international policy, housing, and other regional priorities.
- While a continued challenge is that there is no dedicated federal funding to implement the Framework, we see participation in these discussions as a window through which to share our interests with the federal government and other Northern leaders.

Additional response (Yukon chapter):

Arctic and Northern Policy FrameworkExecutive Council
Office

- Our government participated in the development of a pan-territorial chapter to the Arctic and Northern Policy Framework. This lays out the common issues and opportunities experienced across the three territories.
- We have no plans to publish a stand-alone chapter. Ultimately, this is a federal policy tool.
- Through work with Yukon First Nations governments and public engagement, we developed a set of strategies and action plans that guide our work on issues such as health care transformation, climate and clean energy, and economic development. These offer “made in the Yukon” approaches to solving the challenges we face today.
- We will continue to engage with the framework as one of a range of federal strategies that influence decision making about northern investments.

Context –this may be an issue because:

- The annual Arctic and Northern Policy Framework (ANPF) Leadership Committee Meeting occurred on October 13 in Whitehorse. The meeting may attract media attention and will likely generate public statements referencing the framework.
- The Government of Yukon has not released a “partner chapter” to the ANPF which could lead to questions on where we see ourselves in the framework.

Background:

- The framework was released in September 2019 and sets out the federal policy vision for Canada's Arctic and northern regions to 2030.
- The federal government continues to engage with “partners” to the ANPF, including territorial governments, several provincial governments (Newfoundland and Labrador, Manitoba, and Quebec) and northern Indigenous governments and

Arctic and Northern Policy FrameworkExecutive Council
Office

organizations, on implementation. There is no implementation plan nor an investment strategy or current source of funds 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 each released stand-alone chapters.
- The Council of Yukon First Nations (CYFN) is developing their own chapter for the Arctic and Northern Policy Framework and received funding from the federal government for this work.
- The Government of Yukon continues to work through ANPF mechanisms to advance the full suite of territorial priorities with all relevant members of the federal Cabinet.

Approved by:

Deputy Minister, Executive Council Office

17 Oct 2023

Date

Recommended response:

- Yukon Days brings shared priorities of the Government of Yukon and Yukon First Nations to federal ministers.
- Joint engagement helps 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 in our joint dealings with the federal government.

Context—this may be an issue because:

- Yukon Days is recognized as an annual engagement, typically held shortly following the fall sitting, and there may be questions on plans for this year.

Background:

- Yukon Days is a longstanding annual event to promote the Yukon's priorities with the federal government and focuses on Premier, Minister and Chief-level advocacy on Yukon priorities with federal leadership.
- This form of engagement 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 take place in early December to raise the profile of the 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.

CONFIDENTIAL
Session Briefing Note
Yukon Days

TAB 75
Fall 2023
Executive Council
Office

Approved by:



Deputy Minister, Executive Council Office

September 8, 2023

Date

Recommended response:

- The mission to Asia built on the significant engagement we have had with Japan and India through their diplomatic corps in Canada over the last few years.
- This trip to Asia was arranged with an eye to efficiency of time and money, and to receive good value for the money we spent.
- Our extensive program of meetings with government and business officials was the next step in strengthening these relationships.
- I am pleased that we were able to bring some Yukon business organizations with us, to help them get exposure to new markets and opportunities.
- The business delegation portion of the mission aimed to support the Yukon's burgeoning tourism, film and media, and technology and innovation sectors while also bolstering the territory's established mining sector.

Additional response (outcomes):

- Japan and India are major international markets that are projected to grow significantly in the coming years.
- In Tokyo, we signed a letter of intent to support more Japanese tourism in the Yukon. We are very excited to continue working with Japanese agencies to get more people interested in visiting the Yukon.
- I can report that the interest in Canada and the Yukon is high in Japan, which is seeking stable, secure and values-aligned partnerships. I believe that the Yukon can satisfy some of their needs.
- I met with large Japanese corporations, industry organizations and government agencies to promote economic opportunities in the Yukon, including investments in critical minerals.

- The Tourism and Culture Minister also had several meetings with tourism stakeholders, which helps to build the Yukon's profile in Japan as a top-tier destination.
- In Trivandrum, our key focus was recruitment of health care professionals. To that end, we engaged with the state government ministers on their training and recruitment systems.
- This included discussion on building recruitment programs specifically for the Yukon in health care and other sectors. They have the people, skills, and willingness to help meet our labour needs.
- Also in Trivandrum, we met with the leaders and businesses of Technopark – India's longest-established tech incubator – and discussed opportunities to connect developing Indian tech companies into the Yukon and the North American market.
- In New Delhi, we continued conversations on investment in the Yukon and on health human resources.
- We met with a broad range of leaders from the Indian business community and have created a significant number of new contacts for Yukon businesses, as well as promoted the Yukon as a growing part of Canada that is looking for skilled people and investment across all sectors.
- We acknowledge the ongoing diplomatic dispute between the Governments of Canada and India and continue to monitor the situation.

