

NORTHERN MINERAL ADVISORY COMMITTEE  
JANUARY 11, 1979

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NAMES OF ATTENDANTS

J. Bruk	President, Cyprus-Anvil Mines	(CHAIRMAN)	(604) 687-2586
R.J. Cathro	BC/YT Chamber of Mines	(ACTING CHAIRMAN)	(604) 688-2568
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R.J. Green	Department of Indian Affairs and Northern Development		(819) 997-0245
N.J. Macpherson	Government of the Northwest Territories		(819) 997-0981
R. Douglas	NWT Chamber of Mines - Yellowknife		(403) 873-2621
V. Solman	Department of Fisheries and Environment		(819) 997-1840
M. Trigg	Alberta Chamber of Resources		(403) 425-8905
R. Hornal	NWT Region, Department of Indian Affairs and Northern Development		(403) 873-2540
D. Gee	Department of Indian Affairs and Northern Development		(819) 997-0663
J. Patterson	Department of Indian Affairs and Northern Development		(819) 997-9828
H.W. Woodward	Department of Indian Affairs and Northern Development		(819) 997-9339
D. Watson	Department of Energy, Mines and Resources		(613) 995-9351
W.G. Jeffery	Department of Energy, Mines and Resources		(613) 992-2490
R. Hawkes	NWT Chamber of Mines - Yellowknife		(403) 873-6311
R.A. Granger	Yukon Chamber of Mines		(403) 667-7251
C. Ogilvy	Yukon Chamber of Mines		(403) 667-2090
D. Bell	Government of the Yukon Territory		(403) 667-5121
R.R. McLeod	Yukon Region, Department of Indian Affairs and Northern Development		(403) 668-5151

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W. Costello	The Mining Association of Canada	(613) 233-9391
J.A. Carruthers	Department of Indian Affairs and Northern Development	(819) 994-2435
S. Kun	Department of Indian Affairs and Northern Development	(819) 994-2657
M.J. Ruel	Department of Indian Affairs and Northern Development	(819) 997-9381
D. Patriquin	Government of the Northwest Territories	(403) 873-7115
M. Lafrenière	Department of Indian Affairs and Northern Development	(819) 994-2266
G.N. Faulkner	Department of Indian Affairs and Northern Development	(819) 995-0473
U. Rath	The Mining Association of Canada	(613) 233-9391
R. Keyes	Department of Finance	(613) 593-7531
J. Fraser	Department of Indian Affairs and Northern Development	(819) 997-0022
M. St-Pierre	Department of Indian Affairs and Northern Development	(819) 997-0022

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JANUARY 12, 1979

B. Baldwin	Alberta Chamber Resources	(403) 425-8905
J.P. Hoyt	Department of Indian Affairs and Northern Development	(819) 997-0002
W.T. Irvine	Department of Indian Affairs and Northern Development (EXECUTIVE SECRETARY)	(819) 997-0002
R.A. Eastman	Department of Indian Affairs and Northern Development (SECRETARY)	(819) 997-0202

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Northern Minerals Advisory Committee  
Meeting in Room 1904  
Les Terrasses de la Chaudiere

January 11-12/79

The meeting was chaired by BOB CATHRO in the absence of JOHN BRUK, and was brought to order at 9 a.m. 1

The Chairman introduced DAVE GEE who proposed to discuss Land Use Policy. He used an overhead projector to illustrate an overview of all the elements of the Policy as it affects mining. He then introduced DR. VIC SOLMAN who gave a presentation on bird sanctuaries and their relationship to the mining industry.

DR. SOLMAN:

"There are 15 migratory bird sanctuaries that we have had created to safeguard breeding areas. The history is that in 1916, Canada and the United States signed the Migratory Birds Convention which stated that such birds are a good thing and should be protected.

Once the Convention was signed, the carrying out of the terms was automatically a federal responsibility, and soon after, the Migratory Birds Convention Act was passed so that Canada could implement its terms. The Act makes provision for Regulations and there are two sets of them: one - which is altered annually and covers hunting, and two - which deals with sanctuaries as shown on the map, and sets out the Rules under which access to them is available.

The most important Regulations are in Section 10. Our Minister can issue a Permit for people to enter those Sanctuaries, move about in them, and carry out a variety of activities. Our Edmonton office is the place to go for permits, and under most situations there should be no problem getting one.

There is a short period in summer when breeding activity is carried out and we do not want anyone in these areas at this time. However, it is possible for permits to have access to these areas if we get the proper information. We were able to issue permits for petroleum exploration on Banks Island where the applicant would use vehicles with very low ground pressure. But we did have to restrict them to the periods when the birds were not there.

Hunting is defined in the Regulations, as are low flying aircraft. Besides the aircraft being a hazard to birds, the birds are also a hazard to the aircraft. And the RCMP has the final say in whether or not "molesting" has been carried out.

There is a sanctuary set up for "lesser snow geese" in the western arctic, where there are about 200,000 birds in the flock. Seymour Island was set up as a sanctuary because it is the only known breeding ground for the "IVORY GULL", of which there are only a few hundred. The QUEEN MAUD GULF area covers the breeding ground of the ROSS' GOOSE whose numbers are down to about one hundred thousand.

- A- SOLMAN - We'd have to know the details and whether it was disruptive of what the birds were trying to do.
- Q- HAWKES - What is the normal time span of occupancy of these Sanctuaries?
- A- SOLMAN - Perhaps as short as 10 weeks, but normally 3 or 3 1/2 months. Its a matter of food availability and the length of daylight.
- Q- HAWKES - Are there any 12 month activities going on now, E.G. at D.E.W. line sites?
- A- SOLMAN - No, but it might be a possibility. There are hundreds of thousands of people downstream in the migratory path that have a big stake in those birds. Without the breeding grounds you have no birds and that's why we're interested. You are looking at an expenditure by non-natives on water-fowl hunting, that runs to about five hundred million dollars a year!
- Q- TRIGG - re consultative procedure, what would happen:
- (1) prior to establishment of a Sanctuary, and
  - (2) if something of viable economic importance could be found in a Sanctuary?
- A- SOLMAN - If we find a situation that requires attention and the method is to provide a Sanctuary, we do it, but that doesn't mean that every proposal results in a Sanctuary. It must go to the Privy Council in any event.

CHAIRMAN:

"Thanks, Vic for an excellent presentation"

GEE:

The next topic is ecological, or I.B.P. sites. The IBP program started in the early 1970's when there was the matter of identifying sites of ecological importance. In the north, two panels (9 + 10) were set up, one dealing with the Tundra, and one dealing with the forested area. The goals were:

- (1) To locate and describe representative examples of natural arctic and subarctic areas in co-operation with local residents, industry and Government.
- (2) To demonstrate how the biological value of each potential site may equal or outweigh all other values.
- (3) To aid the 3 Governments to pressure the biological value of these sites.

The two panels have done their work and have identified 150 more sites north of 60° which merit some particular ecological protection.

Since the advent of the program there has been action taken with the provinces to follow through on these matters. B.C. passed an Ecological Site and Reserves Act in 1971 and they have dozens of sites identified. Quebec passed an Act in



NOTE: From here on a question will be preceded only by the capital letter "Q-", followed by the questioner's name. The answer will be an "A-" followed by name.

Q- OGILVY - (1) When was the last of those sanctuaries established and  
(2) are any new ones being planned?

A- SOLMAN (1) Seymour Island was the last one, about 2 or 3 years ago.  
(2) We are continuing our studies throughout the area looking at the importance of various areas. We feel that at present we've got most of the really important areas under protection, but this doesn't mean we won't create future Sanctuaries if the need arises.

We don't do this sort of thing lightly, and it requires an Order in Council among other things. Most of our sanctuaries are created for birds that have peculiar and narrowly defined habitat requirements.

Q- DOUGLAS - Do you presently examine the Sanctuaries as to size?

A- SOLMAN - We have changed the boundaries in the past and no doubt will again.

Q- DOUGLAS - How do you change them?

A- SOLMAN - It has to go through Order in Council.

Q- HAWKES - How much is the total area covered by Sanctuaries?

A- SOLMAN - 42,000 square miles.

Q- HAWKES - If we wished to carry on exploration is it only a matter of making your department aware and requesting a permit?

A- SOLMAN - We have issued a lot of permits in the past and are prepared to again.

Q- HAWKES - Do most of these permits cover work at specific times of the year?

A- SOLMAN - Perhaps, because disturbance at certain times may be completely unpredictable.

Q- HAWKES - If someone did work in a permit area and wanted to go ahead to mine or develop on a 12 month basis what do you see happening?

A- SOLMAN - We would have to work out some kind of compromise to permit as near a 12 month operation as possible.

Q- HAWKES - Do you think it would be possible to carry on a 12 month operation?

1974; New Brunswick in 1975 and legislation is pending in Alberta. Many of the 150 odd sites in the north are located within existing National Parks and they represent the ecological hot spots of the north.

The total square mileage is about 145 thousand, and of that a considerable area was already in some area designated for Parks or some other proposal. In January 1975 Minister Buchannon gave approval to:

- (1) Support in principle the concept of ecological sites in the north.
- (2) Approve the establishment of working groups to review the sites and make recommendations to the Minister.
- (3) Approve the establishment of a procedure for submission of sites for review and final designation.

The Working Group has been in existence since that time under the Chairmanship of Dr. Maurice Ruel. As members it has scientists from the Canadian Wildlife Service, Fisheries and Marine, Geological Survey of Canada and the Governments of the two northern territories. Up to now the committee has been given 70 submissions by the two panels and they have given detailed revenue to about six of them. Recommendations have gone forward only in the case of one. The reason is that Native Associations are supposed to be involved and the response from the Yukon Indians and the DENE was "We don't really wish to get into this until Land Claims have been settled, or at least much further progressed." So there's a dead halt as far as ecological sites in those areas are concerned.

The Inuit of the I.T.C. came back positively thus enabling us to proceed with action on Bracebridge River on Bathurst Island. The largest event has been the COPE - INUVALUIT - CANADA agreement in principle which deals with 153,000 square miles of arctic land. There are 17 sites, all partially within this COPE land claim area, and it is built in that these 17 sites will be dealt with between now and the legislation. Detailed submissions will be going to Dr. Ruel's Committee, and each will be screened for merit as to whether they deserve any designation as an ecological site.

Once the screening process is finished there will be recommendations to the Minister involving consultation with everybody who has an interest in that area.

The BRACEBRIDGE RIVER area is about 1,000 square miles and it was withdrawn from disposition of the Territorial Lands Act of 1977, for a two year period. We hope that by next fall we would have something firmed up.

Restriction on access is important because each of the sites is known to the Administration, and if a company wants to operate in anyone of them the appropriate panel is made aware of it. So there is a measure of protection already in place. My impression is that entry restrictions for mineral purposes will likely not be that heavy. One, on BRACEBRIDGE, there are certain valuable things, but scientists have to substantiate them in greater detail before any action is taken. The Polar Bear Path area is the most significant area on the island and vegetation is rather diverse. So in the time the Museum of Man has been operating a station up there, they have a good idea of what the ecological merit of the site is. In summary, it is taking shape gradually and should show some progress in the next year or two, with BRACEBRIDGE being dealt with next year.

CHAIRMAN:

We are concerned about how we are going to get involved in the screening process, because in all those sites there is obviously some mineral potential. Also, why are there some sites specifically monitoring development? MAC-TUNG and HUNKER CREEK are two which seem to be well outside the scope of the IBP program.

GEE:

When Dr. Ruel's Committee looks at those sites it will weigh whether they are justifiable or not.

RUEL:

It is one of the basic terms of reference of the panel. The site you mentioned has been studied before being put forward to the Minister. But the working group was very dubious of the value of that site.

Regarding your first question, there is a representative from the Mining Division on the first screening by the working group. At the second stage, every organization will be consulted and then we will have public consultation, and we will also consult with the Chambers of Mines.

Q- MCLEOD - What would be the nature of the IBP sites when they have some status under the Regulations or Order in Council? If it follows the Yukon Quartz Mining Act, we will have a few complications.

A- GEE - If you refer to prohibited areas, I don't think we would go that way unless it was really important. Maybe by some judicious condition of Section 19 and the L.U.R. we could deal with it, but we do not have an Ecological Sites Act.

RUEL - It would be within the existing Actions or Regulation and might not be restricted to the Territorial Land Act.

Q- OGILVY - Is it not contemplated to include under the Territorial Lands Act?

A- GEE - I'm not sure because we would have to know if the protection of the Territorial Lands Act was in question.

MCLEOD - I believe there would be ways around it.

Q- HAWKES - Do I understand that the Polar Bear Pass IBP site has been withdrawn by Order in Council from any exploration or other activities?

A- RUEL - For further claims stating and so on, but it recognizes the existing ones.

Q- MCLEOD - Are there other IBP sites being considered for withdrawal from further disposition?

- A- RUEL - Not at this time, except one with the INUVIALUIT land claims.
- Q- HAWKES - When Parks Canada selects areas for Parks, it seems common to make reference to IBP sites, and I understand there are another 15 ecologically undamaged different land types in the north that are of interest to them now. Could you comment on that?
- A- RUEL - There is a representative on that working group from Parks and IBP sites are in their area of expertise. There are already some IBP sites which have been identified within existing Parks.
- HAWKES - I understand that it is the reverse, that because of the IBP sites Parks have an interest in 15 other sites.
- RUEL - Is it the chicken or the egg? I don't think we can answer that question.
- WOODWARD - You will notice that some of these sites are co-incident with some migratory bird sanctuaries, while others like Bylot Island, are excluded.
- Q- PATTERSON - Is it contemplated to have development in IBP sites for land claims?
- A- RUEL - Yes it is, and it has controlled access which contemplates the possibility of a mine development.
- CHAIRMAN - I should make the point that we are not talking about the same kind of ecological reserve as they are in B.C. where they have made about 100 IBP sites into ecological reserves and are totally restricted as to development and access.
- Q- DOUGLAS - How did it happen that all but one of these submissions was at a dead halt because of the Land Claims situation? Did the Native groups say "No way"?
- A- GEE - They were asked by letter to become involved in the screening process and there has been no reply.
- Q- DOUGLAS - Have you given the same opportunity to the mineral industry and exploration people, too?
- A- RUEL - In every submission made by the Panels they contacted the Chambers of Mines saying that in principle the sites are recognized by the Chamber.
- OGLIVY - The NWT Chamber did do that. The Yukon Chamber responded to the suggestions from the IBP by letter asking for clarification as to what the idea was, and they never answered the letter, so that was the end of it. We are still waiting for clarification on the point.

- RUEL - At the next stage, as I have said before, when the sites are being considered, the Chambers of Mines and also individual companies, will be consulted.
- Q- OGILVY - In the 4 provinces that have legislation similar to this, could we possibly get some sort of table of the total square miles and the total number of reservations made in each?
- A- GEE - It will take some doing, but I think we can do it. 7

#### LAND USE AND CARIBOU HERDS

GEE:

This question has been more visible in the last few years and what you now see on the map shows the total range of caribou herd movements in the north. This information, though not absolutely complete, has been obtained from the Wildlife Service and the Game authorities in the YT and NWT. As a by product of such a survey has come information as to where calving takes place and where herds migrate.

The most data is on the Beverly and KAMINURIAK herds and was made from 9 and 12 years respectively on calving and post calving habits. Boundaries are pretty clear. With the Bathurst herd there have only been limited surveys since 1966, for a few days in June, and the eastern side of the inlet seems to be used more than the western side.

There is no real mapping of post-calving areas, but there is a calving census plan for the Bathurst herd for 1979 and the NWTG has been assigned this responsibility.

The Bluenose Herd has even less information available, but limited surveys in 1974, 1975 and 1978 identified a couple of calving areas in the HORTON River area. The lowest degree of understanding on calving and post-calving habitat is on Baffin Island and it will be some time before more information is compiled.

The Policy has been to recognize the Caribou functions and mix industrial and calving functions, using Regulations to insure that industrial work does not interfere with the herd. I forgot the Porcupine Herd on which information is good because of the work that was done with regard to the Arctic Gas Pipeline Survey.

There will be consultation going on in January and February to identify an A area and a B area. The A area is where there is a high level of confidence that it is indeed a calving area, and within it, operations would be disallowed from May 15th until it can be shown that caribou are not going to be in that area. Once it is determined that the Caribou are not there the A area would be released.

The area B concept is that where caribou may use certain grounds only one year in ten, for example, there is no prohibition of entry, but the operators should be prepared to shut down so as not to inhibit calving and post-calving.

WOODWARD - There is no way to have the terms of the injunction varied to take note of the terms of observation last year, and it should be heard by the end of February or early in March.

