

Water Resources

The governments in the U.S. will be obligated to co-operate, and I suggest publicity alone would tend to trouble any state government that malingered in this vital field of legislative control. The means are at our disposal under the International Joint Commission. Prosecutions could be undertaken on each side of the border on complaint by the International Joint Commission. Persuasion, Mr. Speaker, is not enough. We need a vibrant, effective, alert board to police pollution offenders. I believe that if we commence action now it will not be too late to save the Great Lakes and St. Lawrence River from the perils of pollution.

• (4:40 p.m.)

Mr. James A. McGrath (St. John's East): Mr. Speaker, when listening to the hon. member who took his seat I began to wonder whether I had perhaps suffered a lapse of memory or a momentary lapse of consciousness, or that the debate had changed because I could not recognize the bill he was describing. Certainly, he was not describing Bill C-144 regarding the Canada water act. As a matter of fact, the extensive background material provided to hon. members by the Minister in this attractive green folder had no relation to what he was saying. It probably came from the Minister's green environment. I am sorry to say that the Minister could not be called the jolly green giant in his fight against pollution if this Bill is to be considered as a criterion.

One of the background papers entitled "Proposed Canada Water Act—background notes" reads in part:

The Canada Water Act is expected to give the federal Government and the provinces an administrative framework for managing and developing Canada's water resources and coming to grips with some of the country's major water problems—particularly the pressing problem of pollution. It calls for a close working partnership between Ottawa and the provinces.

That is all very well if you can achieve such a close-working partnership with the provinces, but there is a very important fact which seems to have escaped the attention of the government in this particular regard. Let me quote briefly from a periodical issued by the *Montreal Star* entitled "Pollution—everybody's business". On the last page there is a very interesting comment by Professor J. R. Dales of the University of Toronto. It reads:

To a large extent ... pollution is whatever people (most people, or the typical person) consider it to be.

[Mr. Gibson.]

Consequently, Sir, it follows that pollution control under this legislation is whatever the particular province involved considers it to be. This is not the type of pollution control needed to solve what many people believe to be one of the most serious problems facing this country today. When you talk about the control of Canada's water resources and coming to grips with pressing problems of pollution, there is a tendency to lose sight of the fact that there is existing on the statute books of Canada a measure which in my opinion has considerably more teeth than any provision in the bill now before us. I refer to the Fisheries Act.

Section 33 of Chapter 119 of the Revised Statutes of Canada, 1952, deals extensively with pollution and the pollution of water in all aspects. Perhaps it might be worthwhile to put the substance of the section on the record. It states that the Governor in Council may deem any substance to be a deleterious substance for the purposes of Section 2 of the Act, which refers to the offence of polluting waters of Canada by any deleterious substance.

Then, it goes on to outline some punitive measures by stating that every person who violates any provision of this section is guilty of an offence and liable on summary conviction to not less than \$100 and not more than \$1,000 or a term of imprisonment not less than one month and not more than six months. It goes on to deal with the punishment becoming more severe in respect of a second offence.

I submit that the Fisheries Act gives the federal government the constitutional authority to deal with pollution of the waters in Canada without having to enter into any type of agreement with the provinces. This aspect of the legislation now before us is, in my view what makes it a weak and ineffective bill. The Fisheries Act deals with this in quite specific terms without any reference whatsoever to the provinces.

One illustration of how this measure can be brought to bear in a particular instance was the case of the pollution of Placentia Bay by the Electric Reduction Company of Canada. The sad part of that story is that apparently the pollution was allowed to take place and reach the extent it did before the federal government realized its obligations and its responsibilities under the Fisheries Act.

Why is it necessary to enter into an agreement with the provinces whereby each province will be placed in a position to adopt its