



**LEGISLATIVE RETURN**

**SUBMITTED BY:** Hon. Ranj Pillai

1. On March 20, 2018, Members as outlined in the response below
- asked the following oral question at page(s) (see response) of *Hansard*
  - submitted the following written question – WQ No. \_\_\_\_\_
  - gave notice of the following motion for the production of papers – MPP No. \_\_\_\_\_

RE: \_\_\_\_\_

OR

2. This legislative return relates to a matter outstanding from discussion related to:  
Rural land dev., Millhaven Bay, Faro Mine, Class 1 Notification  
on March 20, 2018 at page(s) \_\_\_\_\_ of *Hansard*.

The response is as follows:

Please see attached.

Date April 24/18

Signature R. Pillai



## **EMR Legislative Return: Budget Debate Responses**

**QUESTION 1. Submitted by Scott Kent, Member for Copperbelt South**  
(Page 2155 of Hansard)

**Rural Land Development Branch:** When I was at the electoral boundaries meeting in Mount Lorne, one of the individuals there mentioned writing a letter to either the Minister of Community Services or the Minister of Energy, Mines and Resources — both asking that rural land development be transferred from EMR back to Community Services. I am wondering if the minister has had a chance to give that request any thought, or if perhaps he or his colleague has provided a response to the Mount Lorne LAC or if perhaps, in the intervening time, they have withdrawn that request.

### **ANSWER:**

The Government of Yukon's Rural Land Development program was transferred from the Department of Community Services to the Department of Energy, Mines and Resources, Land Management Branch in 2014.

In September 2017, Energy, Mines and Resources received a letter from the Chair of the South Klondike Local Advisory Council, recommending that Government of Yukon move the Lands Management and Land Planning Branches back to Community Services. The Land Management Branch was moved to Energy, Mines and Resources in 2002, and in 2009, the Land Planning Branch was moved to the department as well, in an effort to consolidate and improve all land use planning responsibilities and functions under one department.

As part of Government of Yukon's commitment to Yukoners, the Department of Energy, Mines and Resources conducts ongoing reviews of its programs and services to ensure they meet the needs of Yukoners.

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**QUESTION 2. Submitted by Scott Kent, Member for Copperbelt South**  
(Page 2155 of Hansard)

**Millhaven Bay:** What is the status of that reserve - or whatever the proper term is? What is the status of the property at Millhaven Bay? Is it going to be taken out of the reserve and returned to the status it had prior to this proponent coming forward?

### **ANSWER:**

A Memorandum of Understanding between the Carcross/Tagish First Nation and Government of Yukon provided for partnering on economic development opportunities including the wilderness resort at Millhaven Bay. This project has not been actively pursued by the proponent since 2015.

The land reserve around Millhaven Bay was established in 1972 and continues to be held as a reserve by Government of Yukon.

Government of Yukon remains committed to partnering on development projects.

**QUESTION 3. Submitted by Scott Kent, Member for Copperbelt South  
(Page 2158 of Hansard)**

**Faro Mine Site Remediation Contract:** Can the minister give us an update on when that care and maintenance contract that is in place now is up for renewal?

**ANSWER:**

The contract for care and maintenance of the Faro Mine Site was awarded to Parsons Inc.

The term of the contract is currently for the following term - March 1, 2016 to March 31, 2020.

The total amount of the contract is currently \$58,268,097.05

We are in discussions with the Government of Canada about how the Faro Mine Remediation Project is managed, with the care and maintenance contract and major construction works part of this discussion. Some changes are likely to occur early in this fiscal year to ensure uninterrupted care and maintenance services at the site over the spring and summer months.

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**QUESTION 4. Submitted by Scott Kent, Member for Copperbelt South  
(Page 2161 of Hansard)**

**Class 1 Notification:** What types of activities can the proponents do off-claim that they're not allowed to do on-claim? For Yukoners who are on the land in any of these areas where there is Class 1 notification, what type of activity is allowed under the *Lands Act* that isn't allowed under this because of the requirement for Class 1 notification, or can proponents do work off-claim if there are no claims staked? Are there certain aspects of the work that they're able to do off-claim?

**ANSWER:**

Mining land use activities conducted off claims, such as prospecting for minerals, would be regulated under the *Territorial Lands (Yukon) Act*. Specifically, the thresholds set out in the *Land Use Regulations* for Class A and Class B activities would be applicable to these activities. The activities referenced in the regulations include use of explosives, use of vehicles, use of power-driven machinery, establishment of campsites and fuel

storage. If a Class A or Class B permit is required, an assessment is required under YESAA before a permit can be issued.

The thresholds set out in the mining land use regulations, which would apply to activities occurring on mineral claims, are not described the same way and thus comparisons are not easily made. It is also important to note that in both cases it will be the entire program that must be considered for comparison. For example, the mining land use regulations establish thresholds for Class 1 of not exceeding 250 person days and not exceeding 10 persons in the camp at one time. A Class B land use permit is required if a campsite is to be used by more than two people for more than 100 but less than 400 person days. Most exploration programs involve more than just camps. All activities need to be considered and thus direct comparisons cannot easily be made.

Some low level mining activity – such as prospecting – can be carried out with a land use permit issued under the *Land Use Regulations* and in some cases the activities actually fall below the land use permit thresholds. However, the person carrying out such activity off a mineral claim has no right to the minerals. The right to the minerals flows from the locating and recording of a mineral claim.

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**QUESTION 5.**      **Submitted by Liz Hanson, Member for Whitehorse Centre**  
(Page 2165 of Hansard)

**Millhaven Bay:** I just want to ask the minister if he could come back and remind this House, when he does speak, of the details of that. What is the current status of that and the land at Millhaven Bay? Who owns it? Was there reversionary interest of that?

**ANSWER:**

The land reserve around Millhaven Bay was established in 1972 and continues to be held as a reserve by Government of Yukon.

The proponent for the Millhaven Bay project has not been actively pursuing the project since 2015.

A Memorandum of Understanding between the Carcross/Tagish First Nation and Government of Yukon provided for partnering on economic development opportunities including the wilderness resort at Millhaven Bay.

Initial discussions on the project included various land acquisition and exchange options, including a land exchange between Carcross/Tagish First Nation and Government of Yukon for the identified parcel, but this was not pursued.

Government of Yukon remains committed to partnering on development projects.

