

MEMBER'S STATEMENT — KEVIN O'REILLY, MLA FRAME LAKE
FIVE-YEAR REVIEW OF THE MACKENZIE VALLEY RESOURCE MANAGEMENT
ACT

March 16, 2020

MR. O'REILLY: Merci, Monsieur le President. I will confess, on the weekend, I was scrambling to try to find something to talk about today, and I have to go back to do my regular job as an MLA and hold the government accountable. One of the promises of devolution was that GNWT and its peoples would have a made-in-the-North approach to resource development decisions and we would do things better than the federal government.

Currently, the Minister of Lands coordinates and signs off on full government responses to reports from the independent Mackenzie Valley Environmental Impact Review Board. Our Minister of Environment and Natural Resources is responsible for signing Class A water licences. There is a section in the devolution agreement, 3.18, that requires a five-year review of the delegated authority to the GNWT under the Mackenzie Valley Resource Management Act. The parties to the devolution agreement are to negotiate terms for the review of the delegated authority to GNWT. This may include a review by an independent third party mutually agreeable to everyone. This process was supposed to start on April 1, 2019.

GNWT has a mixed track record in terms of our performance with its delegated authority under the MVRMA, and I will give some examples:

- Cameron Hills and Cantung went into receivership under GNWT's watch without full and liquid financial security in place;
- The mandatory financial security provisions under the Commissioner's Land Act are to be replaced with discretionary measures under the Public Land Act.
- In an unprecedented move, a water licence amendment for Diavik was sent back to the Wek'eezhii Land and Water Board after the company wrote twice to the Minister after the closure of the public hearing;
- The infrastructure project manager on the Tlicho All-Season Road wrote to the Minister of Lands during the consult to modify process, stating that there would be no project if the review board's recommended measures were adopted;

- The review boards severely criticized GNWT's whole-of-government approach on the Tlicho All-Season Road environment assessment; and
- GNWT's project assessment policy continue to state that "technical advice and evidence provided to boards is in line with Cabinet direction."

While it's true GNWT has continued to learn and grow, we can and should be doing a much better job, Mr. Speaker, and I'll have questions later today for the Minister of Executive and Indigenous Affairs. Mahsi, Mr. Speaker.