

*Government Orders*

but the review and revisions and upgrading of the regulations governing the agency's role could very well be the key to an improved performance. The failure of the federal government to provide clear guidelines led to court challenges of high profile projects such as the Oldman River dam in Alberta and the Rafferty-Alameda dam in Saskatchewan.

Under the Canadian Environmental Assessment Act four types of environmental assessments are available to meet different projects and circumstances. One would be screening, two would be comprehensive study, three would be mediation, and four would be a review by an independent panel.

• (1805)

The Canadian Environmental Assessment Act was a bill proposed and passed by the former Conservative government. However the act once passed was never proclaimed, meaning that it never came into force.

In the red book the Liberals promised to amend the Canadian Environmental Assessment Act "to shift the decision making powers to an independent Canadian environmental assessment agency subject to appeal to the cabinet". That is on page 64 of the red book.

On October 6, 1994 the government issued a press release stating its intent to proclaim the Canadian Environmental Assessment Act. The reasons for the Conservatives not proclaiming the act that they passed may not be known for certain, but a reasonable guess is because of the wrangling among the industry and environmental groups and among federal and provincial bureaucrats and politicians over the act in general and certain regulations in particular.

The former and present Quebec governments opposed this act. The former Liberal environmental minister for Quebec, Pierre Paradis, appeared before the Senate in an attempt to block the bill. And I understand that the present environmental minister for Quebec is publicly opposing the proclamation of this act.

On this issue one must sympathize with the federal government, for two reasons: first, that the citizens of the country want the federal government to be active in the protection of the environment; and second, because the environment is an area not outlined in the Constitution under federal and provincial jurisdiction. There are to date no clear guidelines for the federal government to follow in this area.

The federal government must play an active role in the protection of the environment and develop clear effective guidelines for environmental issues and concerns. The Reform Party recognizes the need for federal leadership in this area.

Also the new Liberal government has made changes in the regulations of the original act and has proposed amendments to try to satisfy the concerns of some groups. One change in the bill is the dropping of the controversial provision that would have forced environmental reviews of energy exports. This change was apparently welcomed by the oil and gas and hydroelectric industries but criticized by environmental groups.

With regard to the federal-provincial jurisdiction, the federal Minister of the Environment is able to develop co-ordinated environmental assessment procedures for conducting joint panel reviews, thus preventing overlap and jurisdictional conflict. The Reform Party supports the co-ordination between the federal and provincial governments on environment action. We support the reduction of duplication, confusion and unnecessary regulation by developing and applying environmental criteria through a joint federal-provincial process.

The present regulations of the Canadian Environmental Assessment Act divide the project into four categories: a comprehensive study list; a law list; an exclusion list; and an inclusion list.

The comprehensive study list describes those types of projects that must be assessed through a more detailed study. The law list is a list of licences, permits, certificates and other regulatory authorizations which are required for certain projects. An environmental assessment would be triggered in this case. The exclusion list describes those undertakings in relation to a physical work that do not require an environmental assessment. The inclusion list relates only to those projects that are a physical activity not related to physical work. It occurs when a federal agency issues a permit or a licence.

At the same time that the government announced its intention to proclaim the Canadian Environmental Assessment Act it announced its intention to bring forward three amendments to the act. These amendments comprise Bill C-56.

One amendment is to legally entrench the participant funding program which is an amendment to section 58 of the CEEA. This allows for intervener funding for public participation in the review process. I agree that public participation should be encouraged as long as the funds come from within the current department allocations or budget.

• (1810)

Another amendment is to section 37 of the Canadian Environmental Assessment Act. It requires a cabinet decision to respond to the recommendations of independent environmental assessment panels. Previously this decision was made by the minister only. By making it a cabinet decision opens it up for more debate and scrutiny and makes the decision process much more democratic.