Additional response (India diplomatic relations):

- On our last day in India, we learned about the Government of Canada's allegations regarding the Indian government's involvement in the murder of Canadian Sikh leader Hardeep Singh Nijjar.
- No meetings with the Government of India were held after this news broke.

Asia Mission and Costs

Executive Council Office

- I have since raised concerns directly with federal leaders regarding communications on emerging risks in Canada's relationship with India in advance of, and during, this mission.
- This is a very challenging time for Canada-India relations. My focus now is to ensure that the Yukon's Indian community is safe and supported as the diplomatic situation unfolds.
- We are confident that the RCMP investigation underway will bring all the relevant facts to light and that the perpetrators will be held accountable.
- We cannot lose sight of the fact that Yukon has strong people-to-people ties to India. We continue to seek a constructive dialogue to support these connections at a subnational level.

Additional response (costs):

- Government travel is essential to developing our relationships, enhancing the Yukon's profile and promoting new opportunities abroad.
- Travel is managed under our longstanding government policy, the travel directive, which sets out the authorities required for travel by government officials, is based on principles of economy and efficiency, and establishes rates for certain costs.
- Airfares are booked at the best rate through our travel desk and the travel agents we work with.
- Our choices for hotels are based firstly on whether those facilities have been vetted and approved by the Global Affairs missions in each country. We take their recommendations, and in many cases, we get preferred rates or negotiate group rates.

Asia Mission and Costs

Executive Council Office

- The vast majority of the budget for the trip included travel, hotel and per diems. The remaining budget lines were costs associated with hosting meetings and events in each city.
- The total cost of the trip was **\$170,899.54**, broken down as follows:
 - ECO (travel, gifts and hospitality, charge-backs for embassy services, Canada-India Business Coalition support): \$111,556.53;
 - Economic Development (travel, hospitality): \$26,542.71;
 - Tourism and Culture (travel, Tokyo event venue): \$16,802.69; and
 - Health and Social Services (travel): \$15,997.61.
- Ministerial travel expenses will be posted online as soon as they are finalized. This normally takes around 90 days.

Additional response (advance):

- Over the summer, Yukon government officials undertook an advance to targeted locations to support the delegation's September mission.
- Advance trips are a common planning tool for international missions, particularly in new environments and markets.
- This trip helped to foster the in-country connections that lead to productive, outcome-oriented discussions for leaders on the ground, ensuring that Ministers' time spent abroad was used effectively and efficiently.

Context — this may be an issue because:

- This mission to Asia is expected to attract public attention.
- The opposition may criticize the use of funds for international government travel.
- The allegations regarding the involvement of the Indian government in the murder of a Canadian citizen were announced during the India trip and have been widely reported on.

Background:

- A Yukon delegation made a visit to Japan and India September 8 to 20, 2023.
- Outcomes and engagements in Tokyo included:
 - Meetings with private companies (Mitsubishi Materials, DOWA Metals) and government (JOGMEC, JOIN) on critical minerals investment;
 - General business development with the Canadian Chamber of Commerce in Japan;
 - Meeting with Japanese Arctic interests to discuss clean energy and climate change;
 - Signing a letter of intent to support another special Aurora flight and tourism to the Yukon; and
 - Several tourism engagements with Japanese companies.
- Outcomes and engagements in Trivandrum:
 - Meetings with the Chief Minister and several state Cabinet ministers on health care, training and commerce;
 - A letter of intent from the Yukon government to work with NORKA on a targeted recruitment program; and
 - In-depth tour of Technopark Trivandrum and exposure to many tech companies working there.
- Outcomes and engagements in New Delhi:
 - Meeting with the federal minister of mines;
 - Engagement with Indian business leaders, including in tech; and
 - Exposure to health training institutions.
- The government delegation consisted of nine people in Japan, and nine people in India:
 - Premier Ranj Pillai;

