



David
Suzuki
Foundation



MiningWatch Canada
Mines Alertes



**Steelhead Society, Northern Branch | Skeena Watershed Conservation Coalition
Les Intendants du Madawaska | Douglas Channel Watch | Mouvement Au Courant
Bert Riggall Environmental Foundation | Saint John Citizens Coalition for Clean Air**

May 10, 2010

Standing Committee on Finance
Parliament Buildings
Ottawa, Ontario
K1A 0A6

**Re: Save Canada's environmental laws – do not accept the gutting of
environmental assessment through the budget bill**

Dear Sirs/Madams:

We represent sixteen conservation and community organizations working at the national level and in regions across Canada, who are concerned about the future of environmental assessment. We are writing to request that, as members of the Finance Committee reviewing Bill C-9, the *Budget Implementation Act, 2010*, you pass a motion in committee requesting that the House grant the committee the power to sever the provisions aimed at weakening environmental assessment – parts 19 and 20 – from the Bill. We also ask that you speak up in committee, and inside and outside of Parliament, to object to these regressive changes that threaten Canada's environment.

The provisions in parts 19 and 20 are clearly aimed at gutting the *Canadian Environmental Assessment Act* (“CEAA”), which requires environmental assessments for development projects such as tar sands mines, oil and gas pipelines and nuclear power plants. These provisions have nothing whatsoever to do with the Budget, and have no business being there. The changes include:

- Allowing the Minister of the Environment to avoid doing detailed environmental assessments on large projects by breaking the projects up into smaller pieces – in a major move that undoes the Supreme Court of Canada’s recent decision that this is illegal.
- Exempting a host of major projects from environmental assessment, paving the way for projects to go ahead that may cause significant environmental damage, without any thought at all given to the mitigation of those risks.
- Handing over public panel reviews for pipeline and nuclear energy projects – among the most environmentally problematic projects of all – from the Canadian Environmental Assessment Agency (which has specialized expertise in environmental assessment) to the National Energy Board and Canadian Nuclear Safety Commission (which have little experience in conducting environmental assessments),

CEAA and its regulations were developed only after years of public and stakeholder review, including review by the Environment Minister’s own multi-stakeholder Regulatory Advisory Committee. Any one of these changes, proposed to be made without any public or stakeholder consultation, would represent a significant setback for sustainability and environmental protection. Combined together, they set environmental assessment practice back many years at just the time when Canadians are more conscious than ever about the need for rigorous environmental protection.

By burying these significant changes to environmental assessment deep within a towering, 900-page budget bill, the government has deliberately sought to bypass the will of Parliament, which set out a legal requirement for a comprehensive seven-year review of CEAA that is slated to begin by June 2010. Hiding these significant changes from the serious Parliamentary and public scrutiny they require is harmful to the principles of good and transparent government, and every member of Parliament on this committee should be prepared to stop this end-run around democratic process. It happened in last year’s budget with amendments to CEAA and the *Navigable Waters Protection Act*, eliminating thousands of assessments aimed at ensuring development is sustainable. You should not permit it to happen again.

We strongly believe that it is undemocratic for the government to gut environmental assessment law through the budget process. We therefore urge you and all members of the Finance Committee to request that the House of

Commons give you the authority to separate Parts 19 and 20 – the environmental assessment provisions – from Bill C-9 and to set those amendments aside for consideration in the upcoming comprehensive seven-year review of the *Canadian Environmental Assessment Act*, which is required by *CEAA* to begin by June. Once you are given that authority, we ask you to use it. This review is the best forum to develop legislative proposals to reform *CEAA* to ensure that it is effective in addressing key priorities such as climate change and the protection of the environment.

We would be pleased to meet with you or your staff to discuss our request for you to help protect Canada's environment by stopping Canada's environmental assessment law from being undermined.

We look forward to hearing from you.

Sincerely



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 Leader of the Bloc Québécois
 Leader of the Green Party of Canada
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 Standing Committee on Environment and Sustainable Development
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 David McGuinty, MP
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