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Chair

Mrs. Deborah Schulte

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• (1105)
[English]

The Chair (Mrs. Deborah Schulte (King—Vaughan, Lib.)): I think we are ready to start our meeting. Welcome, everybody.

Normally the committee would start with the video conference guest speakers in case we were to lose them. I think it would be very helpful to go the other way round. Is everybody all right if we start with our guests at the table and then we have Mr. Boyd talk to us after? Is that okay with everyone?

I'm new, so I'm trying to get the normal procedure.

We had a really wonderful brief, all details given to us by Mr. Boyd. We haven't had time to translate it. I would need unanimous consent to distribute it without having it translated. We only have it in English. Do we have unanimous consent to distribute it in English?

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Madam Chair, it's our long-standing policy not to, simply because this is a predominantly English committee. If the reverse were true it would be very difficult for committee members to follow a submission in French only.

I'll allow it this one time, but if there's any way at all possible in the future it should be translated. It has been a long-standing position of our leader and the leader before. It's a thing for us.

The Chair: I'm very respectful of that, and that's why I asked.

We will be following up with the translation, if that's okay, but I understand your point.

Mr. Nathan Cullen: If that can happen that would be great, until the translation comes, because I know a lot of people are interested particularly in what Mr. Boyd has to say and what he has written to us, and also so this just doesn't become practice.

The Chair: It will not become a practice. We will do it as fast as we can. We only just got it and didn't have time for translation, but I did want you to have it in front of you for making notes.

We have consent then. We will distribute it and we'll make sure it gets translated and distributed after. Thank you very much.

Welcome to all the guests who have agreed to come forward for us today. We have a witness from the Department of Finance and that's Richard Botham. Thank you very much for being here with us today. We also have from the Privy Council Office, Les Linklater; and we have, of course, David Boyd on video conference with us, the adjunct professor on resource and environmental management with Simon Fraser University.

Thank you very much and welcome to all of you. We will get right into it—

Sorry, there's a question. Go ahead.

Mr. Nathan Cullen: Yes, I have a very short question. We also have our environment commissioner here who was able to sit at the table last time and didn't receive anywhere near the majority of questions, but sometimes a reference question. Is that something we want to continue to practise? I'm not sure of her comfort. I haven't checked with her yet. I'm not sure how committee members feel about that.

The Chair: Is there any discussion on that? Does anybody have an opinion or a view?

Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.): It's a great idea.

Mr. Nathan Cullen: To have such wisdom in the room and not at the table is such a shame.

The Chair: I am delighted to have her at the table if she is willing to come forward.

Mr. Nathan Cullen: Thank you, Madam Chair.

The Chair: Thank you very much and welcome again today. I really appreciate your being here. Thank you, because this is obviously an important topic for all of us.

Our witness, Richard Botham, if you could start that would be fantastic.

Thank you very much.

[Translation]

Mr. Richard Botham (Assistant Deputy Minister, Economic Development and Corporate Finance, Department of Finance): Thank you, Madam Chair and members of the committee, for inviting me to address you today.

As mentioned, I work at the Department of Finance as assistant deputy minister of the economic development and corporate finance branch. My role is to support the Minister of Finance in making funding and policy decisions on matters related to agriculture, fisheries, transport, infrastructure, defence, regional development, innovation, science and technology, natural resources, and the environment.

The Department of Finance is the government's primary source of analysis and advice on Canada's economic and financial affairs. In certain policy areas, the department is the lead within the Government of Canada. The department has the lead responsibility for policy development on tax and tariff legislation, major federal transfers to the provinces and territories, the legislative and regulatory framework for the financial sector, and representing Canada within international financial institutions. The department also provides analysis and advice on the economic merit and fiscal implications of policy and program proposals developed by other departments. Departmental officials serve as members of a broader team of federal officials from the Privy Council Office and Treasury Board Secretariat that reviews options for and the implications—economic, social, and environmental—of proposals that are presented to cabinet.

[English]

These two roles as a lead on certain policy areas and as a central agency have shaped the department's activities with respect to the Federal Sustainable Development Act.

The federal sustainable development strategy for 2013-16 has four priority themes. The Department of Finance is not the departmental lead on any of those themes. Finance has, however, established implementation strategies related to the goals and targets under theme I and theme III of the federal sustainable development strategy, consistent with its lead in certain policy areas.

In particular, with respect to theme I, "Addressing Climate Change and Air Quality", the department has advanced as an implementation strategy the accelerated capital cost allowance for clean energy generation equipment, which provides a financial benefit by deferring taxation for businesses that invest in clean energy generation and energy conservation equipment.

Also in support of theme I, a green levy is imposed on certain fuel-inefficient passenger vehicles available in Canada. The levy is payable by manufacturers or importers of new vehicles delivered after March 19, 2007, and by importers of used vehicles if the vehicle was originally put into service in any jurisdiction after March 19, 2007. The Canada Revenue Agency and the Canada Border Services Agency are responsible for the administration of the levy.

Under theme III on protecting nature and Canadians, the Department of Finance delivers the ecological gifts program, which provides tax assistance for donations of ecologically sensitive lands.

Finally, under theme IV, waste and waste management, the Department of Finance has a range of actions to reduce waste and implement sustainable practices for its asset management, largely focused on green procurement.

I am pleased to note that the Department of Finance's new building at 90 Elgin Street recently received LEED gold certification.

The department's most important contribution to sustainable development lies in the development of policies and advice to support a strong economy and sound public finances for Canadians. Given the Department of Finance Canada's focus on fiscal issues and its role in the development and management of major transfers, the department has established social and economic goals and plans

activities that supplement the federal sustainable development strategy and contribute to sustainable development.

•(1110)

The supplementary goals include the following: goal one, promoting fiscal sustainability and a high standard of living for future generations; goal two, strong social foundations; and goal three, integrating sustainable development considerations in policy-making.

As the assistant deputy minister within Finance Canada responsible for federal environmental departments and agencies, including Environment and Climate Change Canada, Parks Canada, and the Canadian Environmental Assessment Agency, I am also the departmental champion of sustainable development.

My branch coordinates the preparation of the Department of Finance's sustainable development strategy under the Federal Sustainable Development Act, as well as the reporting of Finance's contributions and activities. In the challenge role function, we contribute to the development of sustainable development policy by reviewing cabinet and funding proposals pertaining to the Federal Sustainable Development Act and its implementation. I am also responsible for championing the cabinet directive on the environmental assessment of policy, plan, and program proposals within the Department of Finance.

Strategic environmental assessments are a key policy tool for evaluating the potential environmental effects of proposed policies, plans, and programs and support informed decision-making. SEAs have been required to consider how proposals affect the achievement of federal sustainable development strategy goals and targets since 2010. The Department of Finance Canada implements the cabinet directive by ensuring that a preliminary strategic environmental assessment has been conducted for a policy, plan, or program on which the Minister of Finance is asked to make a decision.

For policies, plans, or programs where Finance is the policy lead, a preliminary scan of the proposal is completed to determine whether the proposal will result in important environmental effects. If the results of this scan indicate that the proposal will have significant impacts on the environment, a full SEA is completed. A ministerial briefing on the proposal includes a statement that environmental effects have been considered in the development of the proposal and it provides a summary of the conclusions of the analysis.

