

*Government Orders*

Well, we find that the Minister of the Environment can only do those things after consulting with the responsible authority. The minister is continually fettered in responding to proposals that have significant environmental impacts. Even under this section the most the minister can do is refer the projects to panels or mediators. The minister does not have the authority to reject any project as unsound from an environmental or sustainable perspective.

I do not know, Mr. Speaker, whether you want me to go on and examine other sections because this report is becoming more and more depressing as we explore in depth the quality of this bill. You can see, however, the point I am trying to make. I do not want to become too tedious, but with the time still allocated, I would want to bring to your attention section 25, which seems to be aimed at environmental groups which intervene in projects.

For example, in section 25, Ottawa-based national groups would be excluded from mediation on any project except one taking place in Ottawa. A national organization could not comment on something happening in Vancouver, Halifax, Toronto, Winnipeg, Montreal or Quebec City. Thus, to be at the mediation table you must live on or own land or otherwise be directly affected by the proposed project.

There are weaknesses in sections 26, 30 and 31. Mr. Speaker, I see you have already pointed out to me that I have only a couple of minutes left.

Let me bring to your attention section 34 which deals with the decision of responsible authority. It is the heart of the bill because it deals with the response to the report prepared by a mediator or a panel. Following the report of a mediator or panel, the responsible authority shall approve the project, under certain conditions of course. Where, in the opinion of the responsible authority, the project is likely to cause impacts that cannot be mitigated or justified, it shall not permit the project to be carried out.

Finally, we find in this section that a project can be rejected, but not by the Minister of the Environment, only by the proponent. Even then, within the same section there is permission that a project can proceed, no matter how serious the impact, if it can be justified. I ask you, what does the word justified mean in section 34? Obviously it means if you can make a good case, I suspect a political case in cabinet, if you are the proponent of the particular project and you are eloquent and articulate

and you can perhaps demonstrate that in the short term, that project shall proceed.

I submit to you that this is a very troublesome concept. I would like to take you through the balance of this bill to reinforce what I hope I have achieved in these 20 minutes, namely to convince you that Bill C-78 should not be reintroduced in its present form.

• (1240)

**Mr. Jack Whittaker (Okanagan—Similkameen—Meritt):** Mr. Speaker, I would like to compliment the member. I know he is most erudite concerning the environmental situation in Canada. He has spoken up many times in that area in this Parliament and I have seen him in past Parliaments when I have been a viewer from the outside looking in and I want to compliment him on his commitment to the environment.

In looking at this bill, I would like to ask the member to expand a little bit on one of the parts of the bill that concerns me somewhat, and that is the section where the cabinet decisions are exempted from the legislation. I look at any section of any bill where there are certain exemptions, or the cabinet gets the opportunity to make policy outside legislation, in particular, in my own province of British Columbia, where the agricultural land reserve bill allows cabinet to review certain processes and applications and then override its own legislative body in coming up with decisions. I wonder whether he sees this particular provision in the act as being fair, or does he anticipate that it could lead to some abuse, particularly when pressures are put on the cabinet by various lobby groups or political friends who want a fast track approval in some area?

I would further ask whether there are any safeguards or means of assuring that environmental decisions are given proper weight in these cabinet decisions referring to this and other cabinet decisions where they have discretion.

**Mr. Caccia:** Mr. Speaker, I would first like to thank the member from the Okanagan Valley for his very generous and kind words. The question which he puts is very central to the spirit and the heart of Bill C-78. Under the bill as written now, cabinet would be fully in command of whether or not it approves a proposal. It would not be bound. It would not be directed by the Minister of the Environment of the day in rejecting a specific proposal. The way it is drafted, the allocation of powers is such that the environment minister is virtually in the hands of the initiating department and minister throughout the entire process. Therefore, the role of the