

KEVIN O'REILLY—MLA FRAME LAKE
Inuvik Wind Turbine Project
Committee of the Whole—2021-2022 Capital Budget Review
Dept. of Infrastructure—October 30, 2020

I want to move over to the Inuvik wind turbine project. I know that the Gwich'in Land and Water Board just rendered their decision on some issues around the land-use permit that was submitted for that project, and I am furiously trying to skim the decision myself that came out yesterday. It looks like the board has ruled that GNWT can rightfully have a land-use permit, but that they really need to consider this issue of whether the area is really part of the reindeer-grazing reserve. I have kind of a technical question here for the Minister: why did we not change the area that the turbine project is supposed to be located on? Why didn't we change the regulation and take it out of the reindeer reserve before trying to push this project through? Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Minister.

HON. DIANE ARCHIE: Thank you, Madam Chair. I am going to ask Mr. Jenkins to provide some rationale about why the planning was done in previous years. Thank you.

CHAIRPERSON (Ms. Semmler): Thank you, Minister. Mr. Jenkins.

MR. JENKINS: Thank you, Madam Chair. The Inuvik wind project, that is another key initiative under our 2030 Energy Strategy. We've been in the regulatory process for a few years, the Member is correct. The recent ruling from the Gwich'in Land and Water Board on the eligibility to occupy land, the board did rule that the GNWT is eligible to occupy the land for this project and for this purpose. Madam Chair, we will continue on through the regulatory process, and that is an opportunity for parties to raise concerns with the turbine itself and environmental concerns throughout the process. We respect that process. We will work through that process, and we look forward to the discussions with all the parties. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Mr. Jenkins. Member for Frame Lake.

MR. O'REILLY: Thanks, Madam Chair. Where I'm going to go with this is: I am very worried that this project is going to get referred to an environmental assessment. There was no reason whatsoever that that had to happen, had our government actually properly consulted and worked with the Gwich'in Government in relation to this project. I also don't think it's a great idea where GNWT willy-nilly decides that it can reallocate pieces of land that have been designated for certain purposes for other purposes. You can't take stuff out of a reindeer-grazing reserve and unilaterally decide you're going to change it to do something else. Are we going to follow our own laws, or not? If you are going to change the law in that region, you need to consult the Indigenous governments, as well.

This is a head's up for the Minister: with other infrastructure projects, including this one, we should not be willy-nilly deciding that we're going to change areas that are set out in regulations and unilaterally decide you're going to change it to something else. I'd like to get an explanation as to why we think we have the ability to change something that is a

reindeer-grazing reserve to a wind turbine without going through due process, changing the regulations, and consulting the appropriate Indigenous government? Thanks, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Member. Minister.

HON. DIANE ARCHIE: Thank you, Madam Chair. The Inuvik wind project, again, is one of our key initiatives, so that is something that we are working toward. We have been waiting for the Gwich'in Land and Water Board to be able to give a ruling, and we are quite excited about the ruling that was done today. We continue to engage with communities and Indigenous organizations, so we can start to advance the project and ensure that participation and partnership in the development of any energy solutions here in the territories. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Thank you, Minister. Member.

MR. O'REILLY: Thanks, Madam Chair. I'm just going to read one line, one line, from the most recent ruling that came out yesterday: "The Gwich'in Land and Water Board suggests that the GNWT is best placed to enforce its own legislation." That includes, this is me editorializing, the reindeer-grazing reserve. You cannot just unilaterally decide that you are going to change something that is designated for a certain purpose under a regulation and decide that you are going to use it for something else without changing the regulation itself. That is against the law, and we are breaking our own laws. Thanks, Madam Chair.

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