Annual training sessions are offered on Finance's strategic environmental assessment processes, and within the department each branch is required to identify a coordinator, and SEAs are collected on a quarterly basis for reporting within the department's performance report. In 2014-15, the department completed 202 preliminary scans and four full SEAs. A total of 45 Finance employees attended two SEA training sessions that were held in fall 2015.

As a central agency, the Department of Finance reviews proposals put forth by other government departments and ministers and provides advice to the Minister of Finance on funding decisions. Included in this advice are the results of an SEA, which is conducted by other government departments as required under the cabinet directive. Finance also works with departments and agencies to ensure that the directive has been fully considered during the development of memoranda to cabinet.

Finally, while the department's general mandate is most evidently linked to the economic and social pillars of sustainable development, the department continuously strives to recognize the implications of its analysis and advice on all aspects of sustainable development and to take into account the linkages between economic, social, and environmental sustainability. I hope that provides you with a clear picture of the Department of Finance Canada's mandate and role with respect to environmental and sustainable development policy development.

Thank you, Madam Chair.

• (1115)

The Chair: Thank you very much for that.

We're going to hear from all the witnesses first and then we'll get into questioning after.

Mr. Linklater.

[*Translation*]

Mr. Les Linklater (Deputy Secretary to the Cabinet, Privy Council Office): Hello, Madam Chair, honourable members.

[*English*]

My name is Les Linklater and I am the deputy secretary for operations at the Privy Council Office or PCO. I am responsible for PCO's economic and regional development policy and social policy secretariats, the orders-in-council division, the cabinet papers system, and the newly created youth secretariat.

[*Translation*]

My officials are responsible for providing policy advice to the Clerk of the Privy Council and the Prime Minister on a range of files, including those that support the integrated economic, social, and environmental objectives of sustainable development.

In addition to supporting the Prime Minister, the operations branch also supports the operation of several cabinet committees including the following: diversity and inclusiveness; inclusive growth, opportunities and innovation; defence procurement; and environment, climate change and energy.

While proposals coming forward to cabinet are led by ministers, the operations branch at PCO works with departmental officials to

ensure that the proposals are fully analyzed and challenged, alternative options are considered, appropriate interdepartmental consultations are undertaken, and, along with the Department of Finance and the Treasury Board Secretariat, that costs and administrative implications are clear before presentations are made to cabinet committees. We also brief the chairs of the various committees and provide secretariat services to ensure that meetings run smoothly.

[*English*]

While the integration of environmental, social, and economic considerations into the development of policy is not a new concept, momentum behind sustainable development and the issues underpinning this concept have been bolstered in recent months, given global milestones like the adoption at the United Nations of the sustainable development goals and the agreement in Paris to a new action plan for addressing climate change.

In Canada the government has made sustainable development a top priority. The Speech from the Throne indicated clearly that the economy and the environment go hand in hand. It also emphasized that addressing social issues, such as helping immigrants settle successfully into Canada and strengthening our relationship with indigenous communities, would support a stronger, more inclusive, Canadian economy.

Building on this foundation, the government is making climate change a key priority. As the Prime Minister indicated at the COP 21 in Paris, it is viewing climate change not only as a challenge, but as an opportunity to develop a low-carbon economy.

[*Translation*]

The Vancouver Declaration, agreed to by the first ministers on March 3, launched a federal, provincial, and territorial work program that will help develop options for a pan-Canadian framework on clean growth and climate change. This framework will enable Canada to achieve or surpass its ambitious greenhouse gas emissions reduction target of 30% below 2005 levels by 2030, while also setting the stage for clean growth, with an emphasis on investments in innovation and clean jobs.

The Vancouver Declaration also emphasizes the role of stakeholders, particularly indigenous Canadians, in developing the solutions to the climate change challenge. Further to these objectives, budget 2016 proposes to provide \$2.4 billion over 5 years to address climate change and air pollution issues, along with significant investments in clean technology, green infrastructure, and other measures that support not only the environmental, but also the economic and social objectives of sustainable development program.

[English]

As mentioned earlier, the government also constituted the cabinet committee on environment, climate change, and energy, charged with considering issues concerning sustainable development, the stewardship of Canada's natural resources, the environment, energy, water, and Canada's contribution to addressing climate change. Without breaking any confidences, I assure you it is a full agenda.

At the Privy Council Office, like all public servants, we have a duty to support the government in meeting its objectives by providing well-informed, non-partisan advice to support decision-making. As it relates to sustainable development, the public service also has a responsibility to be transparent with Canadians and to lead by example. The Federal Sustainable Development Act provides us with the framework through which to do that.

• (1120)

By developing a federal sustainable development strategy, we have the opportunity to articulate to Canadians goals and targets, and propose approaches for meeting them. Led by Environment and Climate Change Canada, the strategy, which is now in its third cycle, identifies whole-of-government priorities and offers an inventory of the programs, initiatives, and measures undertaken to advance these priorities.

As you know, the Minister of the Environment and Climate Change has recently released, for consultation, the draft FSDDS for the 2016-19 period. As she notes in her message at the beginning of the draft report, the government is seeking the public's help in improving the report before it is finalized.

[Translation]

The Privy Council Office also has an important role to play in the implementation of the cabinet directive on strategic environmental assessment, which requires that policy, plan, and program proposals with potentially important positive or negative environmental effects be assessed and that the relevant information be provided to decision-makers.

Specifically, given our role in supporting the cabinet process, we can play a challenging function with departments as they develop their policy proposals, and seek to ensure that the information about a proposal's environmental effects are clearly presented to ministers as part of a memorandum to cabinet. That needs to go beyond just those memoranda dealing directly with environmental issues, and be applied not only to issues advancing through the cabinet committee on environment, climate change, and energy. In fact, it is sometimes in those areas not traditionally associated with the environment or sustainable development where understanding the potential environmental impacts could be most important. The cabinet directive prompts people to take a second look and consider all possible ramifications, even if they might not be obvious at first glance.

[English]

That said, recent findings by the commissioner for the environment and sustainable development have made it clear that government-wide we need to be doing a better job of respecting the directive. In their responses to her findings, departments have committed to improving their practices and implementing the recommendations she has made.

Within the Government of Canada, sustainable development is not just about filling out templates and ensuring that proposals consider all of the potential environmental impacts. We are also making efforts to reduce the environmental footprint of our operations through the work of the office of greening government operations housed at Public Services and Procurement Canada. The office provides guidance and advice to departments on ways to reduce energy consumption, carbon emissions, and waste, and to optimize water management. It also tracks progress against targets as outlined in the FSDDS.

Internally to PCO, we continue to strive towards reducing our carbon footprint such as through the implementation of green procurement initiatives related to equipment and paper products as outlined in our departmental sustainable development strategy. Further, as was noted in budget 2016, we will be putting more focus on digital communications going forward.

[Translation]

The government has also made a commitment to ensuring that its words are put into action. Under the oversight of the agenda, results, and communications committee of cabinet, ministers and the departments supporting them will be accountable for demonstrating progress made against key government priorities. This process will help track progress under the government's clean growth agenda specifically, but appropriate linkages will be made with other priorities to ensure that policies are not working at cross-purposes and that the government's broader agenda is one that supports social, economic, and environmental objectives in an integrated manner.

[English]

In summary, Madam Chair, PCO is strongly involved in making sustainable development a reality through its support for the government in advancing this as a stated priority through its coordinating function on files affecting economic, social, and environmental objectives and through its efforts to support greener government internally and with other departments.

Thank you.

The Chair: Thank you very much, and thank you both very much for coming in pretty close to the time.