- Q- COSTELLO - How many people are dependent on the caribou for sustenance?
- A- HORNAL - Between four and five thousand Inuit use those herds for meat. The approximate cost of the protection program was on the order of \$100,000 for last year, and the hunters of both Canada and the U.S. spend about \$500 M on legal hunting of migratory birds.
- Q- HAWKES - In the sheet you put out on the analysis of the caribou herds, you mentioned only the KAMINURIAK and Beverly herds. What about the others, the Porcupine, Bluenose, Bathurst Melville and South Baffin?
- A- GEE - Those figures depict the situation as it is now where there is some regulatory inhibition that has obviously been developed.
- Q- HAWKES - And is this part of your Land Use Policy to-day? And is the policy not to be concerned with the other herds?
- A- GEE - The policy is to be concerned, and once we know enough about it, to apply that type of data to the other herds.
- RUEL - There is one exception. In the northern Yukon, the land used for calving and post calving is included to the first of February, and has been withdrawn for consultation, and is within the 15,000 square miles, mainly on the north slope. The only other thing is the rutting grounds, but no calving or post calving on the southern part.
- Q- HAWKES - During the court case in Toronto, one of the things that was brought up was the creation of special land management zones to cover the areas of the Beverly and KAMINURIAK herds. What is your policy to-day?
- A- RUEL - It is still being considered. Since the full trial is coming up in the near future it was better not to have to go to court at this time.
- Q- HAWKES - When you do consider this Land Management Zone concept more fully, would you consider special zones for the other six herds as well?
- A- RUEL - Yes -- as data becomes available.
- Q- HAWKES - This past season you included approximately 200,000 square miles, from Fort Reliance to Hudson's Bay and from the 60th parallel to north of Baker Lake, to protect those two herds. Do you see something similar for the other herds?
- A- RUEL - You are talking about the migration route itself. No, it is part of the land management zone. The terms and conditions associated with over-flying during the migration which is a matter in court, or for example a large explosion when the caribou are passing through. That kind of thing.

- Q- HAWKES - During this past season William Darby put together a preliminary report on those activities. Is there a final report?
- A- HORNAL - No there is not. It is being put out by the GNWT and is at the printer's now, but I don't anticipate anything different spelling corrections and editing.
- Q- HAWKES - Will there be an opportunity for the industry to discuss this report with Mr. Darby and others before it is published?
- A- HORNAL - There has been such an opportunity. We had several meetings with industry representatives in Yellowknife before he formulated his recommendations. So there is not going to be further consultation. We have invited industry comments on the proposed regulations during the next month. We put out a draft proposal and asked to have copies sent to members of the industry, saying this is what we propose and we'd like your comments within the next month.
- HAWKES - The Chamber did have a representative at a meeting with Darby, but what concerned me was the report and the recommendations, and we haven't met with anyone since they came out. It is dated November 8th and the meeting was in October.
- HORNAL - That's right. Before Darby prepared his recommendations he met with industry to discuss his thinking, and the meeting certainly influenced that report, but that was Industry's crack at the report. What Government does with the report is now before you.

HAWKES:

I'd like to see Industry have a crack at this and then his final report. It is one thing to have a talk with the man and not have anything in writing from him to consider, but it is certainly another thing to have his report in hand and have a chance to digest it and raise some questions. For example, and Maurice, I'd like you to consider this. On page 47 of his report he mentions under the section of Caribou and Land Use Activity, inter-action, and in four separate paragraphs there are statements like this: "No adverse reactions were reported." "Camp activity apparently did not deter migration." "Camp presence apparently did not deter movements" "No incidence of serious aircraft harrassment were noted in 1978" and so on. Now, one of the questions that has always concerned me and other members of the industry from the very beginning of this matter was that there has never been demonstrated through the I.D.S. study, through any documentation that the industry has had any effect on the decline of the Kaminuriak Herd. As you know the cause of the decline is attributed to overhunting. Now, why is it that still you proceed with this business of creating these "A" zones outside of the Injunction area to limit the industry's activities when you have no basis to date that the industry has caused any problems. And as you know, the industry has been working in the Baker Lake area in excess of ten years. Why do you continue to create these "A" type areas or conditions and terms to land use permits to prohibit the indsutry's activities?

RUEL:

There is no doubt in my mind that over hunting will contribute the decline of the caribou. We have mentioned that before. You have given some very specific examples such as the camp which was in the trajectory of the migration. I would say that the men in the camp did a good job and did not disturb the caribou. I will say, though, that if activities are carried out in an unconcerned way for that resource, that it could be detrimental.

HAWKES:

But you've had an opportunity to prove that hasn't happened.

RUEL:

The question of interference between industry and wildlife, there is no doubt in my mind, and it is on record as having been intensively studied, that for example, a low flying aircraft, during calving time would have disastrous consequences on the caribou herd. And this has been referred to many times before.

HAWKES:

Exactly. And if we went out with machine guns at calving time it would have an effect on the herd too, but that doesn't say that either will take place, or has taken place. I can't understand this continual persistence to persecute the industry in this area.

RUEL:

Let's put it this way. Low flying aircraft during calving time near a caribou herd has taken place.

HAWKES:

Was that documented last year? The I.B.S. study did not document that except that ...

RUEL:

Well, let's take for example there is a request for a Land Use Permit for a particular survey for aircraft to be done at from 200 to 400 feet above the ground during the time when calving is taking place in an area where calving usually takes place. We had one like that last year, and through the application of Land Use Permits and other considerations and discussions with the people concerned, we said "Could you do it at another time?" And that's what I mean by control. It's not a question of prohibiting it, it is a question of organizing the work so the company can do its work at the same time that other resource is taken into consideration.

HAWKES:

You have the control mechanism through the Land Use Permits and I'm sure that this company co-operated. Why create more of these lines on the map, these area "A's" that you are talking about? It's obvious to me that this is going to spread to the other caribou herds and when we look at the map of the ranges of the northern caribou herds, look at the N.W.T., really, there is not much left. We're going down an alley which is a dead end street, Maurice.



GEE:

The proportion of these ranges that is involved in these land management zones is small.

RUEL:

We are not talking about the ranges here. What Dave has indicated on the map was the range of the "A" caribou herd. We are talking about calving and post calving areas, and as far as the Kaminuriak and Beverly Herds and Porcupine Herds are concerned, those herds are rather small compared to the range itself.

HAWKES:

Then it seems to me you have demonstrated no reason to exist, period. You have just told me that you are able to control the low flying aircraft through the land use permit application.

RUEL:

Well, it's the same thing as saying that a bird sanctuary can have access, if things are done properly and so on.

CHAIRMAN:

I'm afraid I am going to have to interject here.

TRIGG:

I notice the drafting of the A and B zones of the Beverly herd only overlap partially on the Thelon game sanctuary. Could you tell me what the Thelon game sanctuary is not all about?

GEE:

The Thelon Game Sanctuary has no mineral exploration allowed. Originally it was for the protection of the Musk-ox population. I really don't have much more to contribute.

SOLMAN:

The history is right, it was set up for Musk-ox at the time and there are Musk-ox in it still.

HAWKES:

I understand that the herd level is now at a point where it is satisfactory for reproduction and there's no problem that way, and furthermore that the I.T.C. is pressuring I.A.N.D. and the Territorial Government to have that reserve lifted.

CHAIRMAN:

I think we are going to have to move on the the Parks, but perhaps the committee may want to get into this caribou problem again in Whitehorse on February 7 and 8th.

So we'll arrange for Bill Irvine to make those arrangements. We might also at that time be able to hear something about the plans that are now being formulated for the task group that will study the Porcupine Herd. That might give us some idea of how this thing can be looked at.

RUEL:

I should have, by February 7th the report from Mr. Art Pearson.

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CHAIRMAN:

We have Steve Kun with us from Parks Canada who will give us a presentation.

KUN:

We plan to show an eleven minute film to let you get a feel for the landscape we're talking about. John Carruthers will tell you of our approach in identifying the areas of interest and we should have time for some questions.

Here was shown the film "Canada's Arctic Landscape"

CARRUTHERS:

Parks are found in about 100 countries in the world, and there are certain international standards we must adhere to. Our goal is to try to attain parks in each of the natural regions of Canada, and comes from a Planning Manual produced in 1971. The mining industry is interested in identifying key areas, and so are we, and we have been doing a study called a Canadian Heritage Inventory, studying the natural regions of Canada as identified on BOSTOCK'S map. In the territories, the edge of the tree line is the only biological boundary. We have identified a number of areas of Canadian Significance in a document put out since 1977. This lists 55 sites throughout Canada, and from this list, we decided to select a few for National Parks designation in the North.

The public consultation process was announced in January 1977, and since then we have been having extensive consultation in Canada with the non-renewable resource industry, the northern communities, conservation interests and so forth. All interested companies have sent in information on our identification process, and you may have seen the literature we have produced. We have also produced, in consultation with Jack Patterson's group and Harry Woodward's group maps of the various areas, which show gas and oil possibilities.

This process will likely go on well into the 1980's. It is a four stage process: distribution of information; dialogue with interested groups; identifying major issues; and trying to rationalize a realistic solution. Then, if it seemed reasonable, we would take the first step toward a planned withdrawal. There are different circumstances in the Yukon, so the process is different.

On the map we show Wood Buffalo Park in natural region No. 26, part of which is in the NWT; KLUANE, in region No. 6 in the NWT; and NAHANNI in region No. 8, in the NWT. There are also two Parks that have been withdrawn by Order-in-Council, the east arm of Great Slave Lake, and the Northern Yukon.

In the proposal stage there are Banks Island; Ellesmere - AXEL HEIBERG, WAGER BAY; and Bathurst Inlet and we feel there are about 14 new National Parks needed in the north, eleven terrestrial and three marine parks. The size of each would average about 8,000 square miles, for a total of about one hundred thousand square miles. Area No. 7 is only a natural region, as it covers the Yukon - B.C. border.

- Q- GRANGER - I'd like to know more about the two study areas at Dawson and Keele Peak, as their areas seem to be about the same size as Kluane, six to ten thousand square miles.
- A- CARRUTHERS Preliminary studies found a concentration of natural themes, but as we study them further, we are inclined to narrow them down.
- Q- GRANGER - We notice the narrowing down in KLUANE. How do you view the difference between the 8,000 square miles land withdrawal with what you might do in the province in which we are now sitting? How do you justify the difference between how we are being treated now, and how other jurisdictions treat you?
- A- CARRUTHERS The difference is that legally there is no way within a province we can establish a national park unilaterally without it being a joint venture with the province. In the territories there is no need for a transfer of land from the Territorial to the Federal Government.
- Q- GRANGER - Then the provinces recognize these parks only as a great national benefit when they are in the north?
- A- CARRUTHERS What we try to do is to end up with an area within a National Park that has ecological integrity that you can manage ones time. In the north, these regions are vast, and the wildlife population requires protection for existence. We are also talking about the character of the land, and more constraints, especially where there are a lot of private land owners.
- Q- IRVINE - Your plans for Bathurst Inlet show a park outline covering the entire shoreline on both sides of the bay and not far west there are some potentially very important mines whose natural transportation outlet would be to Bathurst Inlet. Unless some sort of access is permitted, these properties might be lost to Canada. Is there any way there could be access corridors through that part of the park to the shoreline?
- A- CARRUTHERS Early in the consultation process, this was identified as an important issue, and also as one which may have an effect on where the boundary ultimately goes. Final decisions will be made fairly and squarely based on all information, not only of natural resources, but those of importance to the native people as well.
- Q- IRVINE - Would you say that there is a reasonable possibility a corridor such as I have referred to could be incorporated?
- A- CARRUTHERS Its an option we would look at, but if we felt the trade-offs

were too great, we might have to back off and look at an alternative within Region 15. I would prefer to look at the Arctic Sound and Brown Bay area, because I think we might get closer to a compromise there.

Q- WATSON - Is there any argument for categories of Parks, i.e. wilderness, because it seems to me that some of these areas have a degree of human activity and others have more at all, and this raises the question of to what extent you preserve various potential areas.

A- CARRUTHERS Our policy spells out a Sub-category called "National Wilderness Parks", but is just a draft document. Also "National Landmarks" are natural sites of Canadian significance. The "areas" are much larger than the "sites" E.E. a PINGO site is only five square miles. There is the possibility to have some sub-surface exploitation of minerals, gas and oil in National Landmarks.

CHAIRMAN:

Problems seem to arise three ways. First, the large size of the Parks. Secondly, the selection process never seems to have a mineral map on the proposed Park map. You can't get an adequate mineral map because the inventory hasn't been done, and we all know that an inventory of a park area may cost a hundred million dollars, so its obviously something that isn't going to be feasible.

But its the perpetual nature of these Parks that bothers us most. We could probably accept them better knowing they haven't had mineral inventories if we knew that at some future time, say 10 years, or 100 years, there would be some process whereby these Parks could be re-examined. We don't share the same concern as your department that an area is going to be ruined, because we feel that 100 years from now there will still be plenty of area in Canada that can be set aside as a Park.

KUN:

There are two considerations, time, and Parliamentary Authority. Look at Banff National Park. It was the first one in Canada and was created almost 100 years ago, and people were saying "Why did you create a Park 2,000 miles from the nearest population centre?" Today it's at the doorstep of the fastest growing city in Canada. So what will 100 years do to some of the sites identified in the north to-day?

Banff started as a reserve of 10 square miles, in it's heyday it grew to 4,200 square miles, today it is 2,564 square miles, and the boundaries have been changed 17 times.

On the question of Parliament. I think that if this country has the need for exploration and use of resources of every square mile, then Parliament should declare itself on that point. If there is a need to adjust boundaries, Parliament should do it as they are the ultimate authority and should be aware of the State of the Nation, and what adjustments are needed.

CHAIRMAN:

Is Art Pearson's Task Force on Caribou herd management going to get involved in the area of the Park and its relation to the calving area?

KUN:

We can't say until the terms of reference for the Task Force have been clarified. Its mandate is much larger than the idea of a northern Park. I think the fundamental one, remains the Porcupine Caribou herd.

CHAIRMAN:

How soon will you be in a position to show us the location of the 8,200 square miles that you would like within the 15,000 square mile limit.

KUN:

We have our preliminary information now and it is simply an area of interest identified with dash lines. Within these we have the hot spots of ecological and environmental interests. Current evidence would suggest that we haven't gone far enough afield, as archaeological sites are being found along the Porcupine River, which make it of much greater interest to us.

There is another Committee which relates to the Inuvialuit land claims in which they propose an identification of 5,000 square miles. Part of their land and part of our area of interest overlap and we have a lot of information gathering to do ourselves. Considering all the interests involved.

Q- OGILVY - When the Minister announced the formation of Gros Morne Park in Newfoundland, he used words to the effect that the province had to be assured that it was in the economic interest of the province -- in all cases.

A- KUN - The question of the economic value of the Park varies from province to province. Ontario decided to wait till January for the creation of a National Park.

Q- OGILVY - When will we get a chance to respond?

A- KUN - We have a 2 1/2 year time frame so it will be about October 1980, following the four steps John outlined. At present we have just moved into the information dissemination stage, and in a few places, the discussion stage. In the Inuit communities, where they don't even have the word Park in their language, we felt we should pass them information first and then bring on the industrial people.

Al Davidson is trying right now to arrange a meeting with Harold Page and the mining people of Alberta.

Q- OGILVY - With the mining people in Alberta? (Incredulous)

CHAIRMAN - Steve told Dick Joy all this two months ago.

Now we must break for lunch as it is 12:35.

Meeting re-convened at 2:10 p.m.

CHAIRMAN - Introduced Neil Faulkner to speak on Native Land Claims.

FAULKNER:

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I am here to discuss the basis for our Policy, the process in which we negotiate claims, the mining interface, and then give you an opportunity for questions.

The Government didn't decide that there was a basis for Native Claims until 1973 after a B.C. Court case came up with a split decision. In the NWT and the Yukon when the transfer was made from the Imperial Crown to Canada (Ruperts Land) there was a constitutional undertaking whereby native claims would be dealt with. That is outstanding. We are not talking about title in the sense of owning property. That definitely belongs to the Crown. What we have to deal with is something that is referred to as aboriginal title, and it's based on the traditional use and occupancy from time immemorial and that the interest has never been extinguished through Government Acts. As the COPE document states: "To provide specific rights, benefits and compensations to the INUVIALUIT in exchange for any Inuvialuit land rights which now exist." The responsibility is primarily federal because of the BNA Act which makes the Federal Government responsible for all native legislation.

