

MEMBER STATEMENT—KEVIN O'REILLY MLA FRAME LAKE

GNWT ROLE IN ENVIRONMENTAL ASSESSMENT

May 29, 2018

MR. O'REILLY: Merci, Monsieur le President. The project assessment policy requires "Any technical advice and evidence provided by two boards by their respective staff is in line with legislation, *Cabinet direction*, and Ministerial policies established under this policy." This policy reads like a way of muzzling our scientists and preventing presentation of evidence that may be critical of Cabinet direction.

My concerns were borne out by the review board in its March 29, 2018, report on the Tliche all-season road. The board found that the so-called whole-of-government approach "has limited the ability of evidence and expertise from GNWT departments about potential impacts, concerns, and mitigations on issues within their respective mandates and jurisdictions. In addition, it is not apparent to the review board how these departments may have influenced the developer's position in the CA."

The board continued: "The old approach was preferable to the one taken by the GNWT in this EA in terms of transparency, robust project design, the provision of useful information to parties and the review board, and serving the public interest. In future, where it is the developer, this would be a preferable approach for the GNWT to take."

In an attempt to mitigate this damaging finding, the associate deputy minister of Lands wrote to the board on April the 10th to try to clarify the roles of various departments as a "matter of good governance and transparency." That letter went on to state: "The GNWT's implementing an internal firewall between the Departments of Infrastructure and Finance, and the staff of other departments who will assist in the decision making process." I guess someone forgot to tell the Department of Infrastructure.

The regional superintendent for Infrastructure wrote a letter directly to the Minister of Lands on April the 30th complaining that there would be no Tliche all-season road if the proposed measures to protect boreal caribou are accepted. It's not clear why this letter was sent, as it tries to override the review board's work. That letter casts a long and dark shadow of interference with procedural fairness and legal uncertainty over any decision on the Tliche all-season road. GNWT's role in future environmental assessments and protection of threatened Boreal caribou. I continue to call for Cabinet to change the project assessment policy to reflect the role our government can and should play in resource management decisions in the Northwest Territories. Mahsi, Mr. Speaker.