Hopefully through questioning we will be learning more about those appropriate linkages and how you make that decision happen across all government.

We'll turn our attention now to the video conference and Dr. Boyd, please.

Dr. David Boyd (Adjunct Professor, Resource and Environmental Management, Simon Fraser University, As an Individual): Thank you very much, Madam Chair, honourable members, and Commissioner Gelfand.

I'd like to start by complimenting the committee on tackling this subject of the Federal Sustainable Development Act. It's potentially a very important tool in accelerating Canada's progress towards a sustainable future. I should also apologize. I'll take the responsibility for not having provided my written submission in a timely fashion, and the blame goes to me for not having it translated in time.

I've been working as an environmental lawyer in Canada for 25 years, teaching environmental law and policy for about 20 years. Not surprisingly, I've done a lot of work in this area of sustainable development. I've also assisted governments from other countries, particularly Sweden, in the development of their national legislation governing sustainable development.

I'd like to draw upon that experience today and share with you 10 recommendations on how the Federal Sustainable Development Act could be strengthened going forward in ways that I think would make Canada a healthier, wealthier, and more sustainable nation.

I should also add at the outset that this law, which has its roots in a private member's bill from the Honourable John Godfrey, who I know testified before you last month, actually has deeper roots. The researchers at Simon Fraser University who worked with Mr. Godfrey drew their inspiration from a report I had prepared for the David Suzuki Foundation called "Sustainability within a Generation", which in turn had its roots in a very inspiring Swedish law that was passed in 1999 and that really set Sweden on a trajectory to become the global leader that it is today in the field of sustainable development.

Without any further introduction, let me quickly provide an overview of the 10 recommendations, which have extensive detail in my written submission.

The first is that the focus of the Federal Sustainable Development Act needs to be broadened to address all three pillars of sustainable development. As it's currently framed, the focus is almost entirely on the environment, but we need to be looking at economic and social components as well. That broad, multi-pronged approach to sustainable development is the approach taken by global leaders such as Germany, Sweden, Norway, Wales, and other countries. That's number one.

Number two is that we need to have Parliament put some long-term objectives into the act, some objectives that clarify Canada's overarching goals in terms of sustainable development; and that direction is really fundamental for the civil servants who are preparing the federal sustainable development strategy. Let me just turn to the 2016-19 draft to give you an example of why this is so critical.

The 2016-19 draft federal sustainable development strategy has what it calls five long-term aspirational goals for Canada. These include fresh water and oceans; clean technology, jobs, and innovation; human health and well-being; and national parks and protected areas. These are not long-term goals. These are not

aspirations. Many countries have put the long-term objectives into their sustainable development legislation. Sweden has done that.

You had the gentleman from Wales before you on Tuesday. Wales has in its Well-being of Future Generations Act seven broad goals that frame the Welsh focus on sustainable development. I've provided some examples in my written submission of the kinds of long-term objectives that could be incorporated into the act.

Number three—and you will have heard this from other witnesses—it's absolutely essential that the act be amended to require the development of short-, medium-, and long-term sustainable development targets that are SMART. By SMART, I mean specific, measurable, achievable, relevant, and time-bound. Again, these are criteria of targets that are absolutely essential for accountability, for monitoring, and for enabling the commissioner of the environment to actually perform her function as a watchdog and as an auditor.

Number four, I think the current act identifies one principle of sustainable development. It mentions the precautionary principle. In fact, there are many other principles of sustainable development such as the polluter-pays principle, such as the right to live in a healthy environment, and others which should be included in the act. Again, this is something that's commonly found. Sweden's act contains a number of these principles. Quebec's Sustainable Development Act includes 16 different sustainable development principles.

• (1125)

These principles are important to include in the legislation because they will provide guidance to all of the departments, not only for their sustainable development strategies but for the policies, programs, and plans that they put in place and that they implement.

My fifth recommendation is another one that you've heard, which is based on a recommendation from the Organisation for Economic Co-operation and Development. The OECD has prepared a number of reports on best practices in terms of national sustainable development strategies, and has identified as their number one recommendation the importance of having central agencies in charge of preparing the whole-of-government strategy. In countries like Norway, for example, you have the department of finance that has primary responsibility for the sustainable development strategy. In a number of other countries, including France and Germany, you have other senior government bodies that are in charge. We need to move the sustainable development office from the Ministry of Environment and Climate Change in Canada to share responsibility with one or more, or potentially all of the central agencies.

The fifth recommendation that I make is that we also should be adding some additional requirements governing the federal sustainable development strategy. The first is that we should have annual progress reports rather than progress reports every three years. Having annual progress reports is commonplace in business and in other countries, and enables us to make sure that we're on track towards meeting those short-, medium-, and long-term goals.

As well, I think the act should require the federal sustainable development strategy to address how it will further the achievement of Canada's contribution to the UN sustainable development goals and to other international commitments that Canada has made, such as the Paris agreement.

Then we should also consider strengthening the role of the commissioner of the environment and sustainable development so that not only is she in charge of reviewing the draft strategy and reviewing the progress reports, but so that she can actually reject the draft strategy if it includes targets that do not meet those SMART criteria I mentioned earlier. The draft strategy should be sent back for revision until the commissioner is satisfied that the targets indeed meet those SMART criteria.

Similarly, in terms of the strategies themselves, if the strategies are inadequate for meeting those targets then the commissioner should be empowered to require the government to come back with a revised strategy.

Those are all recommendations that you've heard from other witnesses, and then I'll just close my initial remarks by saying there are two other recommendations I've outlined in my brief that are a bit more ambitious in scale.

The first of those is that Canada should create an advocate for future generations. This is something that's been done in other countries, including Wales, Hungary, and Malta. I just think it's really important that we have a voice in this country for the interests of future generations.

The commissioner of the environment and sustainable development does an amazing job, has done so for two decades here in Canada, but the role of the commissioner is really a backwards-looking one. It's reviewing the commitments government has made and the actions government has taken. The role of an advocate for future generations would be much more forward-looking, looking into the future to determine what the future trends are that Canada will face. What are the challenges we're going to face? What are the opportunities? What kinds of laws, policies, programs, and plans can Canada put in place that will protect the needs and the interests of those future generations? That is a novel concept. There are only a handful of countries in the world that have adopted that, but I think it's something that Canada could and should be at the forefront of globally.

Then my final recommendation comes from—

• (1130)

The Chair: You have one minute.

Dr. David Boyd: I have one final recommendation, and that is to create a parliamentary committee for the future, which is something that Finland did. Finland has 17 members of Parliament on a committee for the future that really looks into the future to try to identify what challenges we're going to face and how we can address those. For example, this committee just produced a report on 100 radical technological breakthroughs and their implications for Finnish society and for the Finnish economy.

With that, I'll conclude my comments and look forward to your questions.

The Chair: I'm so sorry to have to cut you off because there's so much information there to share with us, but we'll get your detailed report in French, and then everybody can digest all of it.

We're going to open to questions, and we're starting with Mr. Eglinski.

Mr. Jim Eglinski (Yellowhead, CPC): Oh, I'm right off the bat. Thank you, Madam Chair.

Thank you to the witnesses for appearing today.

I'll start with Mr. Botham. I was quite interested when you referred to your SEA standards and stuff like that and what you look at when you're doing that. How do you compare what your department does nationally? Have you ever looked at and reviewed it in comparison to other countries doing similar things? Where do you think our level is at the present time?