As to organization, we have the office of Native Claims, of which I am the Head, a number of negotiators, Bob Goudie in the Mackenzie Valley for the I.T.C. claim. Marc Lefrenière is acting as COPE negotiator at the moment, and in the Yukon we are in process of appointing a negotiator.

The office represents the Minister in negotiations, and is also responsible for pulling together all the elements of controversy which cover a very wide spectrum. We put these policy papers up to the policy committee which is chaired by the Deputy Minister. All the program Assistant Deputy Minister's are on that committee and any other Government representative plus YT and GNWT representatives.

The natives have a very real perception of grievance and it's not about to be put one side. The policy is to deal with that grievance. They very much feel they have no political power whatever. The negotiations are going very very slowly and it's not at all clear that they have a very precise idea of what they want as a bottom line. The whole process takes a lot of time.

As for the nature of settlements, the natives are after recognition, protection of their rights, the means for them to protect their culture and economic base. We all realize that the traditional base of the hunting economy is just not able to fully support their aspirations, and a lot of them realize this. But they are not prepared to move too rapidly from one era to the other. They want access on their terms, to the real decision making process. They feel that for too long they have been left out of the decision making, and feel that everything is done in Ottawa.

Also they would like more time to catch up and to develop the expertise required, be it in mining, in government or whatever.

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I would like to deal with the COPE agreement which is an agreement in principle. The key things here are that we've been able to reconcile all the disparate interests that exist and tried to strike the balance the Minister talks about to the mining industry. We've tried to build in incentives, so that there's a chance the native people will not be opponents, but can see that their interests also are served by development. So it should have a positive thrust and not be one which locks them up in a reserve and leaves them behind.

In resource developments, they have not only the surface title but also the mineral rights, except where they have already been earmarked. This means the onus is on them whether they want to develop or not, its not up to anybody else. Where there are other rights, every attempt has been made to protect those rights whatever they may be, so I am sure there is nothing in the agreement that stops a mining or oil company from being able to continue enjoying those rights which they have.

My understanding is that the Mining Industry has a general air of uncertainty and unresolved Native Claims is one that the Minister wants to deal with, but with which there are continued frustrations. The outcome will remove the cloud that exists over the title, because there is the possibility that the natives could stop any sort of development in the north. e.g. the Baker Lake situation. We are about to re-engage in claims in the Yukon, and we are awaiting developments in the Mackenzie Valley. The next phase of the COPE agreement will be toward final agreement, and with ITC we are still at the level of principles trying to get some agreement. There's a long way to go there.

CHAIRMAN:

Thank you Neil. I would add that the industry has a lot of trouble with some of the terms of the COPE settlement if applied as a precedent in other areas where there is more mineral potential. The COPE settlement doesn't impact on us that greatly because its not on prime mining land, but the principle of giving away mining rights from the Crown is quite a hang-up.

FAULKNER:

Why is it a hang-up?

CHAIRMAN:

We don't like the idea of dealing with a land-owner other than the Crown. We find it is quite a backward step as it was in other parts of Canada when mineral rights were given away from the Crown i.e. the CPR, the HBC etc. etc.

FAULKNER:

The sub-surface rights are not a given item. COPE is not the model it is a model, and has been rejected by many groups. The reason mineral rights were given with the support of EMR, was to reconcile the problem in areas where a community felt it was of importance to the people.

CHAIRMAN:

The problem is that the mineral inventory has just barely begun so setting limits at this time is inadequate. We are not content just with the claims we hold in 1979, we are concerned with what we might be starting in 1985.

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FAULKNER:

But there's a basic rationale, and it's not mineral potential. Land use and occupancy, security and protection are of first importance. You could argue that the fact that you don't know what's up there may well be in your favor.

CHAIRMAN:

The Yukon natives have no mining background in their heritage and have never shown the slightest interest in minerals. We have no argument with their claim to the use of surface rights, but we don't want to see the mineral rights given away from the Crown or the access to the minerals restricted by their selection of land.

Q- HAWKES - For any rights I might wish to acquire after the surface rights have been given to the Inuvialuit, is it automatic that I will be able to have access to those mineral rights? Could I just go out and stake a claim?

FAULKNER:

The I.I.B. regulations are the same as for other Crown Lands.

LAFRENIERE:

There will be certain adjustments made in the legislation giving effect to the agreement. For example the laws will apply to the Inuvialuit land, and will have certain restrictions which are only applicable to Crown Land.

HAWKES:

We shouldn't pursue this further here, but I just want you to see that there can be a problem and it would be well worth while in discussing this with us and with Bill Irvine and Jack Patterson, so that by default you don't keep us out of all these lands.

FAULKNER:

We appreciate any advice we can get, so it's in everyone's interest to get it on the table.

GRANGER:

There are possible difficulties as to the ability to pay for access in the many different forms it might take. It may preclude the small prospector from taking part.



FAULKNER:

Good point. When we enter an agreement with COPE we will want to maintain fair and equitable rights.

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WATSON:

I am totally confused concerning the control of mineral allocation in areas to which the mineral rights have been CEDED to aboriginal people. Can any prospector stake a claim where rights have been ceded? Who is going to administer the use of these resources?

CHAIRMAN:

This is where we get into a political problem.

WATSON:

A company can't tie up land indefinitely. These are certain conditions that have to be complied with.

CHAIRMAN:

The same practical problem occurs in Alaska where this procedure is being followed. A native band deals with mining corporations and assigns rights to explore their land. You have completely eliminated the small companies and individuals because the native bands are only dealing with the major multi-national corporations, and that won't sit well in Canada.

It may be good for the natives but I'm not sure its good for Canada.

HORNEL:

It may not be good for the natives either.

FAULKNER:

I'm not sure whether you can compare the Alaska experience with ours.

GRANGER:

You'll be able to.

CHAIRMAN:

Why not? Its the same thing.

FAULKNER:

We'll see. I don't think so.

GRANGER:

I don't want to be cut out.

FAULKNER:

I doubt it very much -- I hope not. We have said two things. One - the sooner you get on with the claim, the better, and two - the sooner you put on the table some substance of endangering your way of life, we can look at that. It is prejudicial and they will continue to make the most mileage they can. 21

OGILVY:

Under 7.I.B. the 32,000 square mile zones, could you clarify if that formula was applied to the Yukon would that be the kind of land described in section 13 sub-1 under the Quartz Mining Act.

FAULKNER:

There are some constraints. There are two questions (1) in the quantum and (2) the conditions which prevail. In (1) you cannot extrapolate Inuvialuit lands. You could go big on cash and no land, or do just the opposite. I would assume that in the Yukon they are going to go for a number of categories of land.

OGILVY:

So the largest category would not be the 13 sub-1 type of exclusion.

FAULKNER:

That's right.

OGILVY:

The one-A lands are around Inuvialuit communities and what we're afraid of in the Yukon is if we define these communities the way the Yukon Indian Native Brotherhood does - there are 12 of them. These people were nomadic to begin with, but since the white man came, they have settled at settlements which were white developments. That's true of all 12. Nine of them are essentially there because of mineral concentration.

FAULKNER:

Is there much hunting going on in those areas?

OGILVY:

I'd like an answer on the first point first.

FAULKNER:

Everything is subject to negotiation.

OGILVY:

Of the 12 communities, the only one we can see as carrying on a land based economy is Old Crow, and its not one of our concerns.

GRANGER:

Those areas are only now in the last couple of years being put there. There's been nothing since the middle of World War II.

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OGILVY:

If they are being used for hunting and trapping its much like our Miners at Faro who like to go out and hunt. If they have an equity claim, why is it that the Government of Canada is so intent on extinguishing it by the specific means it seems to be choosing. Why are we put in the position that Caribou to sustain life, is always on the table?

FAULKNER:

We approach the problem to at least protect their traditional way of life. It may well be passé.

OGILVY:

Thats just the point - IT IS PASSÉ. In 11 of the 12 communities it is zero.

HAWKES:

In the NWT the game management people are undertaking a program to educate the native people that they must discontinue hunting the caribou at the level they have been. Otherwise the caribou are not going to exist, so the obvious question is: - really can the land support the natives in their traditional way of life?

FAULKNER:

No, if you assume the same population growth and the same concentrations in specific areas.

OGILVY:

Ron's point is very valid for the NWT. But it has no application to the caribou herd which is the only herd in the Yukon. There is only one of the 12 communities that are even inside that range. None of us are disputing that the natives have an equity position up there. But why must it be extinguished on this archaic, passé sort of System of attempting to perpetuate a traditional economy when in 11 out of 12 cases its long gone?

FAULKNER:

Our policy is predicated on mutual agreement, and that's one of the things we want.

Q- DOUGLAS - What do you see as a time frame before you have all of these wrapped up?

A- PATTERSON - Your children will answer that question.

A- FAULKNER - I would hope we would have something tangible within 12 months in the Yukon. In the Mackenzie Valley I'm afraid we're in for a bit of a long run there. I.T.C. again, and those things are going to take some time. They would even refuse "an offer they couldn't refuse", because that's part of the game. There's a grievance there that has to be worked through publicly. You can't deal with it quickly and it's not going to go away either. If we are going to have a solid, harmonious environment in the north, we are going to have to deal with it.

Q- TRIGG - On Page 14 of the Native Claims document the Prime Minister's statement rejects the concept of ethnically based territories. Is that currently a policy in negotiations?

A- FAULKNER - Yes.

CHAIRMAN:

Thanks for joining us, Neil. We have run overtime, but it was obviously important, and we appreciate your efforts.

FAULKNER:

I also appreciate the opportunity. We are always interested in hearing your views so don't feel shy with communicating with us.

CHAIRMAN:

Dave Gee is going to present the information on the Land Use Regulations, the Queen's Report and the Legislative Overview.

GEE:

Made some introductory remarks.

CHAIRMAN:

Perhaps we could start by having you review the recommendations and giving us a thumbnail sketch on whether they are acceptable to the Department or not.

GEE:

The Queen's report says that it deals with the operational aspects of mining in the north. It ended up being 99% on Land Use Regulations. The Policy is undergoing some review and we hope to do some work on it in the next couple of months. As far as the process is concerned one point deals with unexpected circumstances. There's more than the L.U.R. in this case and Jack Patterson will speak on that.

PATTERSON:

We have the amendments to the Canada Mining regulations in justice right now, which is a force MAJEUR. In the event of something extraordinary happening there is a provision for a company to make application for relief.

GEE:

The next one deals with administrative procedures and guidelines and we agree completely.

The last one says communications with industry must be made more effective and there is no difficulty in accepting that recommendation.

As a general sum up, the program views the Queen's as being an excellent report.

HORNAL:

Regarding the NWT we would hope to remedy the specific problems mentioned. There is a compilation of the terms and conditions and will have those available to industry at any time. They are sorted by subject and are subject to change on a regular basis, so the copies of the Standard Land Use Terms and Conditions will be dated and we recommend that they get an up-dated copy about every 6 to 12 months because they change constantly.

We would like to see a Land Review with industry to discuss concerns about actual operating problems. Some of our inspectors have not had as much training in mining methods as we would like, and we have put them on a variety of courses for up-grading their knowledge. We want to continue on this course, but we do expect that industry will have to challenge the inspector from time to time.

Q- IRVINE - Is there much delay in that process?

A- HORNAL - It depends on the radio facilities in the camps, but these should not be an undue time delay, and in most cases we should be back to you within 24 hours. Get your complaints in to us quickly because I can't do much if I hear about it six months after the fact.

GEE:

Earlier on, we found that in the Oil and Gas business teething troubles could be evaporated by having annual sessions which lasted for 2 days. This resulted in a much better climate and the same could work for the mining industry.

MCLEOD:

Agrees that an annual review would be of value. If the inspector is going to fill his role as a watchdog we can't always be putting him down or he just quits watching. Minor things should be dealt with orally, but if it is of some importance, the accused should be faced by the accuser as soon as possible after the incident.

OGILVY:

In the Yukon, generally speaking, relations are pretty good between inspectors and industry. I thought the Queen's report was good. One valuable appendix could be added and that would be the Yukon Water Board hearing which was held in Mayo in 1978 in connection with the DUNCAN Creek Placer miners. Attention should definitely be paid to the difference between the Fisheries Act and the Inland Waters Act. I would also like to clarify the matter of industry wanting to know where it stands on regulations and at the same time asking for flexibility in them. We would like some flexibility, but some sort of ceiling on the discretionary authority the officials have and that ceiling should reflect the regional conditions.

GRANGER:

Could you comment on the subject of zones as discussed by Ewan Cotterill at the Yellowknife meeting?

GEE:

The difficulty we have seen is the extreme variability of any given mile of territory. On a micro scale it is very difficult to do, but on a MACRO scale where you might cut off fairly large parts of the territory, where we know what exists, maybe you don't need a L.V.P. system. In any event, we are open to discussions on the matter.

HORNAL:

There are certain differences in the various areas, i.e. the Mackenzie or the Arctic Islands. We have always recognized this but perhaps not to the degree the industry would like.

GEE:

What would really move this would be a recommendation from this Mineral Advisory Committee. Don't forget, this would be viewed by a certain segment of the population as going back from the original intent of the L.U.R.

CHAIRMAN:

It could be argued that you were pulling back to the original intent of the L.U.R.

GRANGER:

The ones presented to Parliament were precisely on zoning and very small zones, so if we go back to when this Act passed Parliament, it is always a good place to go to.

Q- HAWKE - I have no comment on the Queen's report other than to wait and see what happens on the recommendations that were made. My question is concerning the Canada Mining Regulations and I wonder if we are going to get a copy to review before you actually attempt to get them through?

A- PATTERSON - They were already sent up to Williams and to you, with the idea of going over them. Most of them are clean up ones.

HAWKES:

I don't recall us having seen those. Any of the future ones we will see?

PATTERSON:

Oh, sure there is no secrecy.

HAWKES:

There was an amendment that was gazetted on November 8, 1978 concerning Section 86, three and four and it refers specifically to a mining lease, how the renewal is subject to such terms and conditions as the Minister may prescribe, whereas before the renewal would be given as long as the operator had complied.

Q- HAWKES - Why was there such an urgency to get this one rushed through?

A- PATTERSON - When the new Regulations were passed, some way or another there was no way in which you could renew a lease. So the only way could clear up the legal technicalities was to include the clause in the current amendment.

WOODWARD:

What Jack is saying is that the revision of the regulations was premised on bringing in all that administrative regime into focus, but it was actually decided on in 1973-74.

CHAIRMAN:

It appears then, it appears that we have already made a lot of progress toward resolving our problems, and the on-going consultation between the Department and the two northern Chambers will sort out the rest of the difficulties.

Q- WOODWARD - Is there going to be anything in this book to show Regional similarities?

A- HORNAL - Yes, for example - in the Mackenzie Delta in the operation of CAT tractors, it says you must have a helicopter to carry the CAT across the ground; in the Arctic Islands you must raise your blade and put the booms over the CAT; and in the Precambrian Shield you must remember to take enough fuel so the CAT won't run out on the TUNDRA. Remember that Regulations allow for change and if you have problems phone and tell them.

CHIARMAN:

Perhaps we could now have Harry Woodward go ahead with the Legislative Overview.

- Q- BELL - But they were for assistance?
- A- KLEIN - Sometimes it is difficult to define the difference between assistance and subsidy.
- Q- CHAIRMAN - Do you have any idea how much it would cost to up-grade the Skagway road to the point where it could do the work of the railway?
- A- KLEIN - We have been discussing it with Ken Baker for some time and its hard to find out. As far as we can understand it would take from one to two million dollars to provide the gravelling. That would allow the present gross weight vehicles of 172,000 lbs. to use the highway at a very much reduced speed from Whitehorse to Skagway. To up-grade the highway would cost an estimated \$16 million for the Canadian portion, and we don't know the cost of maintenance. That would be for an all weather road.
- Q- CHAIRMAN - So it could be as much as \$40 to \$50 million for the complete road, and the winter maintenance would also be quite high would it not?
- A- KLEIN - Surprisingly reasonable, according to Ken Baker. Capital investment of about \$300-\$500 thousand.
- Q- WOODWARD - Has there been much truck contact movement on the current road to get a handle on the maintenance costs on vehicles?
- A- KLEIN - Several studies have been done by mining companies and the figures are confidential, but it appears that from a cost point of view its a dicey proposition from Whitehorse to Skagway.
- Q- GRANGER - Do you think there should be more comments to you or to the Minister, or both?
- A- KLEIN - In view of the fact that the Minister intends to make a statement on his reaction on January 20th, it would have to be done with the utmost speed.

GRANGER:

I've already talked to him about it. There are some things he can't say and theres some things a person like myself can say. I want to know something about the facts in between a person who lives up there and a politician. You've been giving some of them but these are other facts that are different.

