

MEMBER STATEMENT—KEVIN O'REILLY MLA FRAME LAKE

DIAMOND MINE ENVIRONMENTAL AGREEMENTS

March 2, 2017

MR. O'REILLY: Merci, monsieur le President. Our government signed off on several legally binding environmental agreements covering diamond mines in the Northwest Territories as follows:

- BHP NWT Diamond Project in 1997;
- Daivik Mine in 2000; and
- Snap Lake Mine in 2004.

These agreements are part of the network of arrangements that includes impact and benefit agreements, socio-economic agreements and licences, and permits that allowed the diamond mines to proceed in advance of Indigenous land rights settlements and a complete environmental management regime with air and wildlife regulation. The diamond mine environmental agreements were also necessary given the need to build public confidence in this new economic commodity and to help dispel doubt as to the capacity and willingness of governments to properly protect the public interest. The agreements formed an important component of what has been called the social licence for the diamond mines to begin operation.

There are a couple of other special features of the diamond environmental agreements. The federal, territorial, and Indigenous governments are all involved or signatories, and there is an oversight body formed for each mine. The oversight bodies vary from independent and technically focused to representative and, finally, more consultative. Each has its advantages and drawbacks, but in general these oversight bodies have helped create and maintain public confidence in environmental performance of the mines.

A couple of years ago, partly as a result of devolution, there were efforts to amend the diamond mine environmental agreements. The then federal government was withdrawing from its environmental responsibilities and severely weakened its legislation and functions. At the same time, our government was doing its best to rid itself of any federal presence at the expense of the experience and funding that the national government brings to the table. The weakening of the diamond mine environmental agreements was questioned and even resisted by almost all Indigenous governments here and in Nunavut.

With a change in federal government, this effort was put on the back burner and I understand that there is a renewed interest in amending the agreements, in a proper fashion, to reflect the residual federal responsibilities over matters such as fish, transboundary issues, species at risk, and toxic substances.

I will have questions later today for the Minister on Environment and Natural Resources

on the current initiative to amend and hopefully strengthen the diamond mine environmental agreements. Mahsi, Mr. Speaker.