Asia Mission and Costs

Executive Council Office

- Minister John Streicker, Minister of Tourism and Culture and Minister of Energy, Mines and Resources (Japan only);
 - Jason Cuning, Chief of Staff;
 - Aurora Bicudo, Ministerial Advisor to the Premier;
 - Justin Ferbey, Cabinet Secretary and Deputy Minister, Executive Council Office (Japan only);
 - Michael Prochazka, Deputy Minister, Economic Development;
 - Intergovernmental Relations Officer, Executive Council Office;
 - Sierra Van Der Meer, Deputy Minister, Tourism and Culture (Japan only);
 - Market Manager, Asia Pacific, Tourism and Culture (Japan only);
 - Systems Specialist and temporary support to Intergovernmental Relations (India only);
 - Director, Immigration, Economic Development;
 - Tiffany Boyd, Deputy Minister, Health and Social Services (India only); and
 - Senior Policy Advisor, Health and Social Services (India only)
- The Department of Economic Development supported participation of a number of business organizations to attend a parallel program in Asia, which included:
 - Tourism Industry Association of the Yukon;
 - Tech Yukon;
 - Screen Production Yukon Association; and
 - Yukon First Nation Chamber of Commerce.

Advance mission

- Prior to the mission, an officials-level advance trip from July 21 to August 5 laid the groundwork for the delegation's September engagements. This trip included stops in Tokyo, Trivandrum, New Delhi, and Manila, as the Philippines was originally contemplated as a potential target for the mission as well.

Asia Mission and Costs

Executive Council Office

- The advance trip was led by one Yukon government official (Intergovernmental Relations); a second official joined for the India portion of the advance only.
- Advance trips have been previously undertaken for international missions. For example, in 2017, three Intergovernmental Relations officials participated in an advance program to Washington, D.C.

India diplomatic relations

- On September 18, the Prime Minister announced that Canadian national security authorities are in possession of credible intelligence that "agents of the government of India" carried out the fatal shooting of Hardeep Singh Nijjar, a prominent Sikh leader in British Columbia, earlier this year.
- The Yukon government had not been briefed in on this intelligence or the timing of the announcement before it was made. Planned meetings with Indian federal ministers the following day were cancelled.

Approved by:


Deputy Minister
Executive Council Office

Oct. 20, 2023
Date approved

Housing MOU with Ontario

Executive Council Office

Recommended response

- The Memorandum of Understanding with Ontario supports sharing best practices, exploring ways to increase investment, promoting trade and commerce between our jurisdictions, and exchanging expertise in rural, remote, and cold climate housing.
- Attracting development capital from outside the territory is one tool among many that can help meet growing demands on the Yukon's housing market.
- Addressing the territory's housing needs requires action across the housing spectrum, including affordable housing and market housing, and nurturing partnerships within the Yukon and beyond.

Additional response:

- Ontario has dedicated significant resources to determine how best to support housing development.
- We look forward to continuing our work with the Government of Ontario to learn from each other and explore opportunities to bring investment into the territory.

Context — this may be an issue because:

- The signing of the MOU in May 2023 generated media interest.
- Ontario has well-documented challenges with housing affordability, particularly in the province's large urban housing markets. It may not be clear how collaboration with Ontario can support meeting the Yukon's housing needs.

Housing MOU with Ontario

Executive Council Office

Background:

- A Memorandum of Understanding focused on housing collaboration between the Government of Yukon and the Government of Ontario was signed by Premier Pillai and Premier Ford on May 2, 2023.
- The intent of the MOU is four-fold:
 - Increase the sharing of best practices related to creating a strong, investment-ready housing ecosystem.
 - Explore opportunities to increase the flow of investment in housing development in each jurisdiction and the companies operating within them.
 - Promote trade and commerce in the housing sector between jurisdictions.
 - Share and enhance expertise related to rural, remote and cold climate housing development.
- Officials, represented in the territory by the Executive Council Office, Yukon Housing Corporation, and the Department of Economic Development, commenced discussions on the implementation of the MOU. Key outcomes to the end of 2023-24 will include sharing policy tools and advancing planning for investor engagement to promote opportunities in the Yukon housing market.

Approved by:



A/Deputy Minister
Executive Council Office

September 8, 2023

Date approved

Housing Issues

Yukon Housing Corporation

Recommended response:

- There are challenges the Yukon's housing continuum, including:
 - a lack of affordable rental supply;
 - high house prices and mortgage rates; and
 - homelessness and a lack of access to housing with services.
- Exceptionally high building costs and rising interest rates are creating significant challenges for new housing projects, for both Yukon Housing Corporation and its partners.
- We continue working hard to move projects forward - through collaboration and strong partnerships - to provide relevant solutions to Yukoners' housing needs.