KLEIN:

You can see from the size of the Task Force Report (holding it up) that there is quite a bit of information that obviously I haven't touched on.



DR. WOODWARD:

Here presented a view graph history of the manner in which the Western and Northern lands were taken over for purposes of mineral rights.

He then dealt with the Government consultation process and where the delays occur, again using a view graph, on Mineral Legislation. This presentation gave a view of the extremely long time frame it takes to get legislation through Parliament. As a result, due to many factors, it has been decided that now is not the time to go ahead with the Yukon Minerals Bill within the current legislative program. Very recently the program was shelved and even though the process has been going on about 10 years, we will soon be again faced with a new government, regardless of party, and we will be back to square one.

CHAIRMAN:

Thanks Harry. Now we will take a 2 minute break before we hear from ULLI RATH of the Mining Association of Canada.

RATH:

Passed out written comments to all members which will not be reproduced here.

CHAIRMAN:

I think what the Government people would like to hear from you is the Mining Association's ideas on the perfect fiscal regime for the north.

RATH:

The remarks before you are those of the Mining Association unless otherwise indicated. The Association's official response is attached to the printed comments in the hand-out.

CHAIRMAN:

Thanks Ulli, your suggestions will certainly be dealt with. Manfred Klein is here to discuss the White Pass and Yukon Railway, so we should go ahead promptly.

KLEIN:

I suggest using the bikini approach to this subject, that is short, revealing, brief, to the point and yet covering all the essential parts.

Klein explained he had chaired the Task Force on the W.P. & Y. R.R. The Task Force came to the conclusion that the railway did have financial problems partially brought on by the loss of traffic from Clinton Creek and Cassiar, whose traffic is now going through the B.C. part of Stewart. There is little likelihood of the financial picture improving in the next few years.

There is a feeling in the Yukon that White Pass has for a long time been reaping a large profit. We had access to the books and found that this popular belief was not true. It will be a difficult decision and ultimately boils down to Government

- Q- OGILVY - Will that be available to us?
- A- KLEIN - This report contains all the confidential financial information from the WP & Y.R.R., so while we would like to make it available, they have not permitted us to do so, and I think that's reasonable. There will be a report, minus the confidential information made available on the 20th by the Minister.
- Q- OGILVY - Is it possible to get it before then? You've just said that we should advise the Minister of our thought before the 20th, but it's not possible to get part of that before then.
- A- KLEIN - I thought that your advice would be independent of the Task Force report. I can try to get a copy but it will be difficult.

GRANGER:

I discussed at lunch time with the Minister the possibility of me being able to say things that he is unable to say and he's a politician and that's a different piece of business. I happen in part to be in that business to, in representing the Chamber of Mines. So I have my interests, and in a way it appears that they can coincide with the Minister's. That data, minus the confidential things in it, would certainly help us to assess whether it would be prudent for us to follow this.

- Q- OGILVY - Before the White Pass closes down must they get some authorization from the Government?
- A- KLEIN - The closing down process is very complicated. First of all they would have to apply to the C.T.C., to abandon it, even though they were losing money. The quickest it could be done is between 8 and 12 months, which is about 4 months quicker than the U.S. could handle their part.
- Q- OGILVY - Is it a possibility that the C.T.C. would disallow them to abandon?
- A- KLEIN - The CTC has amazing power to direct a company, but they could direct them to keep on operating even though they were losing money, or they could allow them to shut down operations.
- Q- OGILVY - If they did allow them to shut down, would that be contingent on the Government or somebody else supplying them with money?
- A- KLEIN - Not necessarily. There are no existing programs that provide monetary relief to mainlines. Believe it or not, that little line is classed as a mainline. So it is possible they might be directed to keep operating if perhaps CTC thought that there was a profit for them two or three years down the road.

Q- OGILVY - Is it possible that they could start within a year to lift those tracks up and put an oil pipeline down that same right of way?

A- KLEIN - If the CTC granted abandonment, yes. It is possible at some time this could happen, but it would partly depend on the interventions by interested parties.

CHAIRMAN:

I'd like to think all those officials in the Department who worked to put together this excellent program for us today, and for those speakers who have already left I'd appreciate it if you would convey our thanks, and Manfred, thank you very much.

NMAC Meeting Day 2 January 12, 1979 10 a.m.  
Chairman to-day is John Bruk

CHAIRMAN:

I propose to change the sequence of the agenda items and start with the item on Policy Statement, and we should try to finalize this Statement and move on to its implementation. Does everyone have the one page outline of the Policy Statement, summarized by Bill Irvine, dated December 27, 1978?

IRVINE:

They will be attached to the edited minutes.

OGILVY:

I have one suggested change.

CHAIRMAN:

Could you let us have it Cam?

OGILVY:

Sorry Mr. Chairman I haven't got the wording for it.

CHAIRMAN:

I don't understand. Paragraph two, is that it? and your point is ?

OGILVY:

One of the objectives should be "fostering development"

IRVINE:

That is covered in subsequent paragraphs.

CHAIRMAN:

On paragraph 5 - "formulation of Land Use Policy will have for their impact on mining -- I don't understand this. Lets give the drafting sub-committee the whole impact, and then you can go and do it.

CATHRO:

No. 5 is a real wishy washy motherhood statement.

CHAIRMAN:

What do we mean by land use policies?

OGILVY:

It is the distinction between single use development, and multiple use.

CATHRO:

To be more specific, I think our objective is "optimum" land use. We want to be sure that every square inch of land is used in its best possible way whether it is for a village, a Park, or a bunch of things going on at the same time.

More cross talk ensued among members.

CHAIRMAN:

Harry can we go back to what the Minister said originally. This statement by him is one that made the work of our Committee meaningful. What I understand him to have said is that no legislation respecting mining will be made without prior consultation with the mining industry. Is this not what he said?

WOODWARD:

It certainly is the essence of what he said and that's what this committee was set up for to be a vehicle for that very purpose.

CHAIRMAN:

What I really want to say is that if the Government recognizes that mining is the industry of the north, then it follows naturally that it will "foster, promote and encourage" that. And if we can, in that one statement also say - "and that no further legislation affecting mining will be made without consultation of the mining industry". I think that could be a very strong statement. So if we all feel this way, the Drafting Committee can take into consideration that paragraph one can be enlarged by identifying "mining".

HAWKES:

It seems to me we discussed this at our last meeting and Dan McKinnon said it was very unlikely we would get the Minister to agree to that because you're saying that under no circumstance that would arise can we do anything without the OK of the mining industry.

CHAIRMAN:

At the end it says: "And to re-define Policies". I would hope that if this is the Policy we are working toward, it don't part of that policy to re-define the Policy. Because later on, someone can come along and say: "Because of these other interests the Mineral Policy has to be re-defined."

IRVINE:

Originally that was stated as "define" policy but the Minister felt it would suggest we don't have any policy.

CATHRO:

Let's take it right out

CHAIRMAN:

Has anybody else got comments on paragraph two?

OGILVY:

I am ready now to give you suggested wording. "To achieve the above, while protecting the legitimate interest of northerners and protecting the environment, the Government of Canada will..."

CHAIRMAN:

Murry, you drafted this paragraph two originally did you? And I presume the next insertion after -- third consultation with all affected parties -- this is consistent with what we've been saying about consultation before any changes -- correct?

CATHRO:

In place of "re-define" policy we need another work like "draft" or "write" or "prepare"

CHAIRMAN:

I don't think it's policy, this is strategy not policy.

CATHRO:

Policy isn't to make policy. Policy is to make law.

TRIGG:

This is the definition of the policy, so I agree with John.

CHAIRMAN: --- will develop legislation and regulation. We can go back and forth because this is a very important document and we ought to finish it today.

CHAIRMAN:

I think the wording makes a great amount of sense, it does not impede them in any way, but makes them that much more of a responsible government.

WOODWARD:

If the committee comes up with a set of principles, in writing, it will go to the Minister. He'll test it out with the Directors General in all the other programs, and try to find the exact wording which will sit well, and get back to the committee accordingly. So we don't need to adjust this thing to departmental perception at this time.

CHAIRMAN:

Also, we must remember that this committee is not a part of the Department. We are an independent committee and expressing the views as best we see them. Of course we must anticipate what is feasible to be accepted by the Minister in implementing our recommendations and be very fortunate if he came back and endorsed it 100%.

There was more cross talk between members concerning the wording of the draft.

CHAIRMAN:

I accept everyone's comments, but we have chosen a drafting sub-committee, and I think we will have to let them do their work. Come up with a re-draft and we will see how it sounds. But I don't see, in this entire document that continuing committee that he believed was required for such consultation. If you can find some other way of trying this that following the termination of this committee, a committee will be put in place to facilitate this kind of consultation that's fine.

HAWKES:

I think we are ploughing old ground here, and that we should move statement "5" ahead of 4, and leave it in.

CHAIRMAN:

The problem isn't whether it should be 4, 5, or 6, the main thing is you think it should be left in. Is it the feeling of all members that we leave "5" in?

HAWKES:

Yes, we had a specific purpose for it.

IRVINE:

As a policy that the statement with this intent be left in, I think the drafting people can handle it.

OGILVY:

There seems to be an issue we are shooting around.

Here he referred to the Northern Mining Advisory Committee Land Use document and proceeded to discuss several paragraphs and tables.

IRVINE:

You can't make that comparison, you've got possibilities for exclusive use mining in most of the areas. That's just places where leases are in place.

OGILVY:

Personally I take issue with the allotment of land we see on Page 3 of this document. Does the committee feel it has adequately dealt with that issue?

CATHRO:

I don't see that it's a problem.

CHAIRMAN:

Would you go along with the word "Regulation" rather than "Policy"? Because the wording as I read it gives the administrator the right to formulate policies on his own, and it's his regard for the mining that is of importance, not his consultation with the industry, to determine what is in the interests of mining. So you are giving him far more freedom, and arguing with his own interpretation with regard for mining.

HAWKES:

That's what we discussed at our last meeting. We said if the Minister is prepared to make a statement like our first one, this is the crux of it and where the thrust of this whole policy is. Then after discussing Land Use Policy, we came back to our initial three steps.

Here there was more cross talk regarding the wording and principles.

CHAIRMAN:

I may be influenced too much by my own training, but the rule in drafting is that the "specific" diminishes the "general", and if you are satisfied with the "general", introduction of the specific limits it.

CATHRO:

I'm not <sup>sure</sup> six is as specific and strong as the Mining Association would want to see 7.9 it.

Q- CHAIRMAN - Jeff - if somebody were to ask you what you meant by "owners of the mineral resources" what would you say?

CATHRO:

No, six has to be substantially re-written, I think.

WATSON:

The last line of paragraph three implies that there is one owner of mineral resources, that is the Crown. If you make it further ambiguous in No. 6, it rather negates the strong statement in No. 3.

CHAIRMAN:

I have three comments on No. 6.

1. There should be emphasis on individuals. This is especially true for the north where you have many small entrepreneurs. These people are the backbone of the north and should be recognized in a Policy Statement.
2. We should also recognize that there are difficult risks and costs that are different in the north from the rest of the country, and therefore they should be taken into consideration by the Government in developing incentives which are applicable to the north.
3. The owner of the mineral resources should be identified as the Government.

OGILVY:

I agree with the second part, but not the first. It seems that the word "owners" is purposely left vague because if we go the route just suggested now, and we don't get all the mineral rights vested in the Crown, then those mineral rights that are given to a third party wouldn't be covered by our paragraph 6.

JEFFREY:

This is a very good point, because in practice there are already some alienated.

MCLEOD:

I think the problem is whether or not the committee is setting some pre-conditions on land settlement. If you get in that position I'm afraid you will be in trouble. If you want to be in that position, then you should examine it very closely and then make it clear. Either that or steer away from it altogether.

CATHRO:

That's a good point.



HAWKES:

Then do we need any more than the first paragraph?

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CHAIRMAN:

~~DOUG~~Patriquin has a point.

PATRIQUIN:

I'm new to the committee, but on statement No. 2 it isn't a statement of policy, you are trying to avoid any use of the word "Policy" after this one page. If you view the Government as dealing only through legislation and regulations, you're omitting that they do a lot of work before they get to legislation. I believe the Land Use Policy might better be called strategies. But everybody above Bob Hornel's level in Ottawa, views himself as a Policy developer.

GRANGER:

I'm a little sorry that in this group I'd have to say such a narrow thing as this, but my membership would probably insist on me saying it. "The Government of Canada will foster, promote and encourage us" and I can foresee that under Land Use Policies the Government would also continue to put 8,000 square mile Parks in the Yukon, and that they would consider that thus would go hand in hand with "fostering, promoting and encouraging" us, somehow. On many occasions, I have addressed the Parks people, and have yet to see any sign of them getting this message from Number One. And they do get their way, Sir. We learned yesterday from a map that they're studying two more in Central Yukon of about 8,000 square miles. And we've certainly seen, in the Yukon, what happens when they study them. They've studied Kluane and they've studied the northern Park, they've studied NAHANNI, which is near a border of ours. Now they are studying one at Dawson and one over in the Keele Peak area. Huge. So this is all part and parcel of the "fostering, promoting and encouraging" of us.

CHAIRMAN:

OK. Well I understand the consensus of the meeting is to leave No. 5 in. No. 6 - any comments?

MCLEOD:

On No. 6 - are we talking about areas where there are outright grants, a disposition of mineral claims?

IRVINE:

Both. Its a blanket statement to cover the Government ownership.

MCLEOD:

It doesn't come through clearly, because if it is meant that the Policy will be to establish certain terms and conditions on the settlement, we may have a problem. You are saying in advance that if the Indians are given a free grant of land the Government can tell them how to dispose of it.

CHAIRMAN:

I'm an owner of mineral resources in the Yukon, and I don't want anybody to put any conditions on how I deal with people who want to buy from me or explore.

IRVINE:

The weak point is that the "owners" also includes private owners.

CHAIRMAN:

My comment on No. 7 is that I would like it to be enlarged to say: "employment and participation of northern people in the mining industry should be encouraged". One of the things that is difficult is with people who think they understand the Indian problem, than with the natives. Especially this caribou question. I can understand the Indians position in that he likes to shoot that caribou and that meat, but I'm almost certain he would prefer a T-bone steak, except he doesn't know how to get one. He sees the caribou only as an easy access to protein, which he needs, and he knows how to go and get it. But if he were involved in the economy of the north and knew how to get a steak, like the rest of us, the Caribou would NOT be our problem, and the people that stand between them and us, and raise caribou as a real issue, -----caribou has no INTRINSIC value.

My last comment on No. 8 where it says "The mining industry will be assisted" - I think this should be the Government's business. It's their business to provide the infrastructure, and I don't like to hear any dissent from DINA or anyone else. Look at what happens elsewhere. The Japanese wanted to develop the steel industry, so to provide the incentive. Same in other countries. Our Government has done very well in supplying infrastructure. So why not recognize it and encourage them to continue to do so?

CATHRO:

I think one of the drafting committee has a statement to make.

OGILVY:

Is this to be written in the form of a brief to the Minister, or a draft of a policy statement to be adopted after amendment by the Minister.

CHAIRMAN:

Are we satisfied with this? We can probably have it ready today then.

Our next item is to deal with the Minutes of the last meeting and we can have a mover and seconder we can have a dicussion.

Moved by Cathro, Seconded by - Trigg.

TRIGG:

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I have one comment on Page 3, under infrastructure. The second line, first sentence reads: "And other infrastructures required but not for a single company's operation". I don't know that that was the consensus of the meeting, and certainly I voiced my dissatisfaction with that statement, and I would like that to be so recorded.

CATHRO:

That's true. It was Dan McKinnon's qualification that's recorded there, so the Minutes should be so amended.

CHAIRMAN:

That's a very important point and I agree with it. You can have one company that can lead to development of an entire area - why that company should not be supported, I cannot see.

CATHRO:

That was only Dan McKinnon's opinion, that wasn't the opinion of the Committee.

CHAIRMAN:

So probably we should say that "the Committee was of the opinion that it was required throughout, while one member felt not in case of a single company's operation" and leave it at that. If there are no other comments, I presume everybody votes for the approval of the Minutes as circulated. So the move is passed.

I think we should discuss the dates for our next meeting. It is scheduled for Whitehorse on the 7th and 8th of February. Arrangements are all in progress are they?

CATHRO:

CAM advised that between he and Roy everything would be taken care of.

statement that I can take to him and tell him where we are now, just in case a writ is called and he disappears.

About the April meeting, I had felt that the wind-up meeting should be here in Ottawa. But if the committee is going to last longer than this, we should consider that, too.