• (1135)

Mr. Richard Botham: I have difficulty answering that question because, as far as I know, I don't think that, as a department, we have made that comparison, so I'm unable to tell you how we would compare with other finance departments in other countries.

Mr. Jim Eglinski: How do you think you are doing, as your department, for Canada?

Mr. Richard Botham: I think that, as a department, we have developed a fairly robust framework for implementing the strategy. As I mentioned in my remarks, we provide training to employees so that they understand their responsibilities and how to carry them out. When we have new employees, as part of the training that we provide to them, we have a module on sustainable development. In addition to the training I mentioned, we do have annual training sessions for our analysts in respect of how to do the budget process and, again, as part of that training, one of the modules is on sustainable development and SEAs, so I think that people within the department are well aware of their responsibilities. They also know how to carry them out.

In that respect, we have a very serious and well-developed strategy.

Mr. Jim Eglinski: Thank you.

Mr. Boyd, from the other side of the fence, do you feel that Canada has taken an active role? Following my first question, do you feel that we are doing a reasonable job? I know we can probably do better any time, but do you think Canada is kind of equivalent in the stage we are in right now with respect to our reviewing processes and the policies that government has set up to date?

Dr. David Boyd: I'll take a different perspective from the earlier witness. It is really useful, and this is a good context, to look at Canada's performance benchmarked against other wealthy western industrialized nations. There is an independent, non-partisan, highly respected think tank based in Ottawa called the Conference Board of Canada, which every year compares 17 different wealthy industrialized nations in terms of their performance on a number of metrics in the areas of economy, innovation, health, and the environment. For the past 15 years, for as long as the Conference Board has been doing this work, Canada has finished in 15th place out of 17 wealthy western industrialized countries, so that predates the Federal Sustainable Development Act. That covers several different governments in Canada, so in terms of the big picture, our environmental performance is not as good as it should be for a country with such tremendous potential.

In terms of the specific issue that was being discussed about strategic environmental assessments, I would say that the problem in Canada, which has been identified by the commissioner in numerous audits, is that this cabinet directive on strategic environmental assessments, because it doesn't have the force of law, is not being followed. There is actually a fairly poor compliance rate with that cabinet directive. That actually raises an issue, which hopefully your committee will be studying in the future, and that is the revision of the Canadian Environmental Assessment Act. I believe—and hopefully I'll get a chance to revisit you—that the law should be revised to make strategic environmental assessments mandatory so that we actually can improve our compliance with that.

Mr. Jim Eglinski: Thank you.

The Chair: You still have a minute and a bit. You are welcome to share it with someone else, if you want.

Mr. Jim Eglinski: Ed, do you have anything you want to add?

Hon. Ed Fast (Abbotsford, CPC): Yes, I'd be glad to ask one question.

Mr. Botham, you used a word when we heard from you that your department is responsible for “championing”—I think that is the word you used—the sustainable development assessment process under the cabinet directive.

Is that what you said?

• (1140)

Mr. Richard Botham: If I did, I misspoke. What I was meaning to say was that, within the department, I am the champion for that strategy.

Hon. Ed Fast: We have struggled at this committee to try to determine why it is that so few proposals that were developed within the different departments, and so few cabinet submissions, went through the rigour of that assessment process. We were trying to establish the reason for that. I think it's clear from Ms. Gelfand's testimony that there was no one specific to blame. There was no direction that there not be a compliance with the cabinet directive. It was just that these things fell through the cracks.

Now I'm hearing that finance may have had someone who was responsible specifically for championing these assessments. Can you tell us why those assessments weren't followed as rigorously as the

expectation might have been, not only from this one but from previous governments?

Mr. Richard Botham: I can't comment on the practices of other departments or how that is implemented through the cabinet paper process. I can comment on the practice in our department. We have had a champion of sustainable development as long as the act has been in place. We have always had training. We have always had, as a component of our advice to the Minister of Finance in the budget process, a requirement to conduct an SEA. An SEA is conducted for all of the policies and proposals that are provided to the minister in the context of the budget process.

The Chair: I'm so sorry to have to cut in, but we are into seven minutes. I know we will want to continue on that thought, probably with more questioning, but I have to cut that line of questioning off at the moment and move on to the next questioner, which is Mr. Fisher. Hopefully we'll get back to more of that.

Thank you.

Mr. Darren Fisher (Dartmouth—Cole Harbour, Lib.): Thank you, Madam Chair, and thanks, gentlemen, for being here.

As always, thanks, Ms. Gelfand, for being here. It's always great to see you.

Mr. Fast went right exactly where I wanted to go. I was going to ask the question of Mr. Linklater, because the PCO is supposed to work with other departments to ensure the cabinet directive is followed. Then Mr. Botham said that he is responsible for championing cabinet directive.

I'm a positive person, but it's getting frustrating. This has been a long-standing issue, and I get the sense that Mr. Botham thinks maybe this is working or this is happening better than it is, from what we've heard from other witnesses.

Other than laying blame or taking us too far down this exact same road we've talked about, what can we do? I'll ask both gentlemen. Is there a way we can ensure that we get to the point? I don't know whether it's some of the other things we've talked about in the last few weeks about giving extra powers to the commissioner, or some of the things Mr. Boyd said. Where do we go? How do we get to the point that we...?

I read this:

A committee of the Queen's Privy Council for Canada, consisting of a Chairperson and other members of the Queen's Privy Council for Canada, shall have oversight of the development and implementation of the Federal Sustainable Development Strategy..

That's section 6 of our act. Then there's this statement here that says that there's no information found about this committee at all. Does that committee exist? Is it out there working? Are we all just spinning our wheels and not making any progress? From where I sit, this is getting very frustrating.

I would look to both of you, and maybe even the commissioner. What can we do as a committee to make sure we do better?

I'm sorry I've taken so long with the question.

The Chair: I guess it's really what's in place? What do we need to do?

Mr. Les Linklater: In terms of the cabinet structure, as I referenced in my remarks, this government has put in place the cabinet committee on the environment, climate change, and energy. That is the committee the sustainable development strategy comes through. I don't think that's breaking any cabinet confidences. There is a committee in place that looks at that at the policy level. The full cabinet ratifies all policy proposals that are approved in principle by the policy committee.

In terms of committee structure, while it may not be clear on the Internet that this is one specific item that comes to that committee, there are any number of agenda items that come through from sponsoring ministers, whether it's the Minister of Natural Resources, or of Environment and Climate Change, or even Indigenous and Northern Affairs. There is a robust agenda. The federal sustainable development strategy has been considered by that committee. When it is finalized, following the public consultation period, it will come back to that committee for approval in principle and referral to full cabinet.

That is the committee structure in place to deal with sustainable development issues in the strictest sense. In terms of the other committees that are administered at the policy level, such as inclusive growth and opportunities and innovation, there may well be sustainable economic issues that come through, and social policy issues through diversity and inclusion, where there are elements of economic, social, and environmental policy that are considered in the recommendations that are put forward by ministers to their colleagues.

• (1145)

Mr. Darren Fisher: Okay, I see the commissioner....

Again, I'm still looking for some suggestions on what we can do with the draft to make things better.

Ms. Julie Gelfand (Commissioner, Office of the Commissioner of the Environment and Sustainable Development): If I may, I think we need to separate out the Federal Sustainable Development Act from the cabinet directive on strategic environmental assessment.