Additional response:

- Our government is seeking to increase housing options across the continuum and to make housing more affordable for Yukoners. (See [Tab #0](#))
- We continue to work to increase housing and land supply and to provide rental subsidies and support programs for homeowners to offer more affordable options for Yukoners.
- Following the 2022 Office of the Auditor General's (OAG) report, the Corporation and Department of Health and Social Services continue to progress implementing the OAG's recommendations. ([Tab #09](#))

Context:

- On a square footage basis, contractors' bids for YHC projects have more than doubled in the last two years alone.
- The rental vacancy rate in the Yukon for all building types is currently 2.2 per cent (YBS Spring Rental Survey).
- The Banks 5-year average mortgage interest rate increased from 4.75 per cent in February 2022 to 6.24 per cent in May 2023 (Weekly Updates).

Housing Issues

Yukon Housing Corporation

Background:

- In 2022-23, the Yukon Housing Corporation lapsed 34 per cent of its revised capital budget.
 - This was largely due to cancellation and scaling back of projects being supported through the corporation's loans and grants programs.
- New housing projects led by YHC's partners – including the Safe at Home Society and the Vimy Heritage Housing Society – continue to face delays.
- The 5th and Rogers RFP received only a single application. It is currently under review.

Approved by:



Colin McDowell
A/ President, Yukon Housing Corporation

September 8, 2023

Date approved

ENV #21 / EMR #36

Fall 2023

Session Briefing Note Our Clean Future Implementation

Environment and Energy,
Mines and Resources

Recommended response:

- Our Clean Future is the Government of Yukon's path to address the climate emergency.
- The strategy is continually being strengthened year after year as we assess our progress, review new research, consider the input of others and identify new and innovative solutions.
- We have committed to an ambitious target of reducing our emissions by 45 per cent below 2010 levels by 2030.
- We have also committed to ensuring the Yukon is highly resilient to the impacts of climate change by 2030, because we know the North will face climate impacts.

Additional response:

- It is important to look back on our progress to date and remain diligent in implementation when it comes to addressing climate change.
- We have legislated greenhouse gas emissions targets and associated reporting through the Clean Energy Act. (See EMR BN #31 / ENV #23)
- We launched the five-year Sustainable Canadian Agricultural Partnership this year which will enhance the agriculture sector's resiliency and adaptation to climate change. (See EMR BN # 20)
- In collaboration with Yukon's public utilities, we exceeded our target to install seven megawatts of renewable electricity capacity through the Micro-Generation program by 2030. (See EMR BN #37)
- We launched the Better Buildings program to offer affordable financing for energy retrofits on Yukoners' homes and buildings.

ENV #21 / EMR #36

Fall 2023

Session Briefing Note Our Clean Future Implementation

Environment and Energy,
Mines and Resources

- We established a geohazard mapping program to understand risks from climate change to the Yukon's transportation corridors.
- We advanced emergency preparedness by progressing on Community Wildfire Protection Plans for Dawson City, Mayo, Watson Lake, Beaver Creek, the Town of Faro and the Kluane Lake Region.
- We have begun work on developing flood maps for all flood-prone Yukon communities. Flood maps for the Southern Lakes, Carmacks, and Teslin [are anticipated to be released in 2024](#). The next communities for flood hazard mapping will be Old Crow, Ross River and Dawson/Klondike, with work occurring in 2024-25.
- We completed the installation of a biomass heating system at Elijah Smith Elementary School in May 2023.

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 are working with industry to establish a mining emissions intensity target for quartz and placer mining operations.
- We will continue to build on Our Clean Future as we learn more and implement new actions. This will be reflected in future annual reports.
- [Our 2022 Annual Report will be released in late 2023. We look forward to highlighting the good work that has been done in 2022.](#)
- [As this is an adaptative management strategy which involves 14 departments and agencies, it has taken some time to ensure that the report is strategically focused on helping us reach our targets.](#)

ENV #21 / EMR #36

Fall 2023

Session Briefing Note Our Clean Future Implementation

Environment and Energy,
Mines and Resources

- As a government, we continue to collaborate on implementation of actions.
- We will continue to work with experts, stakeholders and partner governments across the territory and beyond, to identify opportunities to accelerate and intensify our efforts to reach our ambitious targets.
- We established the Yukon Climate Leadership Council to provide advice and perspectives to support us in meeting our greenhouse gas emissions targets. We are working to integrate the work of the Council directly into Our Clean Future and continue to implement existing actions that align with their recommendations.
- With the end of the second Yukon Youth Panel on Climate Change in 2022, we are exploring how to continue mentorship opportunities on climate change for the important voice of youth.

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 on September 14, 2020.
- Our Clean Future contains 136 actions to reduce greenhouse gas emissions and support the Yukon to be highly resilient to the impacts of climate change by 2030.
- The Our Clean Future 2020 Annual Report was publicly released on August 12, 2021. The 2021 Annual Report was publicly released on September 12, 2022.