CHAIRMAN:

If we anticipate in April that we wouldn't have enough politicians around, it means somebody else has to meet earlier, and I think its not effective to have one or two members of the committee meet with them. You wind up with two members and twenty politicians.

WOODWARD:

I would suggest the committee consider extending itself on a long term basis, meeting when there is something useful to put on the table. Now that we have a group together it would be nice to keep it that way and have a formal vehicle for centralized contact for department officials and mining industry in future.

TRIGG:

That was raised at the October 13th meeting by the Minister himself and we came up with a diagram, but we were not totally in unison on the way to go.

CATHRO:

I think we all agree with Harry and it will be one of the implementation items we will discuss. But it doesn't effect our strategic decisions on how we are going to wind this committee up, and how we're going to pre-judge the date of the election.

CHAIRMAN:

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And there will be no necessity for the recording secretary to attend? That's fine.

We have agreed to meet in Yellowknife, Whitehorse, Vancouver, Edmonton and in Ottawa. We've met in Edmonton and in Vancouver; we will be meeting in February in Whitehorse, the question is of a meeting in Yellowknife. The suggestion has been made by Bob that the best time to meet in Yellowknife would be in March and wind it up in April in Ottawa. Also a suggestion with a lot of merit is that we should meet with the caucases of the two major parties.

The question then is, as to the time. I think this meeting with the caucases would be important, and for that reason, it may well be that the March meeting should be in Ottawa, and the April meeting in Yellowknife, although it would be nice to have the final meeting in Ottawa. So we have abit of a problem here and I'd like to hear views from the members.

DOUGLAS:

It depends when the election is.

IRVINE:

We do meet to discuss political aspects, and the other day there was one which related to the possibility of an early election and our inter-reaction with the Minister, and we judged that there was not much chance of a writ being called before our February meeting in Whitehorse. The experts tell me that once an election writ is issued, everyone disappears, so there won't be much inter-action with the Minister after a writ is issued.

So after our February meeting, we are going to have to come up with an interim

Q- SECRETARY - To Dr. Woodward - Would this then become a standard committee under the ACND umbrella such as the other sub-committee?

WOODWARD:

Even the contemplation as to how its going to go on, even from this one, hasn't been reached, and I think consideration would be given to it at the time.

CHAIRMAN:

Ron Hawke - how do you feel about a meeting in Yellowknife, as opposed to this idea of a meeting with the caucases?

HAWKE:

I'd like to see that. If something like this committee does continue and there is an election, there won't necessarily be any change in the Committee.

DOUGLAS:

A suggestion was made that we meet with the Standing Committee on Indian and Northern Affairs.

IRVINE:

What's the format?

WOODWARD:

Generally there would be a brief, representatives of the committee, you introduce yourself, whats your purpose, terms of reference, what you've arrived at to date, and leave it to them to address their interests.

CHAIRMAN:

But that is a committee in formal hearing. Then you have to abide by their rules.

We could have our committee to invite that committee to meet with us in an informal way and then we are in control of the proceedings.

Bill Costello - could you tell us how you feel about P.R. in Ottawa with the political elements, etc.

COSTELLO:

I think it would be useful to have as much all party support for the final position this committee arrives at, and that kind of meeting would be helpful. With an election coming, the members of the committee would want to meet with members of the Standing Committee. I don't think it matters whether you meet on our grounds or their grounds, and they always afford you an opportunity to state your case.

GRANGER:

At the C-187 meeting there was very lively questioning and many members wanted information on a wide range of subjects. Our Canadianiness and all that sort of stuff will probably be of great interest to them.

DOUGLAS:

I think there is an advantage on getting into the Minutes of a Standing Committee, and they get pretty wide distribution. So if you have a story to tell, there's a good opportunity. Ian Watson is the Chairman.

CHAIRMAN:

One thing that is everything so far is that its good to have a formal meeting with

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them, and to have the Minutes widely distributed. I feel the strength of this committee is in its members, and I think all members of this committee should be there and should be given an opportunity to speak, and that we should brief the members of their committee with whom the members of our committee are, and encourage questions being directed to each member of our committee.

So I would suggest that we have our next meeting here in Ottawa, and have our meeting with them then.

IRVINE:

What is the full name of that Committee?

WOODWARD:

Parliamentary Standing Committee on Indian Affairs and Northern Development.

CHAIRMAN:

What is the proper procedure here? We as a committee have been organized at the invitation of the Minister of IAND. Should we not consult with him and see how he feels about this?

WOODWARD:

Very much so, I think he'd be delighted.

CHAIRMAN:

So why don't we ask Bill Irvine to get the Minister's blessing on it, and in preparation for it we have a short biography of each member, and it be properly circulated, and either we invite them to lunch or vice versa.



COSTELLO:

A list of names of Committee members is in any Wednesday edition of Hansard. When you invite them to meet with you, there may be people who are not voting members, because any member of Parliament can attend any Parliamentary Committee and speak or ask questions.

CHAIRMAN:

To assure good attendance at that meeting, can you people help us? So the Mining Association can co-ordinate the arrangements.

WOODWARD:

I'm sure that with the facilities of the Mining Association of Canada, they would get out a little announcement on behalf of the Chairman of that Committee to all members and interested members of Parliament.

IRVINE:

This falls again into the problem of an early election. I think April would be too late for that, and very likely we wouldn't get anybody here. So it should be for a March timetable.

GRANGER:

I consider this so important that I would waive the Whitehorse meeting for awhile. There's no pressure of urgency about that, it is a territorial obligation.

COSTELLO:

I maintain pretty fair connection with all the people on the bill, and I think any consideration of an April election is unwarranted. We are still going to be in a high period of unemployment, and there'll be no turnaround in the economy and I don't think there will be any turnaround in the Polls. I think you'll see this Government go right through to the maximum period of time, and I doubt that Parliament will dissolve before the end of June or July for a late summer election.

CATHRO:

It really narrows down to a choice of whether we are going to meet here in April or are willing to gamble and make it March.

HORNAL:

Lets move the meeting to Ottawa in early March, just before or after the Prospectors and Developers Convention in Toronto running on March 11th to 14th.

CHAIRMAN:

What about the 15th for our meeting? Agreed? We can't have our meeting and have it productive and have a meeting with the Committee. I think we will have to have two days. Is it possible that we could do it on the 14th with one and the 15th with the other?

CATHRO:

Is there any reason why those going to the P & D meeting couldn't leave Toronto at noon on the 14th and be here for a 2 PM meeting and meet right through the evening?

IRVINE:

Subject to the approval of the Committee, I agreed this morning to substitute for the Minister at the P & D meeting to give a short talk on our Committee. He was going to do it, but I said I'd be glad to, but the Committee should know about it.

CHAIRMAN:

I think we are very honoured, Bill.

GRANGER:

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CHAIRMAN:

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CATHRO:

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As long as Cam Ogilvie can write your talk. Mr. Chairman, how about compromising and having a meeting here in Ottawa starting about 1 PM on the 14th, and meeting through as long as we have to that day in preparation for the formal meeting on the 15th. And if the meeting with the standing committee is in the afternoon of the 15th then we have some time in the morning as well. And we'll leave it in the hands of Messrs. Irvine and Costello to set up the arrangements.

CHAIRMAN:

And we organize either lunch or dinner or late afternoon cocktails with them. If we are having such an arrangement, should we invite somebody else?

IRVINE:

We should invite the Minister.

WATSON:

I would also suggest the Minister of E.M.R.

CHAIRMAN:

I think we should invite both Ministers.

CATHRO:

And how about the Senators from the Yukon and the Northwest Territories?

IRVINE:

Who is the Senator from the NWT?

PATRIQUIN:

Senator Willy Adams from Rankin Inlet.

CHAIRMAN:

The Mining Association's Annual meeting is on the 30th of May, here in Ottawa.

How about April for Yellowknife - where would be convenient?

HORNAL:

Due to the fact that Bill's commitment to the Department is up at the end of April, and in view of the fact that we would be looking to you to put together a final report, it should be early in April, the 4th or 5th or something like that.

CHAIRMAN:

Is the 9th and 10th of April a tentative date, then?

CATHRO:

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If the election doesn't get in the way, it would be kind of symbolic to wind it up in Yellowknife, where we began it, at a good summit meeting, and give the Minister a chance to pull it all together. We started, he charged us with a responsibility, we've gone away for six months, we've come back, and we submit our report to him.

IRVINE:

You can't force the Minister to come, you can invite him, urge him etc. and you sometimes have to do a lot of arm twisting to get him where you want.

TRIGG:

Does he have a Shadow Minister, Bill? Who is it?

CATHRO:

The Northern Affairs critic is Doug Neil, M.P. for Qu'Appelle - Moose Mountain, Saskatchewan.

IRVINE:

I have an idea that anything like that would have to be cleared with the Minister. We don't want to do anything to make him mad. He's a member of the Standing Committee anyway.

CATHRO:

I'm not clear on the biographical notes you want put together for the Standing Committee. Should everyone be sure that when he comes to the meeting in Vancouver, he brings a biographical sketch for, Bill, and those that aren't going to be in Vancouver should make sure they send one?

CHAIRMAN:

It's mainly the affiliation with companies and their involvement in the mining industry, and things like that which will help them ask questions.

IRVINE:

Any biographical sketch which is too self-praising will be heavily edited.

CATHRO:

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All we want to do is to make sure that in the future, the Minister talks to the Mining Industry that represents Northern Canada, and because of the diverse make-up of the industry he has to talk to the four western chambers and the M.A.C. in order to talk to the mining industry. We don't want him to think that if he talks to the M.A.C. that he talks to the industry; or if he talks only to the Alberta Chamber of Resources that he talks to the industry. We want to make sure that our Committee has representatives from all five groups.

GRANGER:

It might happen that the Yukon would gain Provincial Status in the next few years, and we have to keep that point very much in mind.

CHAIRMAN:

Could we say that while the task of this Committee is finished we suggest that it continue under a different name to accomplish what was set out in Step Three - the objective of on-going consultation, and meet on a regular basis? The effectiveness of this committee is to get unanimity among all concerned. That's the real strength of it. If the various Governments and industry, as represented through its Chambers can all have unanimity, where are the problems?

HORNAL:

I think we can probably get unanimity from the representatives of Governments, but I'm not sure we can get it from the Chambers. We can agree, but whether we can affect this policy, I'm not sure we can say that.

CHAIRMAN:

Why not?

HORNAL:

It depends on the actions of Boards and Government agencies which are not represented here, the Department of Finance, Treasury Board and other groups. While our Minister may strive to implement this policy, he may not be successful in light of opposition from other groups.

CHAIRMAN:

Each body represented here was asked to appoint its representative. The question of administration has already been passed.

CATHRO:

In future we want to make sure the Government knows who to talk to. We want to avoid past problems such as happened 10 years ago when Government, in all sincerity thought they were talking to the mining industry when they met with

CHAIRMAN:

The drafting Committee is still hard at work, so this is the time that we should talk about the implementation of the policy they will be bringing in. The strategy part of our assignment - is that in order with everybody? 52

If we could come up with some strategy - none - that could be announced by the Minister when he addresses the B.C.-Yukon Chamber of Mines, the problem we ought to address ourselves to is the part of the strategy that can easily be developed and will not require much discussion or any controversy.

Why don't we deal with the follow-up Committee as part of our strategy? Would you like to open the discussion, Murray?

TRIGG:

The name that was derived at the October 13th meeting was an "Advisory Council on Mining". I'm not certain I agreed with the position that showed "directly accessible to the Minister", and I think the wishes of some of the departmental members that are here, indicate that they would like to liaise with that Council. I would be in agreement with that concept. Harry?

WOODWARD:

Although the department officials may be the main liaison with the Committee, it may well be that the response coming back may well be directed to the Minister's office.

HORNAL:

The other thing that we did see was that this Committee would be totally from Industry.

TRIGG:

I know that at one time it showed Industry officials only being involved.

WOODWARD:

I think ultimately you would be addressing yourself to the Minister of the Department.

CHAIRMAN:

In the case of the Advisory Committee to the Energy, Mines and Resources, we have usually the Deputy Minister sitting in, and within the Department, there is a Secretary that organizes the thing.

WOODWARD:

I think if we were to follow the same thing it would be the A.D.M., not because of the difference in title, but because of a difference in interest, and the Secretariat and the rest of it. Irrespective of at what level consultation takes place, the ultimate response of the Committee comes back to a very high official, the ADM, the D/M or the Minister depending on the item of interest.

CHAIRMAN:

When our meetings are called, the Minister is always present, and throughout the meeting even though a D.M. may leave it, the Minister never leaves from beginning to end, because it is really his committee.

CHAIRMAN:

Bill Costello, how do you feel?

COSTELLO:

I would think if this Committee is going to function as an Advisory Committee to the Minister, then the Minister should attend the meeting. If that doesn't happen, then you inevitably get into the filtering process. Recommendations go through Departmental people, there's always the tendency to anticipate what a certain Director or A.D.M. is going to find acceptable and you're constantly looking over your shoulder, and I don't think that's an effective way to function. If this is an Advisory Committee to the Minister, then he should certainly meet with them frequently so he can have its advice directly.

CHAIRMAN:

So you have identified two kinds of committees. An interchange of information, and an Advisory Committee. Now from the point of view of the Departments, we can hear how they feel, and then we can hear from the Chamber and the Industry. Which kind of committee is required in the circumstances?

WOODWARD:

I think you are dealing with an Advisory Committee to the Minister. It would depend on how often this Committee felt it needed access to the Minister. Much more than one or two meetings a year is going to be beyond his schedule. I think the person who could be present at all meetings could be the A.D.M. That's the effective contact and where you can always be sure he will be on hand - and without any filtering.

CATHRO:

I agree. I think the Advisory Committee meeting with an ADM is the most effective route for us to follow in the next few years.



HORNAL:

What is likely to happen is that the ADM may wish to meet with the Advisory Committee ~~move~~, and bring some matters to its attention. The Committee, on the other hand, may wish to see the Minister.

CATHRO:

Of course, they always have access to the Minister in some other way. Also, we're talking here about an ADM who has much more commitment and responsibility for northern development than in the past. And we haven't forgotten our idea of restructuring. We've got to have an advocate who isn't troubled by other responsibilities for Parks and Indians and Caribou.

COSTELLO:

Who are the members of this Committee? By definition, everyone in the Department is an advisor to the Minister to a varying degree. So we have to decide... Who are the members? If it is made up of private sector people they can't all advise the Minister.

WOODWARD:

The departmental members could withdraw from the group entirely if it was deemed necessary.

CHAIRMAN:

Once the policy is announced what are our concerns from which a committee is required?

COSTELLO:

We're interested in monitoring that Policy to see either its implemented or its implementation doesn't present a problem.

CATHRO:

The monitoring of existing legislation and discussing well in advance the implications of new legislation.

CHAIRMAN:

So this is more of an inter-change of information committee than an Advisory Committee. It sounds very fine, but its on call at the wish of the Minister and you may be called or you may not. If you wish to have a continuing influence I think an inter-change committee, with co-chairman, as in the case of E.M.R., may be a more effective Committee.

PATRIQUIN:

Could I ask whether there is any point in having the Territorial Governments there? We don't have any functional role in advising the Minister.

a MAC committee, three men, all lawyers, who represented three large mining companies. They put together a rough draft of the Land Use Regulations and everybody was happy.

But - it was over a year before the first draft got to the Yukon Chamber, and it was another three months before the first draft got to the B.C.-Yukon Chamber, and they ended up with about 2 or 3 weeks before gazetting, to react, and naturally there was a lot of hard feeling about it. It was really stupidity on the part of the mining industry because they were not represented in any way by a representative group. That's their problem, not the Government's.

CHAIRMAN:

Our main problem, before meeting as a group, was that there was no clear cut communication between industry and the Government. Things were happening without consultation, and that we wanted to have an input into what happens in the north. Am I correct? OK. So the Committee was formed to develop policy to recommend that policy and to get involved in strategy. A part of that strategy was the follow-up work and that consultation was envisaged in the original three steps through a Committee, and I'm suggesting that is part of our strategy to consider. So it looks to me now that the best thing to do is for this committee to continue probably under a different name, and with less frequent meetings, and let it evolve into whatever it may. If it serves the purpose for the Chambers and the Mining Association, and of the Department, and functions, what else can we ask? And if it doesn't function, then we have to change it.

WOODWARD:

The point as raised by the Yukon representative is that although this would be the central vehicle to approach the northern mining industry that indeed where the representatives of respective Chambers had different views, they make direct representation to the Minister, as they would in any case.