I've reported to you that in my last chapter on the strategic environmental assessment tool cabinet directive, we found that five out of 1,700 proposals that went to ministers in four departments had received a preliminary scan. We also found that 110 out of 250 memorandums to cabinet had gotten that scan. So we know that this tool, which has been around for a long time, is not particularly well used in those four departments.

A few years back, we audited the Department of Finance. They did a better job, so they as a department were using the tool better. Last year, when we issued our report, Privy Council Office issued a memorandum to analysts to ask them to be sure to follow the strategic environmental assessment and implement it. We then audited it a year later—so this was probably in 2014—and we found that proposals that went to ministers were still not being utilized.

Privy Council Office, with all due respect, has a big role in enforcing the strategic environmental assessment directive to make sure that everything that goes, particularly to cabinet, has been vetted through a strategic environmental assessment. That is a separate tool

from the Federal Sustainable Development Act. We are looking at two different things. I want to make that really clear.

The proposals that Mr. Boyd brought forward are very specific things that you can change in the act, and he indicated in his presentation that his idea was to make the strategic environmental assessment tool—this thing—a legal obligation under the Canadian Environmental Assessment Act.

If you recall, when I presented I simply suggested that we make the strategic environmental assessment tool a legal part of something. I didn't tell you which act. Technically, you might be able to put it in the Federal Sustainable Development Act. I'm not sure. I'm not a lawyer and Mr. Amos is nodding his head.

Basically Mr. Boyd and I are saying take that strategic environmental assessment directive and make it an obligation. Whether you do that through the Environmental Assessment Act or through your recommendations on the Federal Sustainable Development Act, that is up to you.

The Chair: You're out of time on that one.

Mr. Darren Fisher: That was the best clarification and explanation that I've been given yet. Thank you for that.

The Chair: Excellent. It's very helpful.

Mr. Cullen.

Mr. Nathan Cullen: Thank you. I'm going to pick up where Mr. Fisher was.

Good to see you, Mr. Boyd, again. I think the mustache might be new, though. I didn't recognize you at first.

I very much share Mr. Fisher's concerns. I get the sense that it may be a question of culture within government. If this is a cabinet directive and has been a long-standing cabinet directive that everything that passes through has to have this assessment, and the snapshot that the commissioner audited found that the compliance rate was a little less than 0.3%, I don't know how anyone can see that as a tool that is anything other than a joke. That 0.3%...obviously it's something that you just used by accident sometimes.

As to the memorandums to cabinet, that feels like a *Yes, Minister* scenario where you have 250 notes to my present colleague, Mr. Fast, and only 110 out of 250 were passing through this environmental lens in describing... Is it a question of culture?

I'll put the question to you, Mr. Linklater, and you may not be comfortable with this. Should there be some consequence when we are failing to achieve this cabinet directive?

• (1150)

Mr. Les Linklater: I think, as the commissioner mentioned, the results that you're referring to relate to four departments, and as I said in my opening remarks, it's clear that there is more work that needs to be done.

Mr. Nathan Cullen: That's a bit of an understatement, wouldn't you say? With respect, 0.3% compliance, I know it's just four departments but that's the snapshot that we took. It would be hard to argue that we just got the worst four departments. Maybe, but "more work to be done"...? If my kid came home with that report card, those wouldn't be the first words out of my mouth.

Mr. Les Linklater: I think there are a number of tools that the government is moving forward with that are going to improve the scorecard, if you will.

I had mentioned as well the cabinet committee on agenda, results, and communications that has been established to focus on delivering outcomes for Canadians. One of the key thematic and priorities of the government that has been articulated is the environment and climate change, and we know that departments are collectively working to develop a results framework on that.

Mr. Nathan Cullen: Okay, so here's a good example then, because I like to take this into real-world examples rather than just the machinations of government, as enjoyable as that conversation always is.

When the recent federal budget came through, I imagine the green lens was passed through. I want to just take a couple of examples to understand this. You mentioned Paris, and you mentioned the Vancouver declaration. Did the decision from cabinet, the decision from Finance, to continue the subsidy to the oil and gas sector pass through this lens that you're talking about? Did it pass through an environmental assessment lens, an environmental impact kind of lens?

Mr. Les Linklater: I'm not able to comment on that.

Mr. Nathan Cullen: Mr. Botham, as the champion for sustainability within the department, that's a choice. It's an environmental and economic choice that we talk about wedding these things together. Was that question raised?

Mr. Richard Botham: There are really two elements, I think, in the question you're posing. One is in respect of the advice developed by the department and provided to the minister. Then the second is the outcome, the government's position. I'm not prepared to comment on the second, but I can provide you with a view on the first.

As I mentioned in response to one of the questions, all of the proposals, all of the measures for which we provide advice to the Minister of Finance, do pass through and are subject to a strategic environmental assessment.

Mr. Nathan Cullen: Then my question is that if this is true, the OECD and other groups that we belong to have long recommended that subsidies to the oil sector be removed from federal budgets. This new Canadian government has agreed to that. They agreed to it in the last election. How could it possibly pass through an environmental assessment lens while at the same time as that budget was being drafted the Prime Minister was in Paris making very ambitious targets and commitments to the world?

Mr. Richard Botham: I think your question really pertains to the second element, which is government decisions and government policy. That's not something I can comment on.

Mr. Nathan Cullen: Sure.

So 45 people have gone to this training out of about 1,000 people at the department?

Mr. Richard Botham: As I mentioned, 45 people received training last year. There are about 500 analysts within the department. We provide the training on an annual basis. As I mentioned, every new analyst to the Department of Finance, for which we hire about 30 or 35 every year, receives training when they enter the department as well.

Mr. Nathan Cullen: Dr. Boyd, on this question of changing this culture, this question of incorporating these things more deeply into the practice, not just simply the words of government, one idea that has been floated... There are two ideas I'll ask you about. One, as you have said, is to strengthen the commissioner's hand. But you've also put forward a forward-looking role, which is not comfortable for most auditors. They like to look back, not present forward ideas.

The second question I have for you, and I'll end on this, is should there be some notion of consequence? When the Department of Finance went after the deficit in the nineties, they had targets, they had goals, they had measures that they brought forward, and lo and behold, they achieved many of those aims. When it comes to the environment, everything gets into the vague, into the nondescript.

Do we need to be more specific? Does there need to be consequences to both the civil service and the ministers responsible, and should the commissioner have a forward-looking role?

Dr. David Boyd: Thank you, Mr. Cullen.

Yes, I would say that the European Union has a law that requires strategic environmental assessment. They have a high degree of compliance with that law because it's a legal obligation. There are consequences that flow if the obligation is not fulfilled.

I think it's probably best if we keep the commissioner's role as an auditor, as a watchdog, separate from the role of an advocate for future generations. I think auditors enjoy a great degree of credibility because of the nature of the work they do. I think expecting the commissioner to perform both an audit and an advocate role would be undermining to both. That's why I've encouraged the committee to consider the creation of an advocate for future generations, who would do such things as I've outlined in my submission, looking to the future.

• (1155)

Mr. Nathan Cullen: Thank you.

The Chair: Thank you both very much.

Mr. Amos.

Mr. William Amos (Pontiac, Lib.): Thank you to all three of the witnesses.

[Translation]

We greatly appreciate your expertise on a subject that is very important to our government and to all Canadians.

[English]

We want to see a sustainable future. I know it's really this committee's responsibility to report back to our government to provide suggestions, and the suggestions you have been making so far have been very helpful.