ENV #21 / EMR #36

Fall 2023

Session Briefing Note Our Clean Future Implementation

Environment and Energy,
Mines and Resources

Approved by:



Deputy Minister
Department of Environment

2023-11-14

Date approved



Deputy Minister
Department of Energy, Mines and Resources

November 14, 2023

Date approved

Session Briefing Note

Inflation and Affordability (Corporate Note)

Recommended:

- All Yukon households continue to see their budgets stretched by higher prices, with lower-income households often feeling the worst effects.
- At the same time, our government continues to track inflation and its impact on Yukoners, so that we can take steps to ease the burden, as we have been doing for the last year.
- The Government of Yukon continues to work hard to make life more affordable for Yukoners and has announced an extension of the temporary \$150 Inflation Relief Rebate to reduce the impacts that inflation continues to have on Yukoners.
- All non-government residential and commercial electricity customers will see a \$50 credit on their bills starting in November 2023 and running through December 2023 and January 2024.
- Several other measures included in the 2023-24 Budget are helping to make life more affordable for Yukoners.
 - o funding for food in Yukon schools;
 - o the timber harvesting incentive and a support program for commercial fuelwood harvesters and retailers to boost the fuelwood supply;
 - o a quarterly top-up of \$150 to eligible recipients of the Yukon Senior Income Supplement;

Session Briefing Note

Inflation and Affordability

(Corporate Note)

- o a \$100 monthly increase to eligible Social Assistance recipients;
 - o increasing the Yukon Child Benefit to \$867 per child and tying the benefit amount in future years to the rate of inflation; and
 - o a 10 per cent increase to monthly payments to caregivers with children in out of home care.
- The Government of Yukon has also made significant and ongoing financial investments in Early Learning and Child Care. The new Universal Child Care Program has reduced fees to less than \$10 per day on average.

Additional response:

- This government first 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.
- 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.

Session Briefing Note

Inflation and Affordability

(Corporate Note)

Context—this may be an issue because:

- Inflation has fallen from many decade highs but remains elevated in Canada and in the Yukon.
- Energy prices remain elevated, and higher costs for food and shelter have become prominent drivers of overall inflation in recent months. These are all areas where higher prices are more obvious to consumers.
- Housing affordability has been a concern in the Yukon for several years.
- [While remaining above historic norms, inflation of 3.8 per cent in September matched the national figure and was the lowest year-over-year increase in the Whitehorse Consumer Price Index \(CPI\) since January 2022 \(3.7 per cent\).](#)

Background:

Key government initiatives addressing inflation in the Yukon

- Our energy programs are successfully encouraging Yukon residents and local businesses to reduce their energy use, save money and choose low carbon options to live and move.
- A significant portion of the Government of Yukon's Five-Year Capital Plan is allocated to housing and land development in order to continue to help address the supply side of the housing equation.
- Yukon Housing Corporation is investing across all parts of the housing continuum, including increase to supportive housing, subsidized Community Housing, and rental subsidy programs.
- This builds on previous programs to improve affordability for Yukoners under previous budgets.
- Last year, the Government of Yukon announced almost \$10 million in new inflation relief measures targeted at vulnerable groups.

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Inflation and Affordability

(Corporate Note)

- 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 purchased from April 1, 2022 to March 31, 2023. Yukon also introduced the Timber Harvesting Incentive that gives commercial timber harvesters \$10 per cubic metre.
- The pilot program that gave an extra \$500 per month to Extended Family Caregiver agreement caregivers and foster caregivers was extended by 6 months to March 31, 2023.
- 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:

- Accelerated Canada Workers Benefit payments and new minimum entitlement started in July 2023 (\$4 billion over six years, starting in 2022-23).
- All Canada Student Loans and Canada Apprentice Loans became 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 has doubled for six months in the 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

Session Briefing Note

Inflation and Affordability (Corporate Note)

(below \$39,826, and gradually phased out above that level). Single Canadians without children will receive up to an extra \$234, and couples with two children will receive up to an extra \$467 this year. Seniors will receive an extra \$225 on average.

