

KEVIN O'REILLY—MLA FRAME LAKE
Diamond Mines' Water License Inspections
Committee of the Whole—2021-2022 Operating Budget Review
Dept. of Environment and Natural Resources—March 09, 2021

MR. O'REILLY: Let's just go back to where my colleague from Yellowknife North was asking some questions about the legislative work of the department. I was in the last Assembly. We actually saw draft ER regulations, the wording of it. They were shared with committee. There was a lot of work done on that, and then it just kind of disappeared. I know that there was a lot of work that was done on changes to the water resources act. I talked to some colleagues with Indigenous governments and the NGO community. They were engaged and involved in workshops and presentations, and then it just never happened. Now I am hearing that somehow all of that effort in the last Assembly is being put aside because we have to wait for something to happen with the MVRMA. I just don't get this. What are we waiting for with regard to the MVRMA? Clearly, GNWT has delegated authority now to sign off water licences, to deal with environmental assessments. What else do we need or want to allow us to do the work on the Environmental Protection Act and on the Waters Act? Thanks, Madam Chair.

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

HON. SHANE THOMPSON: To the deputy minister. Thank you.

CHAIRPERSON (Ms. Semmler): Deputy Minister Kelly.

MS. KELLY: Thank you, Madam Chair. As I mentioned before, this is related to Indigenous capacity to participate in legislative initiatives, and the work on the MVRMA is going first. Once there is room for Indigenous government capacity to take part in continuing the work, as the Member has stated, there has been a lot of work done on this, we will continue our work on the Waters Act and on the EPA. With respect to the ER regulations, when we went out and got input on the regulations, the number one question was where they were going to sit within the co-management system or within the Environmental Protection Act. We still need to resolve that question, and we are working with the land and water boards with that, as well. Thank you, Madam Chair.

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

MR. O'REILLY: Yes. Thanks, Madam Chair. This may not be the best forum to do this, but I keep asking: what is it that we want out of the MVRMA? Do we want to be able to take it over and change it willy-nilly? There is very limited scope in terms of changing what is in the MVRMA because it is already defined in the land rights agreements. The MVRMA is just simply the legislation that has been passed by the federal government to implement the lands and resources agreements that are already in place, so I just can't for the life of me figure out what GNWT is doing to try to get control of it. If I was an Indigenous government, I would be very, very wary of giving GNWT control over the MVRMA. That would probably be the last thing I would ever want to do. I would rather have it stay with the federal government, quite frankly. I just cannot figure out what we need to do with the MVRMA that stops this other work from proceeding. Maybe

somebody else can take a crack at it. Thanks, Madam Chair.

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

HON. SHANE THOMPSON: Thank you, Madam Chair. I am going to again turn to the deputy minister to try to answer the question. Thank you, Madam Chair.

CHAIRPERSON (Ms. Semmler): Deputy Minister.

MS. KELLY: Thank you, Madam Chair. The review of the MVRMA and discussions on the MVRMA are an EIA lead. To be honest, at the end of the last Assembly, there was a discussion with Indigenous governments that took part in the partnership drafting approach and other approaches that were completed, and one of the things that the Indigenous governments said was that it was too much and that it was a drain on capacity. What's happened here is that we have heard the Indigenous governments through that review. The work on the MVRMA is happening first, and once there's Indigenous capacity available and that's completed, we are committed to working on the Environmental Protection Act and the Waters Act and looking at where ER fits in there. Thank you, Madam Chair.

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

MR. O'REILLY: Thanks, Madam Chair. It has been a long day, and I am just not getting it. I look forward, though, to this side of the House, the public, actually having a better understanding of what GNWT is trying to do to get control of the MVRMA. I just don't get it, and it's not been made clear; it's not been made public. I am really worried about that. I am going to leave it at that. Thanks, Madam Chair. Nothing further on this section.