Dr. Boyd, you suggest several principles in your submission and each of them may merit unpacking. I wonder if you could expand a bit on some of them and how you think they could beneficially impact federal government policies, programs, etc. What do you think the net result would be, and do you foresee any problems with the incorporation of such principles across the board by the federal government?

Dr. David Boyd: Thank you.

These principles are found widely in sustainable development legislation both at the provincial level here in Canada, and in international sustainable development laws. Take the first one, the polluter-pays principle. We hear a lot of talk in Canada about the polluter-pays principle, yet when we look at international comparisons we find that Canada uses pollution taxes to a much lesser degree than any other western industrialized country. Including this principle in the Federal Sustainable Development Act would send a clear signal to all departments and agencies, including Finance and Treasury Board, that their policies, plans, and actions, including the budget, should apply the polluter-pays principle.

A second principle from my list is the principle of environmental justice. This is a principle that means that the adverse effects of environmental harms and the benefits of environmental amenities should be equitably or fairly shared among Canadians. That's not the situation we have in Canada today. For example, we know that one in four poor Canadians lives within a kilometre of a major source of industrial air pollution. That's not the case for wealthier Canadians. We know the wealthier neighbourhoods in our cities have greater access to public parks and green spaces. Putting the principle of environmental justice into the act would send a signal that we need to start taking this into consideration in our laws, policies, plans, and programs.

The idea behind incorporating all these principles into the act is that they provide a framework and guidance for departments and agencies that don't currently exist, and the absence of those principles is resulting in poor performance and poor strategies as we see with the draft 2016-19 sustainable development strategy.

Mr. William Amos: Thank you, Dr. Boyd.

I have a follow-up question around the issue of goals. In the context of suggested goals you don't mention the idea that the Government of Canada as an entity ought to establish emissions reduction goals for the operations of government, etc. I will follow up on this question by asking Messrs. Linklater and Botham what is being done in that regard. Is that an appropriate goal, or would it more appropriately fit in a section around targets? If you have comments on that I would be appreciative.

Dr. David Boyd: I think it's important to distinguish between the broad sustainable development objectives that Canada has as a country. For example, Canada wants to and aspires to become a low-carbon economy. That's a broad objective, and then the targets are the kinds of specific numerically measurable things that you're talking about. What is the target for the Government of Canada's own greenhouse gas emissions? What is the current level? What is the short-term target, the medium target, and the long-term target?

I can tell you another hat I've worn as co-chair of the City of Vancouver's greenest city plan, and this setting of short-, medium-,

and long-term targets has been absolutely vital to the City of Vancouver's success in becoming one of the greenest cities in the world. In terms of climate change we had two specific targets. One for the city as a whole, and one for the city's own operations. We had both short-, medium-, and long-term targets with respect to both of them, and those targets and the public nature of those targets have driven progress so that Vancouver now has the lowest emissions of any city in North America.

● (1200)

Mr. William Amos: Thank you, Dr. Boyd.

I would turn to Mr. Linklater or Mr. Botham, whoever you feel best can appropriately answer the question.

First, does the Government of Canada have targets related to its internal operations for reductions of carbon emissions?

Second, what progress has been made with regard to the efforts to reduce fossil fuel subsidies or fiscal policies in that direction?

Mr. Les Linklater: I can lead off with the first part of the question.

As the committee is well aware, Public Services and Procurement Canada does have the greening government operations directorate, which is a resource that all government departments can turn to for help developing their own sustainable development plans, which would include moving toward lower levels of carbon emissions.

I would add that, in addition to that resource and tool, individual departments are taking on their responsibilities to implement initiatives to lower their greenhouse gas emissions. I don't have the figures in front of me in terms of federal benchmarking.

That said, I think an interesting additional tool will be the work that comes out of the federal-provincial-territorial process in support of the Paris climate change target and the action plan that will result. A key element there for federal leadership will be further investments in green government operations, moving toward as low a level of emissions as possible. At the same time, through the government's infrastructure funding that has been announced through budget 2016, particularly in terms of the initial phase around retrofits for housing and that sort of thing, we must consider how we can incorporate the green lens into the funding agreements with the provinces, territories, and municipalities, to ensure the retrofits and other expenditures are bringing greenhouse gas emissions down.

The Chair: Okay, I have to stop that round of questioning.

I'm mindful that there is a lot of information to be shared here. We're also looking to do our drafting instructions later today. We were putting half an hour aside for that, but it might take longer. I just want to be sure. We could start a full second round, or if you want, we could just have one more round of six minutes for each different party. Are you thinking there's more value in keeping this questioning going and digging into more details? It's really up to you. I'm just trying to be mindful of how much we're trying to get in today.

Go ahead, Mr. Fast.

Hon. Ed Fast: Thank you, Madam Chair for the opportunity to comment on that.

Having heard the additional testimony today, each of us wants to get together as parties and talk about the recommendations going forward and how the report will be drafted. We're not comfortable with providing instructions to our drafters today in any event. I would prefer to carry on with the witnesses we have. This information is very helpful to us, and I'm sure for the whole committee.

I believe the proposal to do the drafting today, or at least to provide some information to staff to do that is premature.

The Chair: I'm getting a sense that around the table that's the feeling. At our subcommittee meeting I was very concerned that we weren't giving ourselves enough time to do what we needed to do, so we may need to shuffle our schedule again for the meeting, because we will need to have another meeting now and we've taken away that opportunity.

Mr. Gerretsen. I don't want to take too long for the discussion, quickly, please.

Mr. Mark Gerretsen (Kingston and the Islands, Lib.): I concur with Mr. Fast's comments, but if possible, when you do allocate the time for the drafting, I think you should give us a little more than half an hour.

The Chair: I would have liked to have given a whole session, and there was push-back at the time. People didn't want to spend time on it. I tried to accommodate that, but I think we're beginning to realize that maybe we need it.

Mr. Cullen, are you in agreement?

• (1205)

Mr. Nathan Cullen: Typically, drafting hasn't taken full sessions, but it's the committee's will.... We have built-in buffer sessions for exactly that purpose in early June, I believe, so I don't think there's a lot of adjustment to the calendar proposed.

The Chair: We can talk about that later in committee business.

Go ahead, Mr. Amos.

Mr. William Amos: I don't know how the drafting instructions typically work, but it would be very helpful if each of the different parties were to share in writing what they were thinking in advance so we could all consider it as a group, without having to be slowed down by a purely oral discussion.

The Chair: I don't want to get into the details of the drafting instructions. We're going to do that later. I just wanted to make sure we had consensus around the table to continue a full round of questioning. We'll get on with that. I'm sorry to have interrupted. I just wanted to make sure we're all on the same page as to how we're doing this.

Mr. Cullen.

Mr. Nathan Cullen: Madam Chair, while we're at this I want to get our sequence right, picking up from what Mr. Amos said. Typically, what happens in every committee I've ever seen is that all the groups submit something, and then the analysts compile and put together what eventually looks like our report. The committee's time

is typically best spent not writing each sentence, but rather looking over what the analysts provide us with. That's the substantial meeting. They have the larger picture and lay out what this report could look like. At that point, we intervene.

The Chair: We'll have a little discussion about how we do our drafting—

Mr. Nathan Cullen: I thought we were just having that.

The Chair: No. We're going to get back to rounds of questioning and then we will get into committee business afterward. I wanted to make sure that we all agree that we need more questioning and more time. Thank you.

