

Three press releases critical of the NEB decision were issued April 27 by individual Members of Parliament from both sides of the House, one of them from Environment Minister John Roberts. At the public hearing on the Ontario Hydro application, Mr. Roberts's department had argued against the project's approval. At the time of the approval, Mr. Roberts said, "I support the export of surplus Canadian electricity to our American neighbors. Exports should be conditional upon the use of adequate pollution controls. I deeply regret the inadequate recognition given by the NEB to the airborne pollution implications of the project, despite the availability of conclusive scientific evidence on the serious impacts of acid rain and the need to reduce SO₂ emissions." The Environment Canada press release stated that Mr. Roberts will be explaining to his Cabinet colleagues the need for an assessment of the adequacy of the control measures before the export licence is approved.

A press release from the office of Ron Irwin (Lib. Sault Ste. Marie; Parliamentary Secretary to Secretary of State for External Affairs) stated that the NEB recommendation was "dangerous, environmentally unsound and economically naive." "The Board has totally ignored the fact that Ontario Hydro is one of the worst emitters of sulphur in Canada, that the increase alone from the transaction is 100,000 tonnes annually and that the witnesses called by Ontario Hydro were unable to answer important questions about real damage that can be expected to our forest, fish and crops." The press release pointed out that "Ontario is embarking on a double standard with a vengeance," since the Ontario government is critical of the lack of US emission controls. The approval of the project undermines the efforts of Canadians to press for US controls, the press release stated.

Progressive Conservative Environment Critic Tom McMillan (Hillsborough) issued a statement April 27 which said that the NEB decision "flies in the face of strong representations made by the federal Department of Environment that Ontario Hydro's plans will greatly increase acid rain-causing emissions." In the event the Cabinet confirms the Board's decision, the [Environment] Minister should resign since his moral authority on the acid rain problem will have been completely destroyed."

The *Globe and Mail* April 30 reported that further political repercussions could result if the Cabinet approves the electricity sale. An aide to US Democratic Representative Toby Moffett told reporters that US politicians, like Mr. Moffett, who are fighting for tougher acid rain controls, will be hampered if the project goes ahead. He was quoted as saying, "The political climate would not be favorable to acid rain legislation if there was an action by the Canadian government which appeared to omit strict acid rain controls."

Prime Minister Pierre Trudeau was questioned in the House of Commons May 27 by George Hees (P.C. Northumberland) regarding Cabinet consideration of the NEB recommendation. Mr. Trudeau told Mr. Hees that the matter had not yet come before full Cabinet, but that the ministers responsible for the environment and energy were discussing the matter with the intention of "bringing a joint position to Cabinet." Mr. Hees told the Prime Minister that the

government should face up to its responsibility to convince the US government and the people of Canada that it is willing to adopt the same anti-pollution measures it has been so strongly urging the US to adopt.

International Joint Commission Decision

A Seattle utility company was ordered April 28 to delay its plans for a year to raise the height of the Ross Dam on the Skagit River south of the Canada-US border. The raising of the dam by Seattle City Light to generate electric power for that city would result in the flooding of 5,000 acres of the Skagit Valley in a prime wilderness area in B.C.

The decision was made by the International Joint Commission (IJC), a Canada-US agency which investigates and helps settle boundary, lake and river disputes, after three days of discussions in Ottawa. In its ruling, the IJC said that it will appoint a mediation board to try to negotiate a settlement between the province of British Columbia and Seattle over the next year. The IJC decision stated that appropriate compensation in the form of money, energy or any other means should be made to Seattle for the loss of a valuable and reliable source of electric power if the Ross Dam project is not completed.

Concern over Canada's representation on the IJC was the subject of questions and debate in the Senate April 29 and May 6. Canada had only two commissioners on the Committee due to a vacant seat at the time of the ruling, while the US had three.

Similar concern had been expressed April 23 in a press release issued by Ray Skelley (NDP Comox-Powell River). Mr. Skelley noted that Canada has fallen short of its obligations to the IJC, and must fill the vacant seat to insure equal representation on upcoming environmental disputes.

Chemical Pollution

Canadian environmentalists say that an agreement approved April 30 between the US government and Hooker Chemicals and Plastics Corp., located near Niagara Falls, NY, represents "the death warrant for Lake Ontario in ten or twenty years." The *Globe and Mail* May 1 reported that under the agreement, about 80,000 tonnes of toxic chemicals will be left to leak from a dump site into the Niagara River and then into Lake Ontario. Four million Canadians obtain drinking water from Lake Ontario.

Environmental groups such as Pollution Probe had received the support of Environment Canada officials in the year-long effort to prevent the chemical dumping decision (*Globe and Mail* May 1).

Bar Associations Want Dispute Mechanisms

"The leaders of the Canadian Bar Association (CBA) and the American Bar Association (ABA) have re-affirmed their commitment to CBA-ABA recommendations covering trans-frontier pollution and the arbitration of Canada-US treaty disputes," a Canadian Bar Association press release May 20 stated. The announcement followed a May 15 meeting of leaders of the CBA and ABA in Chicago. A joint statement issued by CBA President Paul Fraser and ABA