Government initiatives which are indexed to inflation:

- Higher inflation impacts various government of Yukon programs through indexation, (indexation is updated each April unless otherwise noted), including:
 - o Tobacco Tax is updated each January
 - o Comprehensive Municipal Grant Regulation (with a one-year lag).
 - o The minimum wage.
 - o Subsidies for medical travel.
 - o Pioneer Utility grant.
 - o Residential rent caps.
 - o Seniors benefits (updated each October)
 - o Social Assistance Payments (updated each November)
 - o Student Financial Assistance (updated each school year)

Inflation outlook

- Following record annual inflation for Whitehorse of 6.8 per cent in 2022, the same increase seen nationally, monthly inflation has remained elevated in 2023. [September's inflation of 3.8 per cent was the lowest since January 2022 and matched the national increase. Prior to September, Whitehorse inflation had exceeded the Canadian figure for fourteen consecutive months.](#)

Session Briefing Note

Inflation and Affordability (Corporate Note)

- Early in the recovery from the COVID-19 pandemic, some price pressures were slower to materialize in the Yukon than in other parts of the country, as inflation for Whitehorse was amongst the lowest in Canada in the first half of 2022.
- Robust price growth in the CPI components of food, shelter and recreation, education and reading material have been key drivers of overall inflation in 2023. Stronger growth in these three components in the Whitehorse CPI, account for much of the difference between the overall levels of inflation for Whitehorse and Canada in recent months.
- The Bank of Canada continues to be aggressive in trying to get inflation under control. With a 0.25 percentage point increase in July, the Bank has raised the target for its overnight rate 4.75 percentage points since January 2022. At 5.0 per cent, the overnight rate is at its highest level since early 2001.
- Most forecasters still expect inflation in Canada will move towards historic norms over the next couple of years as the effect of higher interest rates move through the economy. Canadian inflation is expected to decline from near 7 per cent in 2022, to 3.5-4.0 per cent in 2023. Inflation in 2024 is expected to return to within the Bank of Canada's target range of 1-3 per cent.
- While inflation in Whitehorse has been stronger in recent months, it generally follows the national trend. Current expectations are for inflation to come in at 5.5 per cent in 2023, before falling to 2.5 per cent in 2024.

Carbon Taxes and Grocery Prices

- The effect of the carbon tax on CPI has contributed to inflation, but only modestly and mostly through the direct effect on fuel prices.
- According to the Bank of Canada, the direct effect of carbon tax is adding 0.15 percentage points to inflation this year.

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Inflation and Affordability

(Corporate Note)

- An economist at the University of Calgary¹, estimates that accounting for indirect effects brings this impact to 0.2 percentage points.
- For food in particular, the entire \$65 per tonne carbon tax increases monthly spending on groceries by at most \$20 per month, and likely closer to \$5 per month after accounting for emissions allowances provided by the federal Output Based Allocation system.²
- Overall, food price increases appear to be predominantly driven by other factors as prices have increased across North America independent of the implementation of a carbon tax.
- In the US, with no carbon tax system in place, food prices have increased by 26 per cent since the carbon tax came into effect in Canada in January 2018. In Canada the increase has been a similar 28 per cent.
- Whitehorse recorded an 18 per cent increase in food prices since January 2018 while Urban Alaska reported a 28 per cent increase.

INFLATION RELIEF ACROSS GOVERNMENT

Programs currently in place:

Tourism and Culture:

Community Tourism Destination Development Fund

- In October 2022, the Department of Tourism and Culture announced the creation of the Community Tourism Destination Development Fund, which is slated to run for an initial 3-year term.
- The new annual funding program is available to local businesses, First Nations governments, First Nation Development entities, municipalities and not-for-profit

¹ Trevor Tombe

² Energy and Environmental Policy Trends: Indirect Carbon Tax Costs Reduced By Policy Design, Kent Fellows and Trevor Tombe, University of Calgary

Session Briefing Note

Inflation and Affordability

(Corporate Note)

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 identified 4 strategic objectives and 22 key actions, which reflect input gathered through extensive public and sector engagement.
- We also identified 10 actions in support of pandemic recovery to be completed over 3 years as Phase 1 implementation, which includes:
 - Modernizing existing funding;
 - Offering new funding streams;
 - Industry branding and promotion;
 - Marketing and export strategies;
 - Workshops; and
 - Labour market supports.
- In 2023-24, 3 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.

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Inflation and Affordability

(Corporate Note)

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
 - Tourism Cooperative Marketing Fund;

Yukon Development Corporation:

Inflation Relief Rebate

- The Inflation Relief Rebate (IRR) provides \$50 per month to all non-government residential and commercial electricity customers to help ease the impacts of rising inflation.
- The IRR was subsequently extended for March, April, and May 2023. The budget in 2023-24 is comprised of:

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Inflation and Affordability

(Corporate Note)

- \$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 3 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:

Paid sick leave program

- On April 1, 2023, Economic Development launched the Paid Sick Leave Rebate. The program will run for two 12-month blocks:
 - April 1, 2023 to March 31, 2024; and
 - April 1, 2024 to March 31, 2025
- The Paid Sick Leave Rebate is a temporary program that offers up to 40 hours of paid sick leave to employees and self-employed Yukoners that earn less than the average private-sector wage of \$33.94/hour. The program is available to employees regardless of whether their employer offers paid sick leave.

