

*Government Orders*

• (1600)

Whether we go for sovereignty or for renewed federalism, it is quite clear that the provinces' energy priorities will be up to the provinces under the Constitution. They should therefore have full jurisdiction over all environmental impact studies.

So the first problem with this bill is that it confirms this duplication of environmental authority, which I think would only weigh down the whole assessment process.

The very discretionary powers of the federal Minister of the Environment are unacceptable for Quebec and I presume for the other provinces that sometimes have their own provincial projects. The bill would give discretionary power over the justification for a project and over alternatives to it; that means total jurisdiction and total interference in any assessment that a Canadian province might do.

The most critical point in the bill for me, however, is that the time frames are never specified; that is, a really precise deadline is never given for environmental studies. Imagine how we could ask investors to prepare a project and an investment plan if they had a project that respected the environmental spirit and principles, in other words, it did not harm migratory birds and was non-polluting? When they asked us when they could begin, we would say that an environmental review had to be done. That is normal, but they would ask how soon they would have an answer. No time limit is set. Is it two or three years? A minister could use this imprecision in a dangerous way to delay a project.

In this respect, I think the minister's role and the failure to set a time limit on the various stages in the assessment process are extremely negative factors, especially when we consider our experience in Quebec with the Great Whale project. In fact, we can expect to be faced with the same problems, the same lack of harmonization, the same duplication and the same lack of specific time limits.

I also think this bill is discriminatory with respect to the rights and duties of proponents. There would be two classes of proponents: federal proponents and provincial proponents, who would not have the same rights. This is discrimination, and it is utterly foreign to the spirit of the

present Constitution as regards jurisdiction over energy, and similarly, and above all, it is foreign to the current debate on renewing the Constitution or, if we consider the other option which I prefer, the debate on sovereignty.

In my opinion, this bill was tabled too quickly since after the current constitutional debate, entirely different jurisdictions may be proposed by the federal government in the offer it makes in May, which means that the entire bill would have to be revised. It would no longer be in line with the current division of powers and would have to restrict the minister's discretionary powers, especially with respect to project justification, as I said earlier.

As for non-federal proponents, throughout the debate they would be discriminated against because they would not have the same privileges as federal proponents. As I said earlier, duplication of procedures for the assessment of impact studies is also a real possibility, and this would lead to further arguments, as happened in the case of the Great Whale project. We had one study for one part of the environment by the federal government, another one by the provincial government, and the result was endless arguments and legal fights that merely held up the project. And we would not have had a two- or three-year delay if we had been able to proceed immediately. Without this jurisdictional fighting, we would have known today whether Great Whale is or is not environmentally safe, and if it is, work could proceed and Quebec's economy would be better off as a result.

In referring to the minister's powers, I would like to include certain commitments the minister has not made with respect to harmonization in the case of treaties like the free trade agreement and a similar agreement we might sign with Mexico. Commitments at the environmental level should include an obligation on the government when it negotiates a treaty with another country like Mexico or the United States to ensure that all parties observe the same environmental standards.

Unfortunately, that is not the case, so that a company that wants to invest in Canada but may only do so without polluting or disturbing the environment may wish to avoid waiting for the results of environmental studies and prefer to go to a country whose requirements are less stringent.