Mr. Aldag.

Mr. John Aldag (Cloverdale—Langley City, Lib.): With that, Mike and I are going to be sharing the time.

I have a couple of questions. I'd like some brief examples, and then we'll move on in the interests of time.

On the first one, I'm quite interested in this idea of culture change, Dr. Boyd. You mentioned briefly in your statements the consequences in the European examples for what I think was non-compliance, essentially, or not achieving what the objectives of the future generation's legislation would be. I'm wondering if you could briefly give us a sense of what some of those consequences look like. I'm trying to get a sense of what form that might take in a kind of carrot-versus-stick approach.

Then I'd like to hear from other guests if we actually use that, and if there are consequences, or if it's simply that we have legislation. What are the consequences if legislation isn't followed? I'm trying to get a sense of what that might look like.

Dr. David Boyd: Thank you.

If the government doesn't comply with its own legislated requirements, the consequences are that citizens, members of the public, can then hold the government accountable by taking them to court. If you look back at the history of environmental assessment in Canada writ large, you will see that for decades we had an unenforceable cabinet directive that wasn't applied, and that it was a court decision brought by citizens in Saskatchewan that actually led to the drafting of the first Canadian environmental assessment law. Since that time, many citizens' groups across the country have held the government accountable to its own environmental assessment law. That's how the legal system works.

Mr. John Aldag: Is that the same in the European examples you talked about? It's that legal mechanism. We've also heard that one of the options available would be not paying bonuses to senior executives, as an example; it's an incentive to implement.

I'm wondering if there might be things outside of that, some innovative examples that you saw in Europe to ensure compliance, but if they're the same kinds of tools we have, then that's what we work with.

Dr. David Boyd: Yes, I can't say that I've seen those kinds of innovative tools in Europe. I know that in some Latin American countries there are financial penalties both for senior civil servants and for politicians who fail to comply with legal requirements, but that's not something that is really common or widespread.

Mr. John Aldag: For our other guests, we've talked about the idea of withholding bonuses. That was something that witnesses said. Is that the kind of penalty that we tend to see or are there other instruments? Did we ever withhold portions of budgets for not submitting strategic plans and things like that? If a submission goes to cabinet and doesn't have a strategic environmental assessment, it seems like we still approve the project, so what mechanisms exist to try to encourage departments to comply?

•(1210)

Mr. Les Linklater: Again, just to perhaps provide a bit of clarity, I think Dr. Boyd was referring in his initial comments to environmental assessment legislation where clearly when there is no compliance, there are penalties and redress through the courts. If we're talking about strategic environmental assessments and the application of the cabinet directive in terms of strict sanctions or penalties, I think it's very hard to judge, given the fluidity of the policy process.

In terms of the work that the Privy Council Office, Finance, and Treasury Board do with individual departments, there's a lot of oral exchange back and forth in terms of policy proposals, where it may be identified early on through the preliminary scan that an SEA is required or that the environmental impacts or the sustainability impacts wouldn't warrant it, and it's dealt with in a verbal exchange. There's a comparable example I like to use in terms of gender-based analysis, where that back and forth takes place during the policy development process.

If a strategic environmental assessment is deemed to be required, then our expectation, through our work with the department, is that they will fulfill that and provide that advice to ministers through the policy process.

Mr. John Aldag: Okay. That's great.

The other question I have is about trying to find a way whereby we can have the greatest leadership in the development of the sustainable development strategies and so on. There have been suggestions of relocating from environment and sustainable development to a central agency. Also, then, we see from Dr. Boyd his recommendation 5 on this idea of shared responsibility.

I'd like your thoughts on what would position us for the greatest success. Obviously, it seems that the current place where the leadership is parked is maybe not the most effective. It's not getting the attention of the wider government body. What would be the appropriate response? Is it this idea of shared responsibility or is there a better central agency that could take the lead responsibility?

Mr. Les Linklater: I think what is clear is that, internationally, there is no one-size-fits-all, and that for different countries and different circumstances, different models are going to have a better return.

Mr. John Aldag: Right, so for Canada...?

Mr. Les Linklater: For Canada, my view would be that the current construct, while not perfect, is a great foundation to build on. With the priorities that the current government is placing on the environment and climate change, we have a huge wealth of expertise within environment and climate change, where the office is currently located, where they've gone beyond the mandate they have under the FSDA, and in fact they are pulling together from the various

departments the inputs for the FSDS. They are providing the oversight and pulling on the science within their department to be able to work collectively with departments across government to do this.

The results are that we are seeing incremental progress, and through this draft for the first time, we are seeing the inclusion of more of an economic and social policy focus with drawing on the UN sustainable development goals.

Mr. John Aldag: Good. Thanks.

I just wanted to hear from Dr. Boyd briefly, if you let me.

The Chair: I am going to have to cut that one off. We are going to have to take that on the next questioning because we are now way over six minutes. I'm so sorry. This is a great discussion.

Mr. Shields, go ahead.

Mr. Martin Shields (Bow River, CPC): Thank you, Madam Chair.

I'll go way back to the beginning when we started. Mr. Botham, you made some interesting comments, if you can remember back to when you began. You talked about a couple of theme areas you were involved in. The one that got my attention was about agriculture and the possibility of penalties or breaks for agricultural equipment, other kinds of vehicles.

When you deal with a sector—and I know this may be specific for you, but the agricultural sector, in the sense of breaks.... We've heard that the government is looking at taxing and taking away breaks, yet you are talking about incentives and breaks for using more high-tech equipment, and things that leave less of a carbon footprint.

How much do you get down to the level of dealing with those people in the industry to find out what works as far as an incentive or a penalty?

Mr. Richard Botham: Madam Chair, I have a colleague from our tax policy branch here, and if you'd like to have a detailed answer to that question I would suggest that he would be best placed to provide that to you.

•(1215)

The Chair: Okay. If you'd like to come up right away to do that, that would be fine. Thank you.

Mr. Richard Botham: It is my colleague Miodrag Jovanovic. He is general director of the tax policy branch, so the work that his group does touches on that directly.

Mr. Martin Shields: I think that's important. As we look at regulatory at the beginning, if there isn't some communication and work at the grassroots and industry levels, how does what we do make sense if that isn't happening? Do you get where I'm going?

Mr. Miodrag Jovanovic (Director, Personal Income Tax, Tax Policy Branch, Department of Finance): Thank you, Madam Chair.

In terms of tax policy, we have a number of measures, and I think Richard mentioned them at the beginning of his remarks.

One of them, and probably the one you are referring to, is the accelerated capital cost allowance for clean energy generation and energy conservation equipment. Essentially, accelerated capital cost allowance means that... Under normal circumstances, you would depreciate your equipment based on the useful life of that equipment. In order to create an incentive to invest in this equipment, we have what we call an accelerated capital cost allowance, which is basically a higher rate of allowance.

In the case of two key measures we have—what we call class 43.2 and class 43.1—class 43.2 gives a 50% annual depreciation rate, and class 43.1 gives 30% per year. Basically, it allows an acceleration, so it allows a deferral of tax, in a way.

Recently, in budget 2016, we expanded that measure. We allow new equipment: for instance, stand-alone batteries, as well as charging stations for electrical vehicles.

There is a continuous relationship with the sector to make sure that these measures properly reflect the new technologies and advancements, which is why from time to time we have expansion of these, as in budget 2016. That's the role of finance with these measures, and that's how we make sure they properly reflect the needs of the sector.

