



David
Suzuki
Foundation



MiningWatch Canada
Mines Alertes

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



Les Amis de la Rivière Kipawa



GRAND RIVERKEEPER® LABRADOR INC.

CHOKED – Community Health Opposition to Known Emission Dangers

May 6, 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



Josh Paterson
Staff Lawyer
West Coast Environmental Law
Vancouver, British Columbia



Peter Robinson
Chief Executive Officer
The David Suzuki Foundation
Vancouver, Toronto, Ottawa, Montréal

Clarice Blake Rudkowski
President
Roberta Frampton Benefiel
Vice-President
Grand Riverkeeper Labrador, Inc.
Happy Valley-Goose Bay, Labrador

Jamie Kneen
Co-Manager
MiningWatch Canada

Carolyn Campbell
Conservation Specialist
Alberta Wilderness Association
Calgary, Alberta

Northern Branch of the Steelhead
Society of BC
Terrace, British Columbia

J. Denys Bourque, R. P. F.
Les Intendants du Madawaska
Saint-Jacques, Nouveau-Brunswick

Skeena Watershed Conservation
Coalition
Hazelton, British Columbia

Judy Huntley
Bert Riggall Environmental
Foundation
Pincher Creek, Alberta

Pat Moss
Friends of Wild Salmon
Smithers, British Columbia

Jennifer Rice
T. Buck Suzuki Environmental
Foundation
Prince Rupert, British Columbia

Dieter Wagner
Douglas Channel Watch
Kitimat, British Columbia

Arlene Kwasniak
Legal academic and environmental
consultant
Calgary, Alberta

Gordon Dalzell ,Chairperson for the
Saint John Citizens Coalition For
Clean Air
Saint John, New Brunswick

John Burcombe
Director
Mouvement Au Courant
Montréal, Québec

Robert Gibson
Professor in the department of
Environment & Resource Studies
University of Waterloo
Waterloo, Ontario

Peter Karwacki
President
Les amis de la rivière Kipawa
Ottawa, Ontario

Dave Stevens
CHOKED – Community Health
Opposition to Known Emission
Dangers
British Columbia

cc: Prime Minister
Minister of Finance
Minister of the Environment
Leader of the Opposition
Leader of the New Democratic Party of Canada
Leader of the Bloc Québécois
Leader of the Green Party of Canada
Clerk of the Standing Committee on Finance
Standing Committee on Environment and Sustainable Development
Clerk of the Standing Committee on Environment and Sustainable Development
David McGuinty, MP
Linda Duncan, MP
Bernard Bigras, MP