

*Supply*

project in general, ways to mitigate effects and both support and concerns about the project.

During this tour, the panel observed that channelization downstream of the Rafferty dam had begun.

While it was the understanding of all members, when appointed, that none of this work would occur, the panel was of the opinion that any negative environmental effects associated with the causeway and the park were reversible or could be mitigated. Therefore, the panel in spite of these frustrations continued its review. In a letter to the minister on October 4, the panel pointed out that initiation of downstream channelization clearly violated the panel's terms of reference which specifically charged the panel with reviewing this component of the project.

The panel recognized that the Canada-Saskatchewan ministerial agreement, which was signed in January 1990, restricting construction on the project, had been interpreted differently by the federal government and the Government of Saskatchewan. The panel also recognized and appreciated the attempts by the Minister of the Environment, the hon. Robert de Cotret, to reach an understanding with Saskatchewan on the agreement. It was this difference in interpretation and the incompatibility it caused with the terms of reference, however, which gave rise to the difficult situation in which the panel had been placed.

However, while the agreement regarding some aspects of the project may be ambiguous, it clearly states that no work on the Rafferty-Boundary diversion channel or on the Alameda dam and reservoir, including the acquisition of land, will begin and that construction on the Rafferty dam, once the safety of the works was assured, would cease until the review was complete. Once the safety of the Rafferty dam was secure, it was the panel's understanding that no work on these elements of the project would occur during the course of the review.

Given these circumstances, the panel sought guidance on how best to proceed with the review and in the interest of preserving the integrity and credibility of the

process and the review, the panel felt compelled to suspend its operations until this matter was clarified.

It was a surprise, however, to the panel, after its letter was made public on October 11, that the premier of Saskatchewan announced later that same day that he instructed the SBDA to begin or to resume construction on all aspects of the Rafferty-Alameda project.

Premier Devine said he "issued the instruction in response to the announcement by the federal Rafferty-Alameda environmental review panel that it had suspended its operations pending clarification of its terms of reference". It is difficult to comprehend why a request to clarify terms of reference for the review which had advanced to the final stages would provoke such a reaction.

Not surprisingly, the panel announced the next day that it regretfully tendered its resignation to the minister. It pointed out while the review of the Rafferty dam was not an ideal situation, since it was well under construction when the panel began its task, there was every expectation on the part of the panel that it would be able to conduct a thorough and credible assessment of the potential environmental impacts and ways to mitigate the effects the Alameda project and the Boundary-Rafferty diversion channel prior to construction.

The announcement by Saskatchewan made it clearly impossible for the panel to complete its task in accordance with its terms of reference.

While the panel regretted that it would be unable to fulfil its obligation to the people of Saskatchewan, Manitoba and North Dakota, it felt, under the present circumstances, that its first priority must be the protection of the environment as well as the integrity and credibility of the review process. The minister, in accepting the panel's resignation stated, and I quote:

When Saskatchewan announced its intention to start work on the Alameda project, the panel was compelled to resign. Since mid-summer 1—

• (1150)

Meaning the minister.

— have met with the premier, members of the panel, residents of the province and other stakeholders. I have tried to find a reasonable solution where the interests of the review panel, Saskatchewan, Manitoba, the environment and the economy could be