Energy, Mines and Resources:

Energy retrofits and funding to improve efficiency and offset costs

- 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.

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Inflation and Affordability

(Corporate Note)

- For commercial and institutional buildings, the Energy Branch offers rebates for greenhouse gas-reducing retrofits and renewable heating.
- Between January 1, 2018, and June 30, 2023, 176 high-performance retrofits to residential, commercial and institutional buildings have been completed across the territory.
- Innovative programs like the Better Buildings Program, combined with our Good Energy rebates, make energy retrofits more accessible and affordable for Yukoners.
- For First Nation and municipal buildings, the Energy Branch offers retrofit and funding support through its Community Institutional Energy Efficiency Program.
- To help increase the supply of firewood, we distributed \$315,000 to 33 Yukon businesses under the Timber Harvest Incentive program in 2022-23. We are offering this program for another year as it increased timber harvest volumes and prompted new harvesting businesses to emerge. No new applications have been received yet for this year, but we did not anticipate to see them until the fall when the businesses start operating again.
- The Government of Yukon and the Canadian Northern Economic Development Agency combined financial contributions to launch a new \$200,000 support program offering funding for commercial harvesters and retailers.
- The program will help forest sector businesses with the cost of purchases and repairs from local suppliers for harvest equipment, vehicles and trailers, personal protective equipment, and other equipment. For larger harvesting businesses, the funds can also be used for things like planning and administrative costs.
- Applicants have until March 31, 2024, to apply or until available funds are exhausted.

Session Briefing Note

Inflation and Affordability

(Corporate Note)

Yukon Housing Corporation:

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

- 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.
- A Yukon Housing Corporation Housing Initiatives Fund recipient, Right On Property Group, has completed Boreal Commons, a new 87-unit rental development in Whitehorse's Whistle Bend neighbourhood. This large-scale housing project will help address the need for more rental housing in the Yukon, including for more affordable and accessible units.
- Normandy Living, the Yukon's first private seniors' supportive living community, has officially opened its doors in Whitehorse with 84 modern suites, including housing units for First Nations Elders and affordable units for low-income seniors.
- 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.
- A 10-Plex Mixed-Use Housing complex in Old Crow is under construction.
- Construction of a 10-Plex Housing First Project in Watson Lake started in the summer 2023 and is expected to be completed by fall 2024;
- Two accessible duplexes in Mayo and Carmacks were completed this summer and are now available for YHC clients.

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 and Faro. These homes are on track for completion in summer 2024.

Session Briefing Note

Inflation and Affordability

(Corporate Note)

Health and Social Services:

- A 37.5 per cent top-up to eligible Yukon Senior Income Supplement recipients' monthly payment;
- a \$100 monthly increase to eligible Social Assistance recipients; and
- a 10 per cent increase to monthly payments to caregivers of children in out of home care.

Covid-19 and other temporary inflation relief measures no longer in place:

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. This began with the Yukon Business Relief Program (YBRP) in 2020, which was open to any business from any sector that experienced at least a 30 per cent 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 Tourism Relief and Recovery Plan committed \$15 million over 3 years to support the tourism sector and was focused on 4 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:

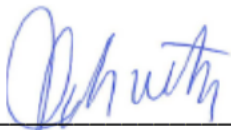
Session Briefing Note
Inflation and Affordability
(Corporate Note)

- 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).

Health and Social Services:

- 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 6-month extension of \$500 per month to caregivers of children in out of home care; and
- a commitment of \$100,000 to Yukon Anti-Poverty Coalition to continue to support food security across the territory.

Approved by:



Deputy Minister, Finance

October 26, 2023

Approved

Truth and Reconciliation Commission – Update on Calls to Action

Executive Council
Office

Recommended response:

- Reconciliation is an ongoing process and a shared responsibility of all governments and individuals in our society.
- Our government is deeply committed to advancing reconciliation through collaboration and partnership with Indigenous governments.
- While there is still more work to do, our efforts are resulting in meaningful change and creating better programs and services for all Yukoners.
- In honour of the National Day for Truth and Reconciliation this year, we shared our progress toward addressing the Truth and Reconciliation Commission's Calls to Action through the release of the Pathways magazine and an accompanying report.
- The magazine and report provide an update on our actions being taken across the Yukon government and in close collaboration with First Nations governments and organizations in areas including child welfare, health, education and justice.

Additional response:

- The Government of Yukon and Yukon First Nations governments are leaders in demonstrating a collaborative approach to reconciliation.
- We will continue our collaborative work to implement and report on the Calls to Action, including through work on Yukon Forum joint priorities and by implementing the *Putting People First* recommendations.

