

ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE

QUESTION 761-18(3): WEK'EEZHII LAND USE PLANNING COMMITTEE

May 30, 2019

MR. O'REILLY: Merci, Monsieur le President. Earlier today, I made a statement about land use planning in the Wek'eezhii management area. To be clear, while I take issue with why GNWT is picking up all the costs related to this effort, I support land use planning there. The Tlicho agreement refers to a land use planning body being established by agreement. Can the Minister of Lands tell us whether that body has been established, and what it is called? Mahsi, Mr. Speaker.

MR. SPEAKER: Masi. Minister of Lands.

HON. LOUIS SEBERT: Thank you, Mr. Speaker. The Government of the Northwest Territories and Canada are currently concluding consultation on the draft terms of reference for the Wek'eezhii land use planning committee and planning office for the public lands in the Wek'eezhii.

MR. O'REILLY: I want to thank the Minister for confirming that there will be a Wek'eezhii land use planning committee. Can the Minister confirm who will sit on this committee and whether it has the same general functions and duties as the land use planning boards established pursuant to the federal Mackenzie Valley Resource Management Act?

HON. LOUIS SEBERT: It is currently proposed that the Government of the Northwest Territories, Canada, and the Tlicho Government will sit on the land use planning committee. The general functions and duties of the committee will be the same as those pursuant to the MVRMA. The Wek'eezhii land use planning committee and planning office will develop and recommend a final plan to governments for approval.

MR. O'REILLY: I want to thank the Minister for confirming my understanding of how the committee is to work, and similar in function to these other boards. One of the features of the land use planning boards for the Gwich'in and Sahtu settlement areas is that they continue on into the implementation phase of land use planning by checking on the conformity with proposed land uses once a plan has been approved. Can the Minister explain whether the Wek'eezhii land use planning committee will have a role in the implementation of any land use plan approved for that area, and tell us what that role would look like?

HON. LOUIS SEBERT: The proposed role of the land use planning committee in implementation is similar to that of other planning boards; that is to say, following plan approval at committee's ongoing roles, a plan implementation will include determination and conformity of proposed activities with the approved plan where proposals are referred to the committee to make the determination, consider requests for exceptions to the plan, where the plan provides for such a role; monitor implementation of the plan, and carry out periodic reviews, and make recommendation to the parties to amend the plan.

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

MR. O'REILLY: Merci, Monsieur le President. Again, I'd like to thank the Minister for confirming my understanding of how this committee is going to work. The legal authority for completed plans in the Gwich'in and Sahtu settlement areas are set out in some detail in the Mackenzie Valley Resource Management Act. Section 22.5.3 of the Tlicho agreement says: "The parties may by agreement establish a land use planning body and a mechanism for the preparation, approval, and implementation of a land use plan that applies to Wek'eezhii, other than national parks." Clearly, the authority of such a land use planning body over implementation is found in the Tlicho agreement, but there's not a lot of detail of how land use planning will be done or implemented. Can the Minister tell us whether there is any other statute or regulations that will provide guidance or legal authority to improve land use plans under the Tlicho agreement?

HON. LOUIS SEBERT: The Tlicho agreement is the legal instrument, and it will be coordinated with the MVRMA through section 24.1(f) of the MVRMA. Thank you, Mr. Speaker.