

Water Resources Programs

Under the bill there will only be penalties after the long procedure of setting up water quality management areas has been gone through in any one of a hundred areas in Canada.

• (8:50 p.m.)

Apparently it will take not less than one year in which these water quality management areas can be set up. The process is complicated. A board must be established and the area decided upon as to where there is to be a program of water quality management. Once the area has been decided upon and once it is decided to go ahead with such a program, the scheme must have federal-provincial approval, and a very technical, difficult and detailed agreement must be drawn up with respect to the setting up of the board. Then, once the board is set up, legally constituted and given powers, it or the commission may conduct an inquiry as to what sort of standards should be involved in the water quality area under consideration and how best to carry out the intent of the board.

The inquiry must also determine how much the program will cost, how much money should be contributed by the various levels of government, how they will collect effluent fees, and so on. This involves a terribly complicated structure. If required, the board must hold public hearings. Notices must be published with respect to the setting up of a commission and there must be subsequent notices advising of the means by which the water management area will operate. After this has been done, the minister at the federal level and the minister at the provincial level must approve the plan. But even after they have approved the plan and it has been approved by Order in Council, the penalty section within that water quality management area will still not be in effect.

The act provides that even after all this has been done, the penalty section shall not come into effect except as a result of a separate Order in Council. So even though some people may have gone through all this procedure, the penalty section providing for a penalty of up to \$5,000 a day will apply only in the water basin or river basin with respect to which the application has been made, and in no other basin of Canada. If that is a penalty section, I do not recognize it as such. If that is designed to make the people of Canada stop polluting, I think the provision will be a failure because it will not affect more than one person in 100 in this country.

[Mr. Aiken.]

We were told when the bill was originally brought down that one of its most important provisions would be the penalty section which would provide for a penalty of up to \$5,000 a day. "Oh, boy, this is going to make people stop polluting," we were told. That is the approach the minister took at the beginning. Recently there has been a slight change in the minister's thinking. I do not know when or where it began, and I intend to go into that later. He is now saying that the penalty approach does not work anyway, that the purpose of this water bill is entirely different and that really the penalties do not matter.

I wish to read from an article that appeared in this morning's *Globe and Mail*. It was most enlightening for those of us who have been hammering away at the idea of water quality standards, at the idea that there should be a clear penalty section, and so on. If the minister is properly reported, and I specifically asked him this afternoon about it, it means he has reversed himself on three fundamental points. The minister is reported as saying, "The penalty approach has been tried and just doesn't work." He continued by saying, "These are the standards; if you don't do it we will punish you. We've had this in Ontario for 15 years and it just doesn't work."

An hon. Member: No doubt the hon. member is referring to the enforcement.

Mr. Aiken: I doubt whether the minister is correct in this. I believe this has worked in Ontario and I think that the Ontario Water Resources Commission for 15 years has done a remarkable job.

An hon. Member: In what way?

Mr. Aiken: I think that anyone who denies this is not aware of the facts. All sorts of bits and pieces of legislation have been adopted on the federal statute books over many years; they have contained penalty clauses which have not been enforced. If they had been enforced, we should not be in our present difficulties.

Mr. Murphy: Mr. Speaker, would the hon. member permit a question? Would he indicate to the House the number of charges that have been laid by the Ontario Water Resources Commission over the last 15 years?

Mr. Aiken: I do not have those figures with me, Mr. Speaker, but I can say to the hon. member that it is well accepted by all involved in pollution matters in North America that the Ontario Water Resources Commis-