

## ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE

### QUESTION 319-18(3): GNWT ROLE IN ENVIRONMENTAL ASSESSMENT

MAY 29, 2018

**MR. O'REILLY:** Merci, Monsieur le President. In my Member's statement, I referred to an unprecedented letter sent by the regional superintendent of Infrastructure to the Minister of Lands on April 30<sup>th</sup> that attempts to override the recommendations of the review board in an almost two-year-long environmental assessment of the Tlichó all-season road.

My questions are for the Minister of Infrastructure as the proponent for this project. Did the Minister know about this April 30<sup>th</sup> letter, and why was it sent when there was supposed to be some kind of a firewall set up? Mahsi, Mr. Speaker.

**MR. SPEAKER:** Masi. Minister of Infrastructure.

**HON. WALLY SCHUMANN:** Thank you, Mr. Speaker. I want to clarify something. I think the Member said that I sent the letter. I didn't send the letter; the regional superintendent sent the letter on behalf of the Department of Infrastructure. This was done as a formal correspondence on this file. It was a required course of business through the environmental process, and the letter was sent respecting the firewall. Thank you, Mr. Speaker.

**MR. O'REILLY:** I think the Minister is a little bit confused here, because I am talking about an April 30<sup>th</sup> letter that his own regional superintendent sent to the Minister of Lands saying that, if the recommendations from the review board were accepted, they might not have a project. I see that as a way of interfering with the review board's work.

Can the Minister tell me whether he was aware of his regional superintendent's letter of April 30<sup>th</sup> and why it was sent when there is supposed to be some kind of a firewall set up?

**HON. WALLY SCHUMANN:** Let me clarify something here. I said that the letter was sent respecting the firewall, and it was on behalf of the department through our North Slave regional superintendent. We believe all protocols were followed with respect to the environmental assessment. The only thing that I am aware of is that I had a discussion with my deputy about the environmental assessment, about the buffer size. Besides that, I didn't know much more about the environmental assessment process, and the department is handling that with respect to how the process is set up.

**MR. O'REILLY:** I want to thank the Minister for that. I am going to be tabling these letters later today, but that letter from his regional superintendent makes no mention of the firewall. In fact, it seems to be in breach of this apparent firewall that was set up.

I want to move on to the review board. They criticized this so-called "whole of government" approach that is required by Cabinet's Project Assessment Policy because it limits the availability of evidence and expertise and does not serve the public interest.

Does the Minister accept that criticism, and will the Minister work to change the Project Assessment Policy to allow for the full participation of all government departments and their staff?

**HON. WALLY SCHUMANN:** One other thing I want to clarify around this letter is that it is posted on the web site. It is a clear, open document. It is available for everybody to read.

As far as the Project Assessment Policy goes, that is the Department of Lands' responsibility. It is not my responsibility, and I am not aware of any criticism around the environmental assessment towards our department. I can look into that, but I am not aware of any criticism towards us, and I am going to remind all Members that Lands is the lead on the policy.

**MR. SPEAKER:** Masi. Oral questions. Member for Frame Lake.

**MR. O'REILLY:** Mahsi, Mr. Speaker. I want to thank for the Minister for that. I am a bit surprised that he is not a little bit more on top of this as the lead Minister for the project, especially after I gave him a heads-up about what I was going to talk about today.

In my Member's statement, I raised this April 30<sup>th</sup> letter, and I believe it casts a long and dark shadow of interference with procedural fairness and legal uncertainty over any decision on the Tlicheo all-season road, the GNWT's role in future EAs, and protection of the threatened boreal caribou. What lessons, if any, have the Minister and his Cabinet colleagues taken away from all of this? Mahsi, Mr. Speaker.

**HON. WALLY SCHUMANN:** I want to comment that I know what is going on with this file. We know what is going on. I am staying away from the firewall side of things. I don't need to be involved in that. That is Lands' role. We are the proponent. We are proposing the road. We are going through the environmental process. The environmental process allows us, as the proponent, to ask questions, and that is what we are doing. That question has been posted on the web site.

This Cabinet is committed to a fair and open and comprehensive process. We believe that has been followed through the environmental process that is laid out before us, and that is what we will continue to do. Thank you, Mr. Speaker.