

*Government Orders*

new and meaningful environmental assessment program for Canada.”

The New Democratic proposal to include an environmental auditor was also not included in this bill. The government should move on this matter independently as quickly as possible. An environmental auditor can be established in independent legislation and would go a long way to protecting the environment, allowing for a proper monitoring of the policies and projects of the federal government and putting Canada in the lead internationally on issues relating to environmental assessment.

As Mr. Ian Motherwell, assistant general counsel to Ontario Hydro said during committee hearings: “Doing an environmental audit of anything in the environmental area is a beneficial concept”.

The government also had the opportunity to protect the environment by ensuring that mitigating measures to deal with ways in which the environment is harmed by some undertaking were strong and effective. However, this bill still may allow for environmental harm to occur and let be dealt with by a pay-off. By leaving compensation as one of the options for mitigating environmental damage, the government is allowing megaprojects like James Bay to proceed as long as money is paid out to compensate for the damage. Cash does not compensate for environmental destruction.

Under the purpose of this act, the government also refused to require that the responsible authorities take action to promote sustainable development. By leaving it as encouraging responsible authority, the government once again caved in to business pressure to put forward a weaker bill than they could have. The preamble should have focused on environmental quality and not played the developmental environmental trade-off.

As Mr. Gertler, chair of the national environmental law section of the Canadian Bar Association said to the committee concerning the preamble: “It should say something like whereas, the government of Canada seeks to protect and enhance environmental quality. After all this should be the primary goal and focus of an environmental assessment regime”.

The government also missed an opportunity to be crystal clear that this bill sets out to protect Canada’s environment. I submitted an amendment which would have spelled out in the purpose of the act, a requirement to ensure that no project is allowed or assisted by any federal authority unless and until the proponent has demonstrated the project will cause no significant adverse environmental effects or will promote sustainable development.

The government had the opportunity to ensure that when screening is done the purpose of and need for the project were considered. The government also refused to ensure that alternatives to the project were included at the screening stage of the process.

On the other hand, they went a long way in accepting our amendments to ensure that alternatives to a project and the need for a project are explored at other levels of the assessment process.

There is still a lot more work to be done. The government knows full well the damage done to our earth, the communities in which we live and the air which we breathe has already been damaged irreparably to some extent. The government knows that no policy or undertaking or megaproject should be given the green light if it is going to harm the environment.

Professor Robert Gibson from the Faculty of Environmental Studies at the University of Waterloo has stated: “Environmental assessment requirements must impose a test well beyond the usual regulatory demand that proposed undertakings meet specified standards for environmental acceptability. The expected results should not be merely acceptable undertakings, but undertakings that are the most appropriate and positive means of responding to a recognized problem or opportunity. They should be, of all the practical options, the ones most in accord with the principles of sustainability and broad public interest”.

The federal government also refused to move on the New Democratic Party recommendation that policy itself should undergo environmental assessment. Specific projects and undertakings are usually done in the context of federal government policy. If this policy itself flies in the face of environmental protection, then there can be no question that time after time, projects and undertakings