GRANGER:

You must realize that one of my instructions is that the names of the two Territories are never mentioned in the same breath. We don't want Ottawa to even think of us as the same. I have had that instruction for years.

CATHRO:

Let's have the record show that the NWT doesn't want to be mentioned in the same breath as the Yukon.

CHAIRMAN:

Prior to our meeting, Bob suggested that probably the Committee as a whole could sub-divide into two standing committees, one each for the Yukon and the N.W.T. We are not trying to impose views on any one entity.

CATHRO:

This is the way to handle the problems of Provincial aspirations in the Yukon that Ron has been talking about. The two standing committees could come together as a full committee when there's an issue that affects both territories.

WOODWARD:

That's the point I tried to make yesterday. If we are talking about the Yukon Minerals Bill, it behooves the N.W.T. people to be involved, because obviously, their turn is next. So it really almost counters the suggestion of two Standing Committees. And the next question is: "Who represents the Yukon"? Is it a north-south line of B.C.-Yukon Chamber and Yukon Chamber of Mines, or is it a division at 65°? Where does the MAC fit into this? You have one mining industry in Canada regardless of location of individuals, and if we can keep the context of the committee as a whole, they do it through the vehicle already set up. So that consultations and decisions of this plenary group don't bind the hands of the respective components expressing their particular point of view.

CHAIRMAN:

There is too much danger in that, Harry. It would be most inadvisable for us to splinter off. The fact of life is that there is one mining industry. We have to live with each others mistakes and successes, or else we'll never accomplish anything.

CHAIRMAN:

To summarize - with respect to the continuation of a committee, the best solution is for this committee to continue under a different name, but to meet less frequently and see how it works, and let the practical aspects determine its evaluation.

PATRIQUIN:

I have a suggested name for it ---The "Joint Industry - Government Consultative Committee on Northern Mining"

CHAIRMAN:

Is the silence tacit acceptance? Sure!

Here the meeting adjourned for 15 minutes  
for a working lunch

This is the end of the DEX transmission to  
Vancouver on January 19, 1979.

R.A. Eastman  
Secretary,  
ACND

Friday afternoon session - Day 2

CHAIRMAN:

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There is a suggested new name for the Committee, less frequent meeting, probably a permanent Secretariat to continue, and the revue of that Secretariat we can leave for the time being, probably somewhere in the west.

The Policy Statement contains reference to fiscal incentives and similar incentives. Probably the realistic way for us to deal with this is for all of us to express our views here, and get a few people together like we had with Jeff and Cam to see what can realistically be put together on that fiscal policy. So I would like to open the discussion to see what fiscal policy we are interested in. As you know, the M.A.C. has prepared an analysis of tax structure throughout Canada, but it was mainly a presentation with respect to the mining associations attempts to encourage the Federal and Provincial Governments to change the tax rates. There is no question that if they compare the rest of Canada to the north, we look pretty good, but we must not forget that we operate in a rather harsh environment where some major costs that go into the profitability of mining ventures are substantially higher. I think this has to be recognized, and in our report we ought to emphasize this, and we may be able to get some hard information on this, like the cost of transportation, cost of energy, cost of labor, which includes very heavy subsidies for housing and food, etc. So any incentive in the Y.T. and N.W.T. has to take this into account.

CATHRO:

I think the most important point here is to make it more attractive for individuals to either remain in the north or be attracted to the north in order to minimize the labor-management problems that are curtailing northern development. There will have to be an incentive to prospectors and workers, to work in the north rather than in the south.

IRVINE:

It seems that one of the ways to do this is to have an "across the board" reduction in income tax for anybody living and earning north of 60°. But I understand there are strong feelings about that from some people in the Government that this should not be the case, and as ULLI RATH pointed out, the way to do it would be to let the companies get the benefits and pass them on to the employees, but this would then only apply to people working for companies.

WATSON:

What's the main objection?

IRVINE:

The objection has been given that the companies would simply reduce the wages paid.

WATSON:

I think also the argument against it is that it is a division in terms of National Unity, that you have a Balkanization of a Tax regime which was never meant to be a tool of regional development. And that argument has been applied not only nationally by the Federal Department of Finance but within Provinces such as Ontario where it has been strongly suggested that northern Ontario people should have tax incentives to attract people to mining regions. I'm simply reiterating the points of view of people in Central Agencies right up to the Minister.

COSTELLO:

The M.A.C. has been pressing for a differentiated Income Tax system for the last five years at least, somewhat along the lines of the Australian system.

CHAIRMAN:

The Government has said that they want more development in the north, and we're going to take them at their word and help them develop policy to make it meaningful. If we strongly believe that incentives are part and parcel of that strategy, we ought to go on recommending it. We can produce facts and figures to show what would happen if that were to be the case.

We are very happy to see our married people staying because they have the facilities. They are usually the best workers. But you've got the single people who come and go and they have no allegiance to the company, none to the community and no allegiance to Canada. But if they were encouraged to stay, or penalized for not staying, you would have a different situation. Question, Rod?

DOUGLAS:

There are two situations to consider. There is the present situation where people are mining; and the second one where new investments are needed. Speaking about personal Income Tax, our own company (Cominco) made a presentation to Mr. Shoyama a couple of years ago on this very subject re our mine in Greenland and the effect it had on development, and he gave the same answer --- that we should have no difference in taxation across Canada. The matter certainly wasn't adequately resolved in my mind.

However, I think now is the opportunity at this stage in the history of Canada, the way the Government is coming down to an election, to try to achieve something useful. So if we believe strongly that there should be some incentive for individuals, we should press that point. If we failed in that area, we should certainly strive to be certain that the present benefits are not taxed, as that would destroy the opportunities in the north, and we would no longer be competitive.

PATRIQUIN:

The argument about non-neutrality of Income Taxes does not apply in the Territories any more! Since last January, the Territories have been imposing their own Income Taxes like any province. So you can leave the Federal Tax exactly the same, and simply lower the Provincial or Territorial tax.

CHAIRMAN:

If we can say to the Minister, and if he accepts this, our Committee feels that because of the adverse conditions under which mining has to be developed in the north, and because these conditions are substantially different from those prevailing elsewhere in Canada, and the difference in costs in these areas, there is need for fiscal policy to take this into account, then we should form a group base to do some research and get together with us. 64

The Mining Association has already done lots of work on it, and they should be included, somebody from Finance, Chambers of Mining and so on. Bob Horal - a comment?

HORNAL:

I was thinking that this work could be best done in Ottawa.

CATHRO:

How about Bill Irvine, Ullie Rath or Bill Costello whoever you think ---

CHAIRMAN:

Harry (Woodward) are you disposed to be on such a group? And Dr. Jeffrey?

WOODWARD:

I would think so, since I have a long term project. Also there should be Dan McKinnon from the economic planning portion of it. But in the mean time I would be prepared to represent the department.

CHAIRMAN:

I would rather this was identified as an urgent matter to be dealt with expeditiously, than as a long term project.

PATRIQUIN:

If you are talking about personal taxation, it could be useful to include somebody from the Territories, because of the Territorial Income Tax and taxation methods as well.

CHAIRMAN:

I think all factions should have an input, but to be practical, the people in Ottawa should be the ones to do it and do it quickly, because its a very important matter. But every member of the Committee should feel free to communicate with them as he sees fit.

tax? That's fundamentally what we're dealing with. We don't want to get off into corporate taxes because the corporate tax set-up in the territories is the best in Canada, is it not?

CHAIRMAN:

You have to relate it to the cost of operating, and that has not been done. So I would not be prepared to give you an unqualified answer. On the surface, it is the best. The first priority would be that incentives are required both to the individuals and to the companies operating in the north. This stems from the higher costs of living and operating in the north, and the need to create stable communities in the north. Therefore, we would suggest no changes be introduced until the study is completed, and that would take into account Rod's concern that certain allowances that are now allowed, be not eliminated in the meantime.

This could be presented to the Minister at the next meeting, and I'm sure this is consistent with what he said at Yellowknife. But he also warned us not to get involved in making recommendations that have not been cleared with his colleagues.

IRVINE:

Would the time frame for the deliberation and production of a recommendation by the sub-committee be between now and the Whitehorse meeting, Feb. 7 & 8?

CATHRO:

No, between now and the Ottawa meeting.

PATRIQUIN:

Who, then, is on the sub-committee?

CHAIRMAN:

Bill Irvine, Dr. Woodward, Dr. Jeffrey or his appointee, the Mining Association representative, Finance, and every member who wants to have an input and attend meetings, contacts Bill Irvine and comes ex-officio.

IRVINE:

This is really a research group that will report to us.

WOODWARD:

Given the time frame, extensive research is out of the question, but the larger question has been debated with Finance on several occasions. The problem is conceptual. They will accept the case that people pay higher income tax, and that it is more expensive to live in the north.

PATRIQUIN:

A crucial question is - if you lower the income tax rate to 5%, what's going to happen

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to the revenues? Our argument here would be that we'd have to sort out to what extent revenues would rise if new people come into the territories, and to how you could lower the dollar benefits for civil servants by substituting this tax change and other related benefits.

CHAIRMAN:

Can we not draw a little bit from what's happened with the Oil Industry in the north? On write-offs for exploration for example, an individual who participates in exploration in the north has the right to write off 130% of his expenses against his income.

PATELIQUIN:

As a corporate income tax only.

TRIGG:

Perhaps Rod Douglas could tell us about some of the current incentives that do exist, and that might help us to know where to go.

GRANGER:

I have a question for Bill Costello. On page eleven of Ulli Rath's paper, point 3, is about the comparison of the territories taxation rate with that of the provinces, saying it appears to be quite reasonable. In your committee I'd like to have seen it defended in that paragraph, with a few figures to back it up.

COSTELLO:

They are looking at income taxes rather than costs to do business.

DOUGLAS:

Our objective as a committee is to see new mining investments made in both territories. For a prospector to go out and work, he's going to have to persuade somebody to put up the hard cash to get into production. That is one of the areas of fiscal regime that needs to be looked at.

I know the Beaufort Sea has had a lot of attention, because Canada felt it needed to know what was up there. So they put in place a fiscal regime that persuaded people to insert money. Dome Petroleum went out and persuaded individuals to invest. I see a parallel situation in the mining industry. If you want mining in the north, you are going to have to give them some concessions to take that risk, and I don't think we've addressed ourselves to that particular problem.

CHAIRMAN:

The guy has to be grub-staked. If you will encourage this by the people in Vancouver and elsewhere, by giving them the write-off, regardless of whether they are a corporation or not, you are going to get that kind of money.

COSTELLO:

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One phrase we in the mining association avoid using - there is no such thing as a tax incentive. We never use such a word. Every tax is a dis-incentive.

DOUGLAS:

There is a second issue. Even if you attack the problem with personal income tax you still have to have somebody make that final decision that we're going to go ahead with development.

IRVINE:

Concerning the Queen's Report, I should advise that we've had communication from George Miller, one of the co-authors of the report, offered to supply people to advise the committee and help them in formulating any strategy or policy. They could be members of a sub-committee.

CATHRO:

I think we can dispose of the Queen's Report quickly and would recommend that we ask Bill Irvine to liaise with the people from Queens who prepared the report, and from some of the people in the Department to formulate some recommendations on how to implement it. Nothing will be achieved by our committee getting too deeply involved in it. In the same way as we are dealing with taxation, anybody who wants to contribute towards that sub-committee work can go ahead and do it.

IRVINE:

Then I'll make up an ad hoc sub-committee and Harry and I can arrange the members.

TRIGG:

So what happened to this Committee, then?

CATHRO:

We are going to set up a small sub-committee composed of Bill Irvine, someone from Queen's, someone from the Department, likely Dave Gee, and they are going to make some recommendations on the implementation of the Queen's Report, and then come back to us. In that way, we won't get distracted at the present time.

HORNAL:

There are only two recommendations on policy in it, which we agreed to take forward, so the recommendations should be very simple and we should accept them.

TRIGG:

I thought that yesterday we had talked around that and they'd assured us that these were well in hand and going forward, what more can we do?

CATHRO:

We have this invitation from the University to come and talk, and we don't want the committee to get side-tracked talking to Queen's, so we'll have Queen's talk to Bill, and that may be the end of it.

HORNAL:

What are we going to gain from it?

WOODWARD:

It would be worthwhile trying I think, if only to get down on paper the types of discussions we had yesterday, the things that were going to be done, the means of solving problems, etc. It would be nice to see a piece of paper with a consensus of Departments that the approach is OK.

DOUGLAS:

I question if the Department people are satisfied with the report and are ready to implement the six recommendations, what more do you have to do - - re-invent the wheel?

CATHRO:

Dave Gee didn't indicate to me that he was willing to swallow the whole report.

HORNAL:

There are two matters of policy we have to consider. One is the matter of fair compensation with the communities, and this is a policy matter which has to go before the ADM and senior members of the Department. The other is the set up of the review committee which has not yet been clarified. I think we have to wait to see what the reaction is to the policy matters.

I'm saying it is now over and done with, and now it is up to the Department to take that report and do something with it.

WOODWARD:

The objective of this working group would be to get some of this down in writing as to what the Department is going to do, and get something in writing as to what the steps are going to be.

CATHRO:

What we want to do is take it from 30 pages down to 2 sentences.

CHAIRMAN:

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If we are saying that there is a little more discussion, and the Department wishes to carry out that discussion and come back to us with a final position, that's fine. Is that what it is? But we are not involved in it!

GRANGER:

I'm still interested in Cotterill's statement on zoning. The answer was: The Committee asks for it -- and you will probably get it.

CATHRO:

Yes, but that's a recommendation we are going to make outside the Committee, its not the Queen's report.

HORNAL:

The Queen's Report deals only with administrative matters, and unless we fail to implement that report, I don't think the committee is going to have much to concern itself with.

CATHRO:

If it is the wish of the committee to tell Bill Irvine to tell Queen's we don't need them, and it's all done, well that's fine.

HORNAL:

Bill Irvine can make Dave Gee and I put down in writing what we promised yesterday. I have no objection to that. Maybe the committee would like to recommend that Queen's do a second review of our administrative procedures.

CHAIRMAN:

This report was commissioned by the Department itself, and it's really a matter for the department to be satisfied with, more so than this committee. I think the feeling of this committee is that we are here acting in liaison with the two departments and I find it has been a very successful interchange amongst all of us, and let us continue.

TRIGG:

My views would have been different if Dave Gee and Bob Hornal disliked the Queen's report and found that there was no substantive information in it. Then I think we'd be in a position to argue. But what I heard yesterday was agreement that there were things that have to be done, and that they do agree with the report.

CHAIRMAN:

So we are leaving it up to you, Harry and your people to accept it.

WOODWARD:

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What we should do is leave it with the Secretary to provide something in writing as to how the Department can address itself to the problems raised in the report.

TRIGG:

There is a point Bob Hornal raised and I think we should consider it briefly. He says the Government has stated what they will do on the complaints that were raised, what is the industry going to do?

CHAIRMAN:

Shall we look at these recommendations, then, and make some comments. The first one is that "DINA should undertake a major review of all aspects of administration affecting mineral exploration in the northern Territories". That's what we suggested to them and apparently they are in agreement.

HORNAL:

The methodology is not clear, but we're in the process.

CHAIRMAN:

In part of this recommendation it says that you should deal first with Government - Industry relations, and that's what this committee is doing successfully.

DINA should establish an automatic system for the monitoring and annual review of the regulatory process.

HAWKES:

Before you get on to no. two, Dave Gee mentioned yesterday that there might be some exception to one of the three sub-parts in no. one, i.e. the organization of Departments.

CHAIRMAN:

Some dragging of feet is inevitable -- you always get that when you make a change in a Department, but if the Department has accepted this, they are going to do something about it.

HORNAL:

I thought the Minister said in October that he wasn't prepared to take that on at this time.

CHAIRMAN:

Item two - the system of monitoring? Bob?

HORNAL:

Yes we have taken that into consideration, and on no. 3 it's being reviewed, but the results are not yet available.

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CHAIRMAN:

I made a note on this which says: "The process of community consultation is very important". We find it is important to us as a company, and I must, of necessity, be important to your Department, because sometimes, I can tell you that people up in the Yukon feel ignored, neglected by you and feel they are poor cousins and you don't care about them or involve them in your forward planning. It's always good to involve the people who are most affected, and from my experience, you people should do as much community consultation as you can possibly afford.

HORNAL:

I should mention that on page 4 it also says "Industry's community relations could be improved". It's something both of us should look at.

CHAIRMAN:

Agreed, 100%. We have now developed a community report where we get involved in discussing with the people up there what we plan to do, why, how it's going to affect them, and if they don't understand we expect them to get involved in a discussion.

