

Government Orders

bia, there was starting to be a growing body of administrative law.

Two other processes were going on. Ministers and agencies were trying to find permanent loopholes. At the political level, government ministers were trying to convince the private sector, the provinces and the territories not to worry about this new legislation because the loopholes for them would not be seen immediately within Bill C-13, but they would come in all of these regulatory mechanisms.

Take the one example I raised. Why should Candu's new phase of nuclear reactors, the slowpokes, because they are less than 30 thermal watts, be excluded? Why should existing sites which may be more dangerous than proposed new sites be excluded?

If we are going to have environmental assessment legislation that is worth anything, it means we get out there and identify from a—I do not want to use overly complex language here—truly ecologically sustainable development perspective what are the best ways of maintaining the Brundtland definition of “sustainable development”, which is that we pass on to future generations, a habitable, liveable, sustainable ecology.

That does not seem to be the case. I do not point my finger at anyone, but it does not seem to be what we are doing in the country. As I said earlier, I see the chair of the Rivers Defence Coalition here in the House today, Pat Moss, who has worked long and hard to get sensible policies applied to a major project in British Columbia, Alcan's second phase of the Kemano project.

People like Miss Moss look at Bill C-13 and say: “How would this apply to a project that already has \$.5 billion spend on it in the area that I live. Would I be better with the 1984 guidelines order, or would I be better with Bill C-13?” What we do know in terms of the guidelines order is that the government, rather than even having the assessment procedures apply, used what is now recognized as an unconstitutional approach, the same Order in Council powers to exempt the project from an environmental assessment.

That demonstrates to the informed environmental community in Canada the will of the government. If the will of the government on a project that is here now in 1992 and is before us is to sneak around having an assessment, what kind of credibility should members of this House or the public put in a hidden regulatory process?

That is why it is very important to examine this series of motions. We certainly look forward to hearing from members on the government side as to exactly what

kinds of assurances we can have that there is not going to be an undoing, through the regulatory Governor in Council processes of this legislation what members such as the for The Battlefords—Meadow Lake and others have fought so hard to have placed within the legislation in a clear and understandable way, through a process with Bill Andrews and Mr. Pannell, that was unique and informative and had great potential.

• (1320)

I look forward to pursuing both the regulatory and the policy matters in the next section of amendments.

Ms. Lynn Hunter (Saanich—Gulf Islands): Mr. Speaker, as we have heard in the speeches today in this House, the complexity of this bill is becoming clear. There are major motions still being put forward at the report stage of this bill.

I would like to focus on Motion No. 26 in particular. The language in it is: “before irrevocable decisions are made”. It is very clear from our most recent history on environmental concerns that we have the language in this legislation to ensure that environmental assessment carries through before irrevocable decisions are made. That means that, yes, things will have to slow down, that maybe development is not going to go at the pace the major corporations would want it to.

Canadians have told members of this House that there cannot be development without some consideration for the environment. We now know that the Supreme Court decision on the Oldman River has come down. This is not just a victory for the environmental movements, it is also a victory for the people who made it clear in the language of this motion that irrevocable decisions have been made. The Oldman River dam is now reportedly 25 storeys tall. The taxpayers of Alberta and the taxpayers of Canada will be the ones who are paying the bill on that. This is not responsible behaviour. It was pushed through with the assumption that all was going to be well and that provincial jurisdiction was going to be paramount.

The Supreme Court has decided: “No, wait a minute. There is federal paramountcy on environmental concerns”. The Oldman River decision is crucial to the way we jig the kind of jurisdictional squabbles between the levels of government.

The federal government has to have supreme authority on environmental issues. It just makes good sense. Often in this House good sense does not prevail. Rivers do flow across provincial boundaries, air flows across not just provincial boundaries but international boundaries. My colleague from The Battlefords—Meadow Lake has pointed out that the environment does not respect the