

Water Resources

not take up the time of the House to refer to them; they are readily available.

• (9:20 p.m.)

I point out that the federal government has absolute jurisdiction over any kind of navigable water—"navigable", apparently, being defined as anything upon which one can float a canoe—and with respect to any matter affecting those waters. One of the amendments imposed severe penalties upon people putting sawdust and other pollutants into the water. Then again, the Canada Shipping Act provides for the imposition of penalties in respect of those who allow oil to get into the waters.

The excuse used by the law officers has always been that the presence of oil, sawdust, and so on, in the water might affect its navigability.

The Canada Shipping Act covers the ships which carry the oil, so for all effective purposes the federal government has already assumed control with respect to the direct aspects of pollution in all the waters of Canada. This being so, I completely fail to see why the government, in bringing forward this legislation, did not take bold steps to take the lead in presenting strong legislation which would put teeth into the fight against pollution.

If anyone wants to challenge the federal jurisdiction, let them do so in the courts. It may well be that one or two provincial institutions will do so. But let them try it. The federal government should take the lead. It has every right to do so. If there are jurisdictional disputes, let the courts settle them. If any provincial government sees fit to take responsibility for objecting to federal control of pollution, let it do so. The government had a good chance to take a lead, but it has completely missed this splendid opportunity to set an example by leading the attack against pollution. Everybody in Canada wants to see this problem solved.

Some hon. Members: Hear, hear.

Mr. Nesbitt: Members of the opposition are always suspected of looking for the worst possible motives on the part of the government. Their fears are not always justified, but one cannot help coming to the conclusion that this piece of legislation is designed largely for propaganda purposes; that it is intended mainly to escape responsibility in this field, particularly in relation to the cost of pollution

control. This, when one gets down to dollars and cents, is what counts. The present government, not only in this legislation but in other measures, has done everything it can to avoid responsibility for paying anything, and to throw the burden on the provinces who simply do not have the financial capacity to bear it.

Hon. gentlemen opposite may say that this is a broad charge and ask whether I can substantiate it. There is legislation on the statute books which provides for payment by the federal government of 37½ per cent of the cost of water conservation projects. This has been of particular importance in provinces such as Ontario. I refer, of course, to the Upper Thames Conservation Authority, the Grand River Conservation Authority and others. These projects have been financed jointly by the federal government and the provincial governments, the federal government paying 37½ per cent, the provincial governments 37½ per cent and the municipalities 25 per cent. Great benefit has resulted from the multi-purpose projects which have been developed for flood control, conservation, recreation and the like. They have been highly successful all over Ontario.

When this legislation passes, the federal government will no longer be obliged to pay 37½ per cent of the cost of these projects. There is nothing to say the federal government could not pay anything; I suppose it could pay something toward this type of project, if it chooses. But there is nothing to insist that it do so. The legislation is silent in this respect. Again, it is a case of sloughing off federal responsibility on to the provinces while trying to gain propaganda kudos without putting the money where the mouth is, as the saying goes.

From time to time the federal government has tried to weasel its way out of paying anything toward these projects. In the past their capital cost was paid in part by Ottawa. When requests were made by Ontario, for instance, for assistance in meeting some of the maintenance costs, the federal government refused on the grounds that such a responsibility was not specifically spelled out. The question was raised as to whether the federal government should pay something toward the capital cost of the land which was acquired for recreational purposes. On this point, the spirit of the legislation as explained by a former minister, my hon. friend from Brandon-Souris, is clear.