PATRIQUIN:

The Territorial Government would very much like to have some discussions with DINA on the community consultations.

CHAIRMAN:

And something very obvious happened in the last few years. Both Cominco and Cyprus-Anvil initiated interval changes, and you have now a Vice-President for the N.W.T. in the case of Cominco, and Cyprus-Anvil has the same.

IRVINE:

Quite often those community consultations should take place, but don't, because there's no response from the community. So it's very difficult to say how you make the community respond.

CHAIRMAN:

I strongly support item 4 on page 5 and I think to a great extent this could be improved by allowing the Territorial people to administer the Regulations. The flexibility could be in the manner of administration.

HORNAL:

We had promised 24 hour co-operation yesterday.

One way that we tried initially was to have the Department fund some independent studies of previous environmental damage and its natural re-growth in order to document what was serious and what wasn't. I personally appeared before the ALUR committee in Whitehorse and made my pitch and got nowhere. My company prepared a collection of before and after photos, showing what had happened to the Klondike and the Keno Hill disturbances, which we showed to the Standing Committee on Indian Affairs, to the C.I.M. convention, and I'll show it to this group when it's in Whitehorse. We have to prove to the environmentalists that they're not having anything by exempting these \$50,000 drill programs outside Dawson City, from the full weight of the L.U.R. The wording I proposed is as follows: "To ensure that environmental protection and control will be both effective and consistent with local sensitivity, independent studies must be conducted of natural regions".

It should come out in a format like the Queen's Study, as a published report in which we would show that trenching, drilling and line cutting in selected parts of the north as not to constitute a significant problem, and should not occupy the time of the Land Use Inspector. It would then behoove the Department to outline those parts of the north that they are concerned about.

WOODWARD:

You say you got nowhere?

CHAIRMAN:

That was 2 or 3 years ago when they were very much preoccupied with the Mackenzie Valley Pipeline.

WOODWARD:

Something along that line was done when the L.U.R. were first proposed. The Department then funded the oil industry and academics to go out and prove for themselves whether significant damage was being done. The generality of those reports was that L.U.R. weren't required, the industry was already self-maintained.

CHAIRMAN:

Last month I checked with the ALUR committee to see what they had done in the meantime, and the only places they had made a study were in the Mackenzie Delta and Banks Island; where they studied the natural regeneration of track vehicles across the tundra.

HORNAL:

They got involved in tailings areas too, and there had been some in-house work done in our region concerning vegetation disturbances, but not an independent study.

I see nothing wrong with us tabling such a recommendation. I'll try to put together a list of what has been done in this regard, but if you think there's more required, let's go ahead and put it in.

GRANGER:

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If people aren't going to respond to the Departments it means that all those permits are going to go to full term.

PATTERSON:

A great deal of community consultation is simply information, because you already know what the concerns are after 3 or 4 years. All it really is, is that you make everybody fully informed so they are comfortable about it.

IRVINE:

There can sometimes be a loss of time because you are waiting for something to come that never comes. There are at times good feedback sessions, its not all blah.

CHAIRMAN:

If you only talk to the same people - in the same places each time, you will get the same answers, and they may be incorrect. We find that you have to communicate at all levels with different people, and make it a practice.

Item 5 is self-explanatory - is it not?

HORNAL:

If we do something wrong, tell us right away and we'll try to fix it. It is one way of avoiding long term problems. If we can't fix it, at least we can explain why we can't. In the early years it was often a case of misunderstanding by the industry as to what was expected of them by the Regulations. Its been a learning process on both sides.

CHAIRMAN:

I find in Canada there is a negative attitude to Government, and Civil Servants. And I find that in many instances the civil servants are the necessary structure that supports and helps the industry, or it ought to. I look at the Department here as a part of our organization, if I need help, I go there and talk to them well in advance, and if more of this kind of discourse could be developed, much of the mistrust would be eliminated. But it doesn't mean there isn't lots of waste in Government, and this bothers business, there's no doubt about it. And again by greater interchange, this could be avoided. Probably there is lots of waste in business that could be avoided by better using the service that you provide, and I firmly believe that it is only this kind of committee that can bring this to the fore and see that we act in unison.

TRIGG:

Question to Hornal. One time you told me that the Petroleum Industry was more able to respond to some of their problems, and if true, how can we respond?



HORNAL:

By telephone. If they don't get a Land Use Permit they keep in daily contact with us until we produce it. We have a legal commitment to get it to you within 42 days or 14 days depending on the permit. But with good communications, we can often get the permit out quicker than that. But if, after you obey the regulations, and then tell us we're stupid, we can't help you. You don't have to be an expert to talk to us, and if you don't like what you got, let us know quickly.

BALDWIN:

Do the oil companies deal with you through an organization or by themselves.

HORNAL:

They solve their problems by themselves. A lot of the frustrations of the L.U.R. are just a matter of poor communications between the Department and the company, some of which I have to accept responsibility for, but also the company should not hesitate to try to communicate with us, too.

CHAIRMAN:

Those are most helpful comments, Bob. The reality is also that greater priority has been given to the oil and gas industry in the last few years because it has produced greater revenue and greater taxation.

HORNAL:

Now, there's harmony in the G & O industry but it wasn't always so. I'm looking for examples now, of problems you've had in the last 12 months from the mining industry, and I'm having difficulty finding them.

HAWKES:

What we should be looking at is reverting back to the point which the Land Use Regulations were originally intended i.e. a major operation either oil and gas, a mineral development. It's really Mickey Mouse to be going through all the L.U.R. business for little \$50,000 operations.

CATHRO:

Takes chair temporarily.

Ron has led into what I feel should be a major recommendation of this committee and that is a review of the L.U.R. based on local sensitivity and to take us back to 1970 when the L.U.R. were first proposed, and were originally designed to protect the fragile parts of the north. In practice they were applied across the north just as rigidly in the parts that did not require much protection as they did in the most delicate parts. My colleagues in Yukon fought this strongly. We have been looking for several years now, for a way in which we could have the regulations modified without it appearing to be a sell-out to the conservation and environmental organizations.

CHAIRMAN:

There's a lot of data -- 80 years of history that could be collected in the Klondike.

HAWKES:

Are we on land use policy now?

CHAIRMAN:

Ways of implementing the policy to avoid the previous problem.

At this point Chairman Bruk returns to chair.

HAWKES:

What I had in mind was not to lessen the industry's responsibility, but to lessen the creation of paper work etc., that go with it. That we increase the size of a project that would constitute a Land Use Operation. In other words have fewer projects that would be subject to permits. As a saw-off, have within the Regulations certain requirements as to cleaning up camp sites, etc.

CATHRO:

We would revise the Regulations to say that the entire north requires that you clean up everything. But, in certain selected areas which have a very high environmental sensitivity, there are other rigid conditions imposed. But you can't define it on the basis of magnitude of work, it has to be defined on the basis of sensitivity, and that is really geography. The southern Yukon is different than the Arctic Islands and you people have got to realize it.

DOUGLAS:

Isn't that what you proposed? What was that commission going to study?

CATHRO:

It was to study natural regeneration in order to justify scientifically, assigning different levels of protection to different areas.

HAWKES:

You mention one to three years. Is that time period necessary?

CATHRO:

In order to look at previous disturbances you are going to have to go there in the summer. So you're looking at at least one year. And I don't know whether one man or one team can look at the whole north in one summer. I doubt it.

OGILVY:

Bob brought this idea to the Yukon Chamber about four years ago to prove the obvious, and to show what John Naysmith's L.U.R. and Management Zones was all about. And it was cut and dried in the evidence that was given to the Parliamentary Committee when they were first contemplating the authorization of those two things..

What was obvious was that there were five Regions in the north. The Regulations came out and they didn't recognize those differences. The Land Management Zones came out and they weren't little things like the Tuk peninsula, they were 50% of each territory, and subsequently because 100% of each territory. The difference between what came out and what the original concept was, and the scientific data that went into the concept, was 180° apart. With tedious persistence, the Yukon Chamber went to the Government and said "Why is it you can't see what Naysmith saw in the very beginning?". They couldn't see it! So now we seem to have to prove the obvious.

But, now it looks like perhaps this isn't necessary after all and we can go back to the way things were in 1969 and resurrect the data that Naysmith had, and say that the Boreal forest region has a different degree of sensitivity than the mainland shield, and it is different than the Mackenzie delta. Why can't we do that? Is there anybody in this room that would dispute that they're not different? Is there --? Well, then we've accomplished it then, Bob.

CATHRO:

We've accomplished it if the Minister can take that to the conservation groups and have them buy it, and I don't think he can.

HAWKES:

What we would like is an exchange here so we can find what is the most workable way to go.

HORNAL:

Why don't you do two things. 1 - recommend the study which the Department will or will not do; and 2 - ask for a review of the Land Use Regulations with particular emphasis on the concept of area sensitivity. But as Harry described yesterday, a review of L.U.R. would take up to a year.

WOODWARD:

I think what the Chairman is getting at is the need for a little ad hoc committee to look at this report quickly.

IRVINE:

There is no point in this committee taking this report and merely re-phrasing previous recommendations. We have to get deeper into these things, break them down, and see what specific, more detailed recommendations there are. But we have to have consultation.

HORNAL:

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I would go along with Harry Woodward and see Bill's committee be expanded to look beyond the administrative regime to the Policy regime of the Land Use Regulations. We also might want to enlarge Bill Irvine's membership a bit.

IRVINE:

The membership has not been stated yet, but I understood we were free to bring other people in to it.

CATHRO:

Reads his motion once more.

CHAIRMAN:

And what happens until they are conducted? Shouldn't you give the flexibility to the Inspectors, that in cases where the applicant can prove or indicate the difference in degree, that the Regulations are not enforced strictly.

CATHRO:

They already do exercise a degree of flexibility.

WOODWARD:

They are the ones right there with the Land Use Committee, and can respond to each application.

GRANGER:

I've got the Queen's sub-committee crossed off my list since I felt it was completed. But now if it's going into Policy I certainly want to put it back down, perhaps change that name, and get the manager on to that in a hurry.

HORNAL:

We agreed that Bill Irvine and Dave Gee would get a statement from us as to what we were to do to implement the Queen's report recommendations. Then it has been suggested that you continue that by paring recommendations that this committee could make to the Minister to ease the burden of these regulations on the industry. Several suggestions were made.

IRVINE:

Would you accept also improving the quality and character of the Land Use Inspector.

HORNAL:

Sure!

DOUGLAS:

What Cam Ogilvy has requested, is a re-examination of Naysmith's original concept in the light of the experience of the last 2 or 3 years.

CATHRO:

Cam is suggesting that instead of my recommendation which documents the obvious, that the committee will recommend that the southern Yukon, south of the Peele River, will be excluded from the Territorial Land Use Act. So it's a choice of one or the other. If you think Canada is ready to accept Cam's suggestion, I'm all in favor of it. If you think we have to document it and look forward to that in the future, then I suggest you go back to my proposal. If you like, Cam and I can strike a sub-committee and we'll accept whatever you like for membership on it, and we can try to refine it a little bit better between now and the Ottawa meeting.

OGILVY:

And Bob is not implying any difference he and I have at all, we both see it as proving the obvious.

CHAIRMAN:

Wouldn't this come under item 4 of the recommendations. Are you suggesting that there are specific local conditions which should exclude part of the Yukon from the Regulations?

CATHRO:

That's right. The difficulty is, in a small scale, to actually draw a line on a map and say: "On that side of the valley we're not worried, and on this side, we are".

IRVINE:

I think you practically have to do something like that, because otherwise you can be quite vulnerable. If you take a blanket exclusion, the experts will come in and prove you wrong in detail, so you must have the scientific background.

WATSON:

We may need more data, but is there any need to change the fundamental machinery in the administrative set up?

OGILVIE:

Yes, there would be a need to change the Regulations. Two specifics: In the matter of definitions of what a Land Use Operation is; The second would be in the allowable times to issue permits.

CATHRO:

Does anybody have any hang-up with any reservations? Is it bothering anyone?

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MCLEOD:

I believe we must differentiate clearly between Regulations that a man is duty-bound to enforce, and the man exceeding those Regulations. If each situation can be examined carefully to see whether it is specifically the man or the regulation that is at fault, then we should change the Regulation. If its the man, it should be documented, with photographs and a complete report to the Regional Manager from the person aggrieved.

IRVINE:

Many people don't feel like taking that much of their time to photo and document a report.

MCLEOD:

Then how does a Regional Land Use Manager judge, unless he has some basis to judge on. To seek a remedy to a problem, that problem has to be demonstrated. If the feedback isn't accurate you finally find a bunch of fairly well-paid public servants who don't do anything, because they don't know where they stand. It's better to be safe and avoid criticism than it is to go out and do your job and take a risk of criticism.

CATHRO:

I am not aware of any complaints from 1978, so I think the problem is over with. The 1975 complaints led to the Queen's Study, and the changes have already been made.

HORNAL:

Are we forming a sub-committee to look into this?

CHAIRMAN:

Let's bring this back into focus. We have the Queen's Study to which we have now added 2 riders. How long are we going to deal with this Study? In addition to you, Bill, who else will be there?

IRVINE:

Dave Gee, and my understanding was that we would ask the help of George Miller from Queen's, but I'm now hearing that they can't give us anything.

CATHRO:

I think we agreed that in dealing with the Queen's Report we would not take more than two lines. We just have to agree and see that it is enacted.

CHAIRMAN:

Was the consensus not that we would eliminate the Queen's Report people from getting further involved? Good!

IRVINE:

Then I have your authority to write Mr. Miller and thanks, but the committee doesn't feel it needs additional assistance?

OGILVY:

Would there be any support to the idea of zoning, from the Committee or the Government, with respect to L.U.R.?

CATHRO:

Did Ewan Cotterill instruct anybody in the Department to draw up zones and bring the recommendation to the meeting? Either we support it or oppose it.

HAWKES:

Could we form a sub-group to do that very thing, and re-examine the L.U.R. situation and report to the Committee as soon as possible.

CHAIRMAN:

You don't need to report to us. If Mr. Cotterill has agreed in principle with zoning, let's implement it.

HAWKES:

But you are limiting it to just the zoning. Bob was suggesting looking at our record etc. So if we just get a sub-group to examine where we are today on L.U.R., and then come back to this committee with a recommendation. Not a huge long study just one meeting should do it.

CATHRO:

I'd like to be involved in it, and see the sub-group set up.

DOUGLAS:

Ewan Cotterill said that he would go back to zoning. Has anybody drawn a map showing the zones? - or been instructed to do so?

PATTERSON:

On Oct. 13th Ewan made reference to Land Use in zones.

HORNAL:

We're awaiting the pleasure of this committee.

PATTERSON:

There's the entry. If there's a zone there's no Land Use Permit required.

TRIGG:

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Where are they circulated? Is this the Darby report?

HORNAL:

I will send you a copy.

CHAIRMAN:

I would like to open a subject matter for discussion that's been of interest to me for some time now. It relates to Parks that are in place and that are to be designated. Why is it not possible that in Parks already designated or to be designated, to carry on limited exploration in those Parks to determine whether there is any substantial mineral potential or not? Why is it that when you talk about Parks in Ottawa, Victoria or some otherplace, it is treated as forbidden ground. What's wrong with going in and finding exactly what is in that Park?

IRVINE:

When you talk to the Parks people, they say it's a matter of law, so therefore you'd have to amend the Parks Act. The people in the Department can't do it on their own initiative.

CHAIRMAN:

That's a procedural point, but let's talk about the philosophical side. What is wrong in finding out before use is limited forever?

COSTELLO:

The conception is that they don't want to give it up, because if you find something valuable, then you have the basis for a strong case for that area not to be designated as a Park or multiple use. But if they don't allow you to find the basis for making such a case, there jurisdiction isn't threatened. There is nothing wrong with multiple use from our prespective, but if you believe that commercial development is inconsistent with a Park, then a lot is wrong with it?

CHAIRMAN:

Is the quality of life in Canada impaired by reason of forming on the prairies? The environment has completely changed or the prairies through farming, but the quality of life has not suffered. What is inherent in saving anything physical in life?

WOODWARD:

The first point raised is likely the problem. It is policy; it is law; the Parks people indicate it is consistent on an international basis; so the people to be addressed are the Parliamentarians who have the responsibility for changing the law.

CHAIRMAN:

That's time, but we can always question the law.



GRANGER:

I questioned Cotterill very specifically on this point. He said, and McKinnon also said "Different types of regulations for different types of ground - zones". "There may be industrial areas or freedom of activity. The mountain areas between the two Territories are not fragile and could be designated as industrial areas".

