

Whitehorse, Y.T.  
May 6, 2008

(TELECONFERENCE COMMENCES)

(JUDGE LILLES, MR. CROSSMAN AND MR. CLIFFE BY  
TELEPHONE FROM OTHER LOCATIONS)

THE CLERK: You are connected.

THE COURT: And you can hear -- you can hear us all right?

THE CLERK: Hear everybody loud and clear.

THE COURT: Terrific, thank you. And you're coming through loud and clear as well. Counsel, I take it that, Mr. Cliffe, you've seen the interim project update report that Mr. Crossman filed on behalf of the City and the Yukon Government?

MR. CLIFFE: Yes, I received it yesterday in the late afternoon, Your Honour, but I've seen it, as has Mr. Enns, who's with me, as I said, and I believe that Mr. Lindsay from Environment Canada in Whitehorse is in courtroom number 4. I'll just assume that; that was his intention, but I can tell you they have copies of the report. They have read it. I can further tell you that their comments to me have been relayed to Mr. Crossman prior to our call.

THE COURT: Okay, thank you very much. Mr. Crossman, would you -- we have the report, and of course it's been filed with the court as a court document, but could you just quickly summarize your position and add any other comments that you wish at this time, please.

**SUBMISSIONS BY MR. CROSSMAN:**

MR. CROSSMAN: Thank you, Your Honour, that would be a welcome opportunity. Perhaps I should say at the outset, I understand that in courtroom 4 is Mr. Ron McMillan. He's the acting deputy minister for Community Services at the Yukon Government, and also Mr. Pat Molloy. I think you've met both of those gentlemen before in court.

THE COURT: Yes, I have.

MR. CROSSMAN: And in Dawson we have Mayor John Steins and Mr. Paul Moore.

THE COURT: Thank you, and welcome all.

MR. CROSSMAN: Your Honour, perhaps I can just say a couple of remarks. As we reported to the Court on the last occasion, which was on February the 28th of this year, at that time we reported that the City of Dawson had progressed to the stage of developing a sustainable secondary wastewater treatment facility with the preferred option being an aerated lagoon at lots 1058 and 1059 in Dawson. The project, as you may recall, was well on its way to being developed and was part way through the regulatory process, the *Yukon Environmental and Socio-Economic*