



TRAILS ONLY YUKON

ASSOCIATION

ATV Questions In Legislature Monday April 18th, 2016

FYI

Question re: Off-road vehicle use

Mr. Tredger: As another spring is upon us, I rise to ask the same question that the NDP has been asking for years now. Where is the government's action to balance responsible off-road vehicle use with protection of sensitive environment?

It has been many years since the government formed an all-party committee to study the way we use ORVs in the Yukon. The committee released a report, and then the Yukon Party government called for a consultation followed by a discussion paper, then made minor legislative changes followed by more discussion. One could be forgiven for wondering what the government has been doing all these years. Yukoners want to know.

Why has the Yukon Party government been spinning its wheels on meaningful and promised ORV regulations for its entire mandate?

Hon. Mr. Kent: Our government, of course, is proud of the changes that we made to the Territorial Lands (Yukon) Act.

Energy, Mines and Resources remains committed to implementing recommendation 14 of the Select Committee on the Safe Operation and Use of Off-road Vehicles. That recommendation focuses on protecting the environment from damage caused by off-road vehicle use.

There has been a significant amount of work undertaken by Energy, Mines and Resources officials over the past couple of years since that legislation was introduced. There has been a "what we heard" report produced and the regulation drafting process has been initiated and, of course, we'll be taking into consideration feedback received from the consultation that took place last year.

Again, I would like to thank the First Nations, the stakeholders and the public that have participated, not only in the initial select committee work but also the subsequent work on developing the legislation and the regulations.

Mr. Tredger: Meanwhile each year the spider web of trails expands.

After years of environmental destruction and years of studies, legislation was changed in 2013 to allow the minister to identify and protect sensitive spaces requiring protection from ORV use, but neither he nor his colleagues have actually exercised that responsibility.

Trails Only Yukon Association has been doing good, tireless work to promote responsible ORV use. They have identified several endangered, sensitive areas. They're playing a leadership role because this government has refused to ask irresponsible ORV drivers to clean up their act.

Mr. Speaker, why has the minister refused to protect any sensitive Yukon wildlands? Does he feel that there aren't any parts of the Yukon that are in need of immediate protection?

Hon. Mr. Kent: We've received a request from the Laberge Renewable Resources Council, as well as TOYA, to investigate some areas that they would like the temporary closure to be enacted upon. Again, department officials are considering those requests right now. Obviously the spring is a little bit earlier this year than what we've experienced in the past, so I've asked the department officials to expedite that work. There are other Yukoners, though, Mr. Speaker, who would be affected by these temporary closures, particularly those who enjoy hunting in the backcountry but perhaps have mobility issues — or some of the elders in the community — so we want to take into account their needs and their wishes as well, especially since many of these areas are key hunting grounds and it's important to hear from those individuals as well.

Again, I have asked the department to expedite the work on whether or not we can proceed with these temporary closures, just given the timing and the earliness of the spring in the Yukon this year.

Mr. Tredger: There remain particularly environmentally sensitive areas that are in need of immediate protection. You know, Mr. Speaker, we have been asking for action on irresponsible ORV use for years. A few bad apples are tarnishing the image of the ORV community. In 2013, I echoed concerns about the increasing footprint of both ATVs and snow machines due to factors like longer seasons, wider use, improved technology and the resulting increased ecological footprint that permanently degrades the environment. With each passing year of Yukon government inaction, we are allowing more damage to be done to Yukon's wildlands. This is not something we will fix overnight, Mr. Speaker.

Why has the government failed, over the entire course of its mandate, to take any meaningful action to prevent misuse of off-road vehicles?

Hon. Mr. Kent: I think that our government, and indeed legislators in here, should be proud of the work that we've undertaken — not only during this mandate, but the

previous mandate — and the work of the Select Committee on the Safe Operation and Use of Off-road Vehicles. Again, Energy, Mines and Resources focused on recommendation 14. We made changes to the Territorial Lands (Yukon) Act, we've consulted on the regulations and work is underway — the drafting process has been initiated for those regulations after we've heard from stakeholders, First Nations and the public. Of course in that legislation we did put in the ability for temporary closure by the minister. As I've mentioned, we have heard from the Laberge Renewable Resources Council as well as the Trails Only Yukon Association with respect to certain areas where they would like to see that temporary closure initiated. I've asked department officials to expedite that work so that we can deal with it with the early coming of spring this year and the softening up of the ground to prevent any further damage.

Mr. Speaker, I think all members of this House should be proud of the work that we've accomplished on this file as a group, as well as the select committee that went out during the previous mandate to listen to Yukoners about their concerns about off-road vehicle use here in the territory.

TOYA Steering Committee:
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