CHAIRMAN:

We must move on. There is an acceptance on the part of the Government to do something about zoning. And there is our desire to participate in that zoning. So why don't we get these committees struck and get on with it.

OGILVY:

Then I understand that this committee subscribes to the idea of zoning? Good!

CATHRO:

We need a chairman of the sub-committee and somebody to be responsible for getting a meeting together in Whitehorse.

CHAIRMAN:

Will the Territories be separate or together?

ALL:

Together

CHAIRMAN:

Now, who wants to be on this committee?

CATHRO:

While we are in Whitehorse, we'll have a meeting over breakfast and set up the sub-committee.

TRIGG:

Are we still going to have a discussion on Land Use? There was a point raised yesterday we didn't get a chance to talk about and which will be instituted soon by the Department for concept of "A" and "B" zones for caribou movements.

HORNAL:

No, we've circulated draft regulations and didn't get any comments.

GRANGER:

In the case of Kluane, when Parks first wanted it they withdrew it as a Park withdrawal. Then they decided, because it angered all the Yukon prospectors, to make it a game preserve, in the interim, and to let people prospect, on the basis that if it did become a Park they would be bought out. So they went ahead and prospected for years. There were a few mines brought into production, but when the 1970's came, it was made into a Park. So it is possible.

HORNAL:

To clarify this further, the Parks people this time purposely did not withdraw the land - even in northern Yukon. They merely said this was the area they were interested in and said that prospecting could be done. The northern Yukon was subsequently withdrawn for other reasons, including the Park, but not because it was a Park. There were other reasons as well.

OGILVY:

There is a law, but not necessarily the one that is used.

HORNAL:

All withdrawals are under the Territorial Lands Act.

MCLEROD:

The time element is also a problem. We've been pushing for at least a preliminary geological assessment in the areas that come up for consideration. But one of the objections is that we don't have enough staff to do such a job in a decent time frame.

CHAIRMAN:

Why can you not have a protection which says no park can be created without the consent of Geological Surveys? And access at all times.

DOUGLAS:

That was mentioned yesterday by Steve Kun, who did say that G.S.C. had a member on the selection committee for possible Park sites. He also said that Park Boundaries were flexible and used Banff as an illustration.

JEFFRIES:

You are posing a point of philosophy. Whether this committee should endorse a recommendation, there is something to this effect in our Policy Statement. I am a bit unsure as to what role was played by G.S.C. in selection of Parks areas. An assessment could be made, and Kun's comments yesterday did indicate that things are flexible, so I think the committee should seriously think about expanding on a point which is already in our policy statement.

CHAIRMAN:

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I appreciate your comments, Jeff. But what we are concerned about is having some right to intervene and not to just reserve huge areas and say "Too bad".

PATRIQUIN:

The Territorial Government is very interested in the Parks question and we've had a study going on for some months to develop our position on this. We are going to have the Parks Canada come to the January Council session, and our policy is something like this: 1) "That they reduce the size of the proposed national wilderness parks to that amount essential to protect the core areas we would wish to protect". 2) Establish a kind of park with possibilities of multiple land use within it.

That's the stage we are at in N.W.T. and I'd like to know from industry if they are satisfied with the examination of geological potential which has been done with respect to these reserves that are now posted.

ALL:

No way -- zero -- no -- no!!

PATRIQUIN:

Presumably then, that should be your number one recommendation, that the reserves not be withdrawn, until a sufficient examination has been done.

IRVINE:

I think evaluation of lands for Parks purposes in advance, is something that should be done to see if they have economic mineral potential. But the cost on any definitive basis, is astronomical. Ontario sends in teams of geologists who completely map that area in detail with particular reference to its mineral potential. If they can't see any potential, then the area was cleared to become a Park. But they had veto power over the creation of that park if they could see that there was substantial mineral potential.

PATRIQUIN:

If there is no development interest in an area, why do you need a Park immediately? If there are no immediate intruders, there is no need for a Park.

WOODWARD:

That's what Kun talked about yesterday in his reference to Banff.

TRIGG:

We seem to pre-suppose we know all there is to know, and that is absolutely wrong. We really only want to have future access. We can't do the studies today because we don't know what we're looking for.

A/CHAIRMAN:

We've reached a dead end. Do you want to table this and do nothing, or do you want to plan on it being discussed by the whole committee, or by a sub-committee, in Whitehorse?

TRIGG:

Did we hear enough from Parks Canada, and have they heard all our concerns.

IRVINE:

I don't think they have because we weren't able to continue the question period as long as we would have liked. Steve Kun has offered to have a representative at further meetings of ours, so that could be it.

DOUGLAS:

I would propose we invite Kun to the next meeting.

IRVINE:

I will look after that.

GRANGER:

Before we leave this subject I'd like to clarify a few things for Bill Costello. In Yukon we have the Kluane Park, that's 8,500 square miles. The alienation up north at this point is 8,500 square miles, and we just found out yesterday that there are two more in central Yukon, around Dawson and around Keele Peak of around six to ten thousand square miles being studied. That's an enormous amount of our territory. After the land claims that would leave us down around 40% in the worst case. Each one of those is around 4% of the territory. Would Ontario give away 4%, then another 4%, and then another 4% in perpetuity.

COSTELLO:

I was only asking a rhetorical question. Before you get launched into a study about having the right to go into any National Park and establish the mineral potential, has the industry so canvassed the remaining land, and is it in such short supply of valuable mineral potential that it has to open this hornet's nest? Because that's what it's going to be. I don't think we'll win it!

CATHRO:

Then you think the time is not right, eh Bill?

CHAIRMAN:

Discussion on this issue is good for the industry to decide what our posture is at this time. We've been unhappy, as an industry, because of the Parks policy. This discussion would help us understand the Parks policy; if we want to make recommendations for change, it will give us an opportunity of doing so, if we want to say let's wait, it will give us an opportunity to educate ourselves. There has been a terrific feeling of antagonism anytime the Parks question is raised, so why not eliminate it if we can?

COSTELLO:

The mining industry is seen as being a total desecrator of land. Has the industry been over all the lands, exclusive of the Parks, so thoroughly that we need to be worried at this time, knowing we are into a no-win situation?

PATRIQUIN:

When you look at all the various types of land requested in the N.W.T. by various groups, there's not much left.

GRANGER:

The Yukon Chamber is very sympathetic to this point of view.

HAWKES:

In areas such as the Thelon Game Sanctuary which has now completed its usefulness as a musk ok preserve, the matter should be re-examined from time to time.

A/CHAIRMAN:

It looks like at the Whitehorse meeting we should also set up a committee on alienated land to address this problem. The Thelon Game Sanctuary inadvertently ended up as a National Park, even though it wasn't intended that way, because it lies between two mining districts. Who would like to be on the sub-committee? No one??

PATRIQUIN:

Perhaps we should try to identify what process should be gone through in order to protect and take account of mineral interests. As long as Parks Canada has to go through that process you should come up with a system of Parks that meets your needs.

BELL:

Then there should be no alienation of land?

DOUGLAS:

Bob Camble of Parks Canada in Yellowknife has approached Cominco, and I understand they already have a process now where they consult with the native communities, and the mining people about these six wilderness parks areas. They are saying - this is your opportunity - -

BELL:

Where does Murray's concern come into it? Once you agree to alienation, new technology comes along and you're hooked and can't do anything about it.

DOUGLAS:

It goes farther than that. Can they, in their autocratic fashion say "We're going to put a Park in anyway, in spite of your objections" - - Can they?

TRIGG:

Could we have on the agenda for Mr. Kun that they could discuss Thelon and East Aron, at Whitehorse.

DOUGLAS:

At that meeting, we should be prepared to make a presentation to Mr. Kun, because if we don't, we will just be exchanging information.

CHAIRMAN:

Bill Irvine is out at the moment, but we must ask him if he has enough time to do that, or whether he needs help.

OGILVY:

A committee has been struck to talk about zoning and Land Use and I interpret that to be pretty wide ranging. Now we are talking about taking land completely out of exploration for National Parks. I don't see that as outside the terms of reference of the zoning concept; particularly when we go to a second stage and find that both Territorial Governments are giving some consideration to changing National Park Policy, to have smaller National Parks with a multi-use concept. So before we get too committed I wonder if it wouldn't be a good idea to let the Land Use Committee kick around the zoning idea.

CHAIRMAN:

This committee is very jealous about establishing sub-committees, so to suggest that a sub-committee had a broader jurisdiction than the main one would be wrong. The Parks question should be discussed within the whole committee. All agreed? Good!

COSTELLO:

What is the deadline for completion of this examination into zoning etc.

CATFRO:

Zoning will be pretty well resolved in Whitehorse. We're talking about only a quick synthesis of what we've done for the last 5 years. We've done the homework and we're ready to act!

HAWKES:

We won't solve all the land use problems in one meeting in Whitehorse.

CHAIRMAN:

As I see it, the Whitehorse meeting will deal with your report on zoning, we'll invite Mr. Kun and we'll deal with this aspect of Parks. The fiscal and taxation problems will be dealt with in Ottawa in march.

OGILVY:

I suggest it might be premature to ask Mr. Kun to the Whitehorse meeting as it is only there that we are going to make up our minds what the posture is on Parks.

PATRIQUIN:

He's also going to be attending N.W.T. Council very close to that time, so it might pose problems.

HORNAL:

I think we are still trying to explore with Mr. Kun mechanisms on their arrangements. We're not ready to present him with a final statement.

CHAIRMAN:

So we don't need Kun at the next meeting. What is the next suggestion for the Whitehorse meeting?

HORNAL:

Do you want to investigate ways and means Government can help the infrastructure?

CATHRO:

Specifically we should talk about NCPC and how they can do its job and forecast load growth.

GRANGER:

Maybe White Pass and Yukon again?

CATHRO:

One thing we can't ignore any longer is the re-structuring of the Department.

CHAIRMAN:

I have some difficulty with that question. Paragraph one deals with that very point. Also, how can you tell somebody to organize the Department when that is not within the jurisdiction of the Department.

WOODWARD:

The Department has its own responsibility to re-organize. But, if, for example my responsibilities for Northern Lands were to be taken right out of this Department and put it with another, then that's a matter for Prime Ministerial action and Parliamentary process.

DOUGLAS:

What about our strategy policy?

COSTELLO:

As it is now you are really a colonial office.

DOUGLAS:

Mr. Drury was appointed to look at Constitutional reform in the N.W.T. and it may fall within his preview to discuss such a position of D.I.N.A. and E.M.R.

CHAIRMAN:

Are you suggesting we should invite him to talk to us about his subject.

DOUGLAS:

I don't know if he'd want to meet with the whole Committee or not.

HORNAL:

I think he'd be delighted to meet with the whole committee.

JEFFREY:

I really am in a dilemma on serving on a Committee that would meet with Drury.

WOODWARD:

I don't harbor any difficulty at all. We would simply abstain from the representation of the Committee.

CHAIRMAN:

We have in the past suggested that we want to act unanimously and as a unit and we should continue that. Rod is giving us a solution by talking conceptually about administrative matters, because our concern is that the policy is implemented effectively and that we are assured that thought is being given to how it is going to work in the future. We may indeed invite experts, and Drury would be a good one to start with.

HORNAL:

If Mr. Drury came to address you, you would find that you were doing most of the talking. He is a very good questioner. Every one would have ample opportunity to express individual views as to how you see changes. I don't think he is yet in a position to tell you what will happen with his inquiry.

CHAIRMAN:

It may be dangerous to suggest any rigid organization if we recognize that there is a change in the northern structures.



CATHRO:

Let's leave that until Whitehorse.

CHAIRMAN:

It hasn't completed typing as yet, otherwise it would have been before you now. Bill is trying to obtain it.

OGILVY:

What is actually going to be on the Whitehorse Agenda?

CATHRO:

The Land Use sub-committee; Strategy generally; N.C.P.C. and infrastructure; any other strategy. Reorganization of DIAND is our step two; lets not get away from it.

HORNAL:

I thought the Minister said clearly he wasn't going to do that at this time.

CATHRO:

Then maybe we have to keep bringing it up until he says he is going to do it. He said he would keep an open mind.

CHAIRMAN:

I don't think we as a committee have fully analyzed what it means to re-organize a department. Right now there are at least four departments involved in re-organization. There is Mr. Drury's Committee on Constitutional reform in the N.W.T., with similar talk in the Yukon, and the question we can help is a bit perplexing to me.

CATHRO:

I'm looking forward to it. I don't consider it a brick wall. I think we're engaged in a political exercise here, and that climate changes almost day by day. What was impossible last October may be very feasible next October.

BELL:

If you come to me and told me to re-organize my operations, my immediate reaction would be mind your own business. Wouldn't it be better to say "This is what we would like these departments to do, and you arrange it".

CATHRO:

When the Yukon becomes a Province and has a Department of Mines, then we expect it would be the advocate for mining in the Yukon. We don't want mines to be headed by the environmental group.

CATHRO:

I don't think it will get us any closer to the solution of our problem. We still have to find some better way of providing an advocate within D.I.N.A. for economic development, not just mineral development. That is going to continue to be a serious problem until it's solved.

GRANGER:

To the best of my knowledge, we aren't talking about the tearing apart of the Department at all. When the Yukon Chamber first suggested this in November, 1977, we asked the Minister to have a special mining advisor. Sometime after that, towards spring, when we began to get angry about the situation, we started talking about A.D.M. how, we have a special advisor to the Minister in the person of Bill Irvine, and we've certainly come a long way. Our original recommendation was the A.D.M., who would advocate our requirements, and that's rather simple, nothing revolutionary about that.

DOUGLAS:

My only comment in mentioning Mr. Drury was that he has a considerable amount of influence, and his mandate came from the Prime Minister. This could be affiliated with constitutional development. If the mining industry is putting forward the position that they're not being heard by whatever department is involved, because the first level is considerably down, and that we need an A.D.M., I think that would get back as a part of the reform. The N.W.T. is a long way from Provincial status.

CATHRO:

Is Drury's work actively under way? How frequently do you see him?

PATRIQUIN:

He attended Council in October and outlined what he'd been doing for the last year and a fifth, and also what he would be doing in the next year. His program consists of given a number of questions in a number of areas to various people interested, who have already identified themselves, he said go back and study those and come back with a proposal. And he expects to be giving a presentation to the Prime Minister about September.

CHAIRMAN:

Here's part of the recommendation on the re-organization of D.I.A.N.D. "To thus end, an Assistant Deputy Minister of Northern Development will be appointed, who will be responsible for resources and economic planning, northern pipelines, northern water management, northern land management, etc...".

I think a discussion expressing concerns and a summary of that by the industry would go a long way to assist in the Government planning process to find out what is the best way of dealing with it.

CATHRO:

You're suggesting that we will say that change is needed, but we will fall short of saying what the changes are.

CHAIRMAN:

We may end up recommending, but I say let's have this discussion with people who are involved in the Government re-organization who have studied it and know what's happening, perceive the change and probably know the policies of the change, and then they can ask questions and so can we, and then maybe we'll better understand the subject matter. The fact is we've been unhappy primarily because it was not a Government priority to assist mining in preference to some other priorities at the time. If it were the Government's priority five or six years ago to assist mining and to give mining the number one break, I don't think we would have gotten involved in any re-organization of the Department.

COSTELLO:

Then our concern is, the adequacy of having a senior mining man appointed to D.I.N.A., is how effective it's going to be if it's perceived that he is going into an environment which if not hostile, is neutral, he's going to need a large support staff. We've had Cotterill say in no uncertain terms, and on several occasions, that he remains to be convinced about the importance of the mining industry in northern Canada, and in terms of employment, there are more native people employed in craft industries than there are in mining. The mining industry, essentially employs a group of southerners who are brought north and northern residents from it. That's his version of the thing.

From the viewpoint of the association we would argue that the logical place for the support is in Energy, Mines and Resources, and any other form would be duplication. These things can't be solved by saying "We've got an A.D.M. mining. He has no support and he has no staff, he's heard but he isn't listened to.

CHAIRMAN:

I have to advise that I plan to adjourn this meeting at 3:30, because there are some people who have to check out and meet planes. When we meet in Vancouver on the 18th we will finalize the Policy Statement, but there is no hope that we can be finished today. Copies will either be distributed now or will be mailed to us, Bill Irvine is trying to get it now.

DOUGLAS:

I don't plan to go to the Vancouver meeting for just a 2 hour session. Maybe Dave Emery will be able to go. The Policy statement should be in good shape and will only need editorial work in any event.

The meeting was adjourned at 3:30 P.M.

  
R. Eastman  
Recording Secretary.