

Letter to the [Whitehorse Star](#), October 3, 2011

YTG could have avoided potential compensation

I just finished reading an article and listening to the one audio clip I found from last Wednesday night regarding the all-parties forum on the environment at the High Country Inn.

<http://www.cbc.ca/news/canada/yukonvotes2011/story/2011/09/28/yukonvotes2011-environment-forum.html>

I have to say that Premier Darrell Pasloski is totally out of line, asking where the money is going to come from and what are we going to have to cut from our social services such as education, health care, etc.

I have spent the past two years researching the Peel watershed planning process and spent five summers working in mineral exploration in the Yukon.

I have spoken to a number of people in the field of mineral exploration and mining and asked them that same question about all those claims in the Peel and what should be done.

Many have said that there has to be some kind of compensation for those companies which have claims. Some of those people cite Chapter 11 of the North American Free Trade Agreement (NAFTA), while others have suggested compensation in the Yukon falls within the Quartz Mining Act.

The problem is that many of those claims were staked while the planning process was taking place from 2004 onward, whereas NAFTA was signed in 1992, more than 10 years prior!

Meanwhile, the Quartz Mining Act is almost as old as the hills. The issue is that at the beginning of the planning process, the planning commission asked the Yukon government to put a moratorium on staking for the duration of the planning process and the Yukon government refused to do so.

In other words, the Yukon government allowed exploration and mining companies to continue to stake claims during the planning process.

This means that former premier Dennis Fentie and the Yukon Party knew full well that they could have prevented the possibility of having to compensate some interests in the Peel if the government had only put a moratorium on staking earlier than two years ago.

In my opinion, because the mining industry is well-represented at the Yukon Chamber of Mines, the Yukon Mineral Advisory Board and in the coffers of the Yukon Party, that

industry knows full well how to hedge its bets against the possibility of significant protection in the Peel.

Some of these same mining companies, which are based in Vancouver, probably have experience with land use planning in B.C. and have tried this strategy before, basically forcing either favourable land use plans or compensation in the event that the land use plan doesn't go well.

The chamber of mines or some pro-mining interests probably passed that information on to the Yukon government years ago, which then denied the commission a moratorium. And now, here we are.

It is the actions of the Yukon government eight or so years ago which have put us in this position.

How are voters to hold the government and the Yukon Party accountable for the fact that the government denied the requests of the commission to put a moratorium on staking so long ago?

Lastly, I agree with the argument that whether any mining companies get compensation if we approve the plan, the government should follow the will of the majority of Yukoners who have, in one way or another, participated in the planning process for the past eight years.

And, let us honour the recommendations of a planning commission which knows the most about the planning process and the Peel watershed planning region.

A concerned citizen,

Gordon Ruby
Whitehorse