

*Government Orders*

ter contaminations persist in the north. The Auditor General found that:

(1) The department had not documented water resource management objectives in terms of conservation and development priorities for water management.

(2) The department needs more data to manage water resources.

(3) Knowledge regarding airborne pollution is insufficient.

(4) The department needs to know if water boards are meeting their statutory objectives.

(5) Enforcement responsibilities are not adequately fulfilled.

(6) The department needs to more thoroughly screen projects for potential damage to the environment.

(7) The department has not adequately responded to the recommendations arising from the 1981 Mackenzie River basin study.

The bills we have before us today are meant to address at least some of the concerns expressed by the Auditor General in his 1990 report. We will be examining very closely how these bills respond to the Auditor General's concerns.

On this side of the House we want to acknowledge the consultation process that is being carried out with respect to these bills. Several years of discussion have taken place and the result is an improvement over the existing system.

That is not to say that everyone is totally happy with these bills. While there is a general support in principle, there are some concerns of which we have been made aware that we hope will get further review and discussion in the committee process. These bills essentially split the existing Northern Inland Waters Act into two acts: the Northwest Territories Waters Act and the Yukon Waters Act. I will briefly enumerate some of the bill's provisions. A two-tiered licensing system is established. Minor and major water uses will be dealt with differently. The purpose is to create a more expedient licensing system for minor and non-controversial water use licences.

The criteria to be used in determining whether an application constitutes a major or minor water use application will be set out in regulations. Mandatory

public hearings for minor licences are waived, but water boards will have the power to require one if the public interest so warrants.

The Minister of Indian Affairs and Northern Development will have the ability to issue binding policy directions to the water boards. Water boards will have to issue reasons for decision. Domestic and instream water users are recognized in these bills. Water licences will be able to address closures and abandonments of works. Licence conditions will be able to include legally enforceable site specific effluent quality requirements. Compensation and security provisions are sanctioned.

These and other provisions we want to study carefully in committee. The issue of northern water resource management is important and complex.

About 30 per cent of Canada's fresh water is located in the north. A variety of federal departments has water responsibilities in the north including the Department of Fisheries and Oceans and Environment Canada, but the Department of Indian and Northern Affairs has the legislative responsibility for co-ordinating all government activities in the north. The territorial governments also have major responsibilities and aboriginal people in the territories have significant rights and interests in these waters.

• (1110)

Water is a part of proposed land claims agreements both in Yukon and in the Northwest Territories. I note in this regard that the minister has said that future comprehensive claims settlement legislation may set out aboriginal rights and management roles concerning water resources. Where there is any inconsistency between the acts before us today and future claim settlement legislation, the claim settlement legislation is to prevail.

In conclusion, we look forward to discussing these issues further in committee. We want to ensure the legislation reflects the concerns and interests of the residents of the territories and enhances their ability to have more control over the use of water in their regions.

**Mr. Jim Edwards (Parliamentary Secretary to Minister of Consumer and Corporate Affairs and Minister of State (Agriculture)):** Mr. Speaker, I appreciate the opportunity to address the House on Bill C-51 and Bill C-52 which are two pieces of legislation that amend the Northern Inland Waters Act.