

WHITEHORSE: (Sandi Coleman) Well Bill S6 is now before the House of Commons. It includes changes to the Yukon's Environmental and Socioeconomic Assessment Act and it's proving to be a divisive issue. First nation leaders are in Ottawa this week to oppose the bill. Also this week it was revealed that it was the Yukon premier who requested the four contentious amendments. Well Premier Darrell Pasloski has joined me in the studio to talk about Bill S6.

Coleman: We want to first direct your attention to a letter that CBC published from the Casino Mine Company. It raised concern about the fragility of the intergovernmental relationships in the Yukon surrounding Bill S6 and the negative impact this is having on the territory's mineral industry. Let's start with your thoughts on that.

Pasloski: Well I think what he's saying is that certainty is important for industry and we've always heard that and I concur with that. I think that we all together need to find a way as to what are the priorities for the territory. Does everybody want to see opportunities for investment that pours money into our territory that creates jobs and opportunities for Yukoners? If that's the case then we need to find a way to be able to get there. So I agree with him. I think that what industry wants is to know what the rules are and they want that certainty so they can go forward. That's what helps encourage investment.

Coleman: But it seems, especially with first nations, there's a lot of confusion on what those rules are and what is being suggested by the territorial government, the federal governments. We heard the federal minister now say the controversial amendments came from you. Did they?

Pasloski: Well some of them did, some of them didn't but you know let's step back for a minute. There was a five year review of the YESA Act. Subsequent to that Canada was moving forward with their action plans to improve northern regulatory regimes. They requested comments and recommendations. They asked the first nations. They provided comments and recommendations as did Yukon government. It was through that process, this is a federal process, at the end of that process they tabled Bill S6. What did we ask for in our recommendations? We asked for amendments to the assessment process that would ensure that our assessment process is consistent with other jurisdictions such as Nunavut and NWT. Every time we made those recommendations or comments to the federal government we provided that information for the first nations at that time as well. So there was full disclosure when we made those recommendations there's no surprises and again as I said we actually, you know, we suggested two of those four. The third one was Canada's as a result of a seeking clarification on the third one and the fourth one was really put forward by the federal government. In the end that doesn't really make that much difference because it is a federal government process. They were the ones that did the consultation. In the end they tabled Bill S6.

Coleman: But you say there are no surprises and yet the first nations chiefs in Ottawa say that's where they found out that these, you say three out of the four recommendations, came from you whereas they say you told them it was all the federal government.

Pasloski: Documentation will show that when we did provide the information to the government of Canada back in 2012 and again in 2014 we shared that information with the first nations. I can't comment on whether or not it got from the officials' level up to the elected officials' level or not but I can say that we did share that information with them in the spirit of full disclosure.

Coleman: Chief Fairclough said he met with you and was not told that these came from you.

Pasloski: I'm not - confused by that comment I guess. Again I would say is that when we put forward our recommendations, and again our recommendations we're asking for Canada to ensure that our assessment process was consistent with other jurisdictions. When we provided our recommendations we shared them with the first nations.

Coleman: Really I guess, we just heard from Bill Gallagher. He's a legal analyst, he works with first nations. He watches the resources and he's basically saying, especially with the Peel decision this week, what's in the past is the past, we should just be moving forward now. Premier Pasloski, I mean where are you getting the advice that we should still be analyzing and looking backwards?

Pasloski: No, you know what I'm doing is I just met with leadership just last week. I've been meeting with a number of a chiefs on a one on one basis. After the leadership meeting that I had last week I did get on the phone with Minister Valcourt. We had a conversation. I encouraged him to meet with the chiefs. He did meet with the chiefs last week - or earlier this week so I think that there needs to be ongoing dialogue. There needs to be a good understanding as to what these amendments are and, again, I have to say is that you know when we're looking for companies, exploration companies, mining companies, investment companies to come to the Yukon, you know that industry is global and so they look at where's the best fit for them and we have some strikes against us because we are so far north. You know we don't have a railway, we don't have as much roads or we don't have unlimited power so we have some things that are against us already. Having an assessment process that's similar or consistent with other jurisdictions is a check mark in the good box for us. It's another reason to have investment come here, as I said, that when that money pours into this territory it creates direct jobs, indirect jobs -

Coleman: But still wouldn't it make the most important thing to be able to hold up that the Yukon territorial government has a really sound working relationship with their first nations' people -

Pasloski: Absolutely, we need to continue -

Coleman: - instead of this banging heads?

Pasloski: We need to continue to work forward. You know I think it's also about ensuring that everybody understands what the amendments are and what the process is. I cannot comment on what the consultation process was between Canada and the first nations. I can say that between Canada and Yukon government that we believe that they did consider our comments and our recommendations prior to submitting the amendments to Bill S6. Did we get everything that we asked for? No we didn't but that doesn't mean that we don't think that the consultation was adequate because there is – really consultation doesn't mean that it's not sufficient until you get everything that you want.

Coleman: How concerned are you to hear that the Northern Affairs minister does not consider first nations as governments under the UFA?

Pasloski: Yukon government recognizes first nations as governments.

Coleman: But how concerned are you that the federal is saying not the case?

