

LEGISLATIVE RETURN



SUBMITTED BY: Hon. Ranj Pillai

- 1. On April 20, 2017, Scott Kent, Member for Copperbelt South
 - asked the following oral question at page(s) _____ of Hansard
 - submitted the following written question – WQ No. 2
 - 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:

on _____ at page(s) _____ of Hansard.

The response is as follows:

Attached is the letter provided in response to the same written question submitted by the Member for Copperbelt South on January 12, 2017.

May 11 2017
Date

R. Pillai
Signature



Office of the Minister
Box 2703, Whitehorse, Yukon Y1A 2C6

February 10, 2017

Mr. Scott Kent, MLA, Copperbelt South
Yukon Legislative Assembly
Box 2703
Whitehorse, YT Y1A 2C6

Dear Mr. Kent:

Re: Compensation for Quartz and Placer Mining Claimholders

Thank you for your written request for information on the Yukon government's planned approach to compensation for quartz and placer claimholders, in the event their mining claims are negatively affected by government decisions.

At this time, there are no instances where Yukon is contemplating either expropriation of mining claims or compensation for mineral claims negatively affected by decisions. In cases where plans by a proponent to move forward on exploration or mining have not been approved, either within or outside of a municipality, there are further avenues available to the claimholder to pursue the project. This can be pursued with a resubmission to the appropriate regulatory bodies after further discussions with First Nations or the public and an amended design to address issues or questions that have been raised.

Consequently, Yukon has no plans for offering compensation to or negotiating expropriation with any claim holder at this time. We believe that the *Yukon Environmental and Socio-economic Assessment Act* (YESAA) process provides the best approach to understanding community values and ensuring that appropriate mitigations are identified. It should be noted that there is no inherent 'right' for a project to proceed and that projects are expected to meet the requirements of Yukon's existing mining legislation and regulations in order to proceed. Where a project proposal does not proceed, the proponent is able to redesign the project with the results of the assessment providing clear guidance as to the issues, and with additional discussions with stakeholders and First Nations. As well, the Surface Rights Board and Water Board are other agencies that deal fairly with issues related to surface rights and water rights.



Mr. Scott Kent
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Should expropriation be contemplated at any point in the future, the *Expropriations Act* sets out the legal framework for the negotiations to occur. This legal framework is designed to provide a fair approach. However, as I have noted, there are currently no plans to either invoke these procedures for any claimholders, nor to review the policies and procedures underpinning the legal framework.

Sincerely,

A handwritten signature in black ink, appearing to read "Ranj Pillai". The signature is written in a cursive style with a large, stylized initial "R".

Ranj Pillai
Minister of Energy, Mines and Resources