Context—this may be an issue because:

- The 2023 mandate letters include a commitment to fulfill the Truth and Reconciliation Commission's (TRC) Calls to Action.
- CASA 2023 contains a commitment to work with First Nations to continue to implement the TRC recommendations through targeted investment.

Truth and Reconciliation Commission – Update on Calls to Action

Executive Council
Office

- It is expected that the media and opposition will be interested in the fall 2023 public update, which will be the first comprehensive public update since 2016.

Background:

- The TRC report, *Honouring the Truth, Reconciling for the Future*, was released in June 2015. It contains 94 Calls to Action focused on redressing the harms resulting from Residential Schools and creating better relations between the federal, provincial and territorial governments and Indigenous Peoples. Thirty-two of the Calls to Action relate directly to YG.
- YG and Yukon First Nations (YFNs) have collaborated on addressing the Calls to Action under the 2017 Yukon Forum Joint Priority Action Plan and through other reconciliation initiatives, such as supporting the important work of the YFN-led Yukon Residential Schools and Missing Children Project.
- YG has taken additional 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 the 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

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

Executive Council
Office

- 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

October 10, 2023

Date

Session Briefing Note (Corporate)**Fall 2023****2023-24 Supplementary Estimates #1**

Finance

Key Information

Recommended response:

- The 2023-24 Supplementary Estimates No. 1 forecasts an overall gross increase of \$132.7 million in O&M spending, with an offsetting increase of \$26.8 million in recoveries. The net increase in new O&M spending is forecast at \$105.9 million.
- Revenues are expected to increase by \$18.7 million, mainly to reflect an increase of \$2 million to the Canada Health Transfer and \$15 million for federal funding for Affordable Housing in the North.
- A large portion of the increase in O&M is for the new collective agreement between the Government of Yukon and Yukon Employee's Union. This new collective agreement was ratified in June and accounts for a \$36.9 million increase in O&M.
- The Supplementary Estimates also respond to several new or unanticipated challenges requiring funding. Some of these items include:
 - \$25.0 million for environmental care and maintenance work at the Minto Mine following the cessation of operations at the site in May, which will ensure that our environment remains protected;
 - \$19.6 million for wildland firefighting costs in response to the significant fire season experienced in the territory and which helped ensure the safety of Yukoners;
 - \$14.9 million in response to operational funding pressures at the Yukon Hospital Corporation to ensure that Yukoners have access to the health care services and supports they need;

Session Briefing Note (Corporate)**2023-24 Supplementary Estimates #1****Key Information**

- \$9.8 million in response to cost pressures for Insured Health to support the wellbeing of Yukoners; and
- \$1.9 million to support the Substance Use Health Emergency Strategy, and \$1.4 million for initiatives to support reconciliation with Yukon First Nations governments.
- The Supplementary Estimates also include a \$21.4 million capital allocation to support the development of a marine services platform in Skagway, which will create positive opportunities for Yukon's mining industry and its broader economy. We have identified offsetting adjustments based on timelines, loan program uptake, and the progress of various capital projects to accommodate this new project without any gross changes to capital spending.
- The Yukon government has maintained its surplus by making use of its contingency fund, included as part of Budget 2023-24. This \$50 million contingency fund helped shelter the government's fiscal position and allowed us to respond to emerging challenges throughout the year. The use of the contingency fund has allowed the government to present a revised surplus of \$3.6 million as part of these Supplementary Estimates.

Additional response:

- Changes in the Supplementary Estimates result in a revised year-end net debt of \$423.8 million.

Session Briefing Note (Corporate)**Fall 2023****2023-24 Supplementary Estimates #1**

Finance

Key Information

- The use of the contingency fund will cover the following emergency cost pressures:
 - \$25 million for unplanned maintenance costs at the Minto mine;
 - \$19.6 million for increased wildland firefighting activity.
 - \$2.3 million for other emergency response measures, like the Village of Mayo evacuation in response to the Talbot Creek fire;
 - and \$1.9 million for Substance Use Emergency response.
-

Context—this may be an issue because:

- The 2023-24 Second Appropriation Act is tabled in the fall session and will be the subject of debate.
-

Background:

- Supplementary Estimates are used annually by a government to account for spending that is unforeseen at the time of tabling the annual Budget. It is common to have one or two spending updates throughout the fiscal year.
- They are tabled during the fall and spring sessions, debated and voted on in the legislature and provide departments with increased spending authority for O&M and Capital for the current fiscal year.

Approved by:

Deputy Minister, Finance

September 29, 2023

[Date approved]