Pasloski: I haven't heard what the comments are so I won't comment on that but Yukon government has in the past and will continue to recognize first nations as governments.

Coleman: Okay. Back to Bill S6, when it comes to consultations we understand you've been reaching out to municipalities in the territory wanting to talk to them about the controversial sections of Bill S6. Dave Weir, a councilor at Haines Junction, he writes a personal blog about municipal issues in the village. He blogged about a recent phone meeting you had with that council and he thought it was unusual for a municipal council to be hearing from the premier about federal legislation. Here's some of what he had to say to the CBC.

Weir: I think it's unusual from my understanding. My concern as a council member was that he viewed this opportunity as consultation and I actually asked him and pursued that question a little bit and we had a little discussion about what the difference was between consultation and consensus and that kind of thing and in the end he did say the he did not see it as consultation and so that was my concern is I didn't want it to be said that we had been consulted because I certainly felt like I wasn't consulted. I heard Mr. Pasloski's opinion and asked a few questions. I don't believe anybody on council expressed any opinion.

Coleman: So, Premier Pasloski, why are you having meetings with the municipalities to discuss Bill S6?

Pasloski: Well as you know municipalities do have to go through the YESA process, for example, on solid waste. There are many areas where municipalities have to apply for to go through an environmental assessment process. So what this was it was an opportunity

to explain to municipalities why the Yukon government supports the amendments and that's quite simply exactly what it is and because there is, for example, right now you know when you have your license expiring you need a renewal. Right now that in the Yukon is automatically triggered another assessment. Assessments are time consuming and they're very expensive. If your process, like your solid waste facility is not changing then why should they have to go through the whole environmental assessment process again. One of the amendments talks to that says that it is now up to the decision body, so on settlement land it would be the first nation or on crown land it would be the territorial government would decide whether or not a project needs to be reassessed again, it, rather than every time there's a renewal or an amendment that that in itself simply triggers another assessment. So that just really makes common sense and that's consistent with other jurisdictions.

Coleman: This seems to be a bit of an unusual way of doing it though, reaching out, phone conversations with the councils.

Pasloski: Well I didn't have the time when we're in session to go throughout the territory and talk to all the councils and I have been really the lead on representing Yukon on this issue. I went to Ottawa on behalf of the Yukon government to talk to the Senate committee when they were having hearings. So that's the reason why I'm the person who's followed up with mayors and councils.

Coleman: Talking about expenses, money, your thoughts on hearing that the Yukon first nations are saying they're willing to take this to court.

Pasloski: Well you know what even the threat of that creates uncertainty and you know when the first nations are talking about uncertainty I mean that's exactly what they're creating by saying they're going to do to court. You know I will continue to talk to first nations to explain what these amendments are and why it's important to have –

Coleman: But don't you think they know what they are? Like that sounds patronizing in itself. They're saying they know them, they don't want them.

Pasloski: Yes. Well, you know what I think as we have stated that we hope that people will support the idea of having an assessment process that's consistent with other jurisdictions because you know not every job is in the mining industry or the resource extraction industry but a lot of indirect jobs are a result of that industry. In the last just over a decade since the Yukon Party's been in power we've seen a growth of over 20 per cent in the population and that gets primarily driven through the resource industry. We've increased the population that's created the opportunity to diversify our economy but, you know, the big part of that, ....? is really around the primary industry. So you know this is about ensuring that we can continue to have strong economic growth, increasing our population that creates more diversification and that helps us in the end deal with those dips in the mining cycles so that they don't go as low as they used to in the past.

Coleman: But couldn't it come down to perhaps Yukoners don't want to be the same as other parts of the country, they want to lead when it comes to first nations relations, to use of resources, the environment?

Pasloski: As I said when it comes to investment people, mining, industry investors have the whole world to look at and if they see a process that's more cumbersome than in other jurisdictions that's just another reason for them to go somewhere else to invest their money. You know we're here for –

Coleman: But don't you think that they're saying, Premier Pasloski, that it is more cumbersome because we don't have this good relationship with first nation people? Like if we had that then they would see it as cumbersome.

Pasloski: Sandi, I'm focussed on Yukoners and jobs for Yukoners and I believe that having an environmental assessment process that is the same and consistent with other jurisdictions is important for us to attract opportunities and investment that creates jobs for Yukon families. I've got four kids and I'd live to see my kids all be able to come back here to Yukon and have a good job in whatever they'd like to do and raise their families here and I think that speaks to a lot of families in the Yukon.

Coleman: But you're also going to have people who say would you like to have your grandchildren be able to come back here and kayak through the wilderness?

Pasloski: You know we live in an incredible place of almost half a million sq. kilometers and only 37,000 people. I believe that we can do both and I think that is very achievable. We have the best regulatory systems in the world and you know in the Yukon we use this energy, we use these mining products so, you know, we can have it all. We can have – we need them anyways, we're going to get them, so if we can produce them here and produce those high paying good jobs for your Yukoners, you know, I think – because it gets a little bit of hypocrisy when people need energy for their homes and need the metals that we use in everything that we do but are opposed to development. I think most people know that we can have our cake and eat it too.

Coleman: Premier Pasloski, we appreciate you coming in this morning. Thank you.