Mr. Martin Shields: I think that's a good point to make in the sense of the incentive process versus the implementation of measures and penalties. I think it's important to know how you want to develop regulations to do that, so I appreciate the answer. Thank you.

I have a quick question for Mr. Boyd.

We had a gentleman from Wales speaking with us. He talked about a 17-year process to get where they got to legislation. To me, in his answers, there was a lot of groundwork and a lot of development. Vancouver didn't get to talking about a green city instantly. My point is, before you do legislation, strategies, and the implementation of penalties, there has to be a lot of work done for years at the grassroots to get this buy-in.

What is your response?

Dr. David Boyd: I would just say that we have been working at the grassroots. Canadians have been pushing governments to take more action on sustainable development for decades, and the fact that we still are here discussing the inadequacies of our Federal Sustainable Development Act should serve as an impetus to us to really strengthen that. We're actually trying to implement the desires of Canadians here for stronger action on sustainable development. I think there's huge grassroots support for that.

At the same time, I think that what Wales did... They did a public consultation process called "The Wales We Want". The United Nations did something similar called "The World We Want". I think it would be a great 2017, 150th anniversary project to do a public consultation on "The Canada We Want".

Mr. Martin Shields: Thank you.

The Chair: Thank you very much.

We're going to move over to Mr. Gerretsen.

Thank you.

Mr. Mark Gerretsen: Thank you, Madam Chair.

My first question is for Ms. Gelfand, if you can just answer quickly. What four departments were in your audit, do you recall?

Ms. Julie Gelfand: No.

Mr. Mark Gerretsen: Okay.

Ms. Julie Gelfand: Not off the top of my head.

Mr. Mark Gerretsen: Okay.

Do you know how they were selected or why?

Ms. Julie Gelfand: We have to go through all 26 departments on a cyclical basis, so we're picking four or five at a time.

• (1220)

Mr. Mark Gerretsen: Randomly, or did you specifically look for four that—

Ms. Julie Gelfand: They're random. I know Agriculture was in there for sure.

Hon. Ed Fast: Veterans Affairs...?

Ms. Julie Gelfand: That's good, Veterans Affairs, Heritage... We're missing one, and I'm in four or five right now.

Mr. Mark Gerretsen: Okay, thank you.

My next question is for Mr. Boyd.

When we were hearing from Mr. Linklater and Mr. Botham, they were talking about greening our operations and the sufficiency of that, and I kind of saw you shaking your head. Do you have a comment that you want to provide on that?

Dr. David Boyd: Yes, there are two things.

First, my colleagues and I at the University of British Columbia have tried to get data on what the Government of Canada's greenhouse gas emissions are, and we are having an extraordinarily difficult time getting that basic data. If we don't have that information, how can we know whether we're moving in the right direction?

The second thing that I was troubled by was the comments about the draft 2016-19 federal sustainable development strategy, which you would think we would actually be improving as the years went by. Let me tell you frankly, it's a disaster. It has these five long-term aspirational goals, which aren't long term, which aren't aspirational, and which aren't goals. It has over 50 targets, very few of which meet the SMART criteria I described earlier. There's no measurability in many of the targets. Finally, the strategies included within the strategy for how we're going to meet those targets are nothing but a repetition of generic statements.

I went through and I actually searched. I found phrases that I thought I'd read before and, for example, I found 17 paragraphs repeated, identical paragraphs in the strategy about how voluntary measures could be used to achieve environmental goals, yada, yada. There were 15 paragraphs about the importance of education that were just cut and pasted. What we have is a really poor-quality strategy, which is because the act isn't providing sufficient guidance as to what needs to be in that strategy.

Mr. Mark Gerretsen: Turning to that idea of changing the strategy so that we can strengthen it—and I appreciate your submission and the 10 recommendations that you've given—how do we ensure accountability in them? What are the enforcement mechanisms so that we just don't end up at the same place again?

Dr. David Boyd: If you accept my recommendations—for example, having targets that have to meet those SMART criteria—then there's actually two mechanisms that could take place.

One is that the commissioner could be empowered to say, “These targets do not meet the criteria; there's no measurability here. I won't be able to actually measure progress towards achieving the target.” My recommendation is that if the commissioner says that, then the strategy itself should go back to the government to be revised until it meets with the commissioner's approval. Basically, it's giving her the power to approve the strategy.

Secondly, if the law requires measurable targets and the targets aren't measurable at the end of the day, then you could have citizens holding the government to account for failing to comply with the mandatory requirements of the law.

Mr. Mark Gerretsen: Back to the PCO for a second. Do you sense there are silos between the different departments? Do you see things operating fluently?

Mr. Les Linklater: Do you mean in terms of the environmental considerations in particular?

Mr. Mark Gerretsen: Yes, do you find that everybody is working in sync, or is it more in silos?

Mr. Les Linklater: Generally, I think the level of collaboration across departments is quite good. I would add that in terms of establishing the cabinet committee on the environment, climate change, and energy, key departments that are involved in those high-profile files, which will clearly have a direct impact on the environment and on sustainability, are now being pushed more to work together more closely given that the ministers are around the table together more often and making linkages between the various priorities they're bringing forward as per their mandate letters.

You'll also notice, through the mandate letters that have been made public, it's very clear that on a number of key priorities the expectation is that ministers are collaborating, in particular for the upcoming review of the environmental assessment legislation.

Mr. Mark Gerretsen: The directive is happening because the particular ministers at this particular point in time happen to be working well together.

Mr. Les Linklater: I think that's part of it, where the directive is working well. I would say that in terms of the role that PCO can play, there is a more robust role that we can play to ensure that departments are looking at this. Even if through the initial scan they are determining an SEA isn't required, that's referenced in the cabinet document. We're creating more of a record and providing more assistance to the commissioner as she's doing her audit work.

• (1225)

Mr. Mark Gerretsen: It would be nice to see that more entrenched, so you're not relying so much on that goodwill desire. If it's something that we're going to take seriously, it should be more entrenched.

Mr. Les Linklater: In fact, with regard to our own internal processes, we're looking at what kinds of mechanisms we can put in place centrally that will track things that cut across where we are expecting departments to take a view of the directives, including not only SEAs but gender-based analysis, official languages, and so on.

Mr. Mark Gerretsen: Thank you.

The Chair: Thank you very much for that line of questioning. I have my eye on that new cabinet committee on agenda, results, and communications, chaired by the Prime Minister. There are all sorts of opportunities here.

Mr. Fast.

Hon. Ed Fast: Thank you.

A number of witnesses have suggested that the responsibility for the federal sustainable development strategy be housed in a central agency. I believe, Ms. Gelfand, you have suggested that the administration of the act and ultimate responsibility for the act be housed—

Ms. Julie Gelfand: I don't think I've said it, but other people have said it.

Hon. Ed Fast: Other people have suggested that.

I'm going back to the act itself. If you look at section 6 and 7, section 6 essentially establishes this committee of the PCO, which is intended to be the overseer of the implementation and development of the strategy. So we have a portion of this vested in PCO anyway.

I believe the evidence so far before committee is that in fact there hasn't been a lot of that oversight of development and implementation in the past. Then in section 7, of course, we have the establishment of an office within the Department of Environment and Climate Change to develop and maintain systems and procedures to monitor progress on implementation. You have responsibility within the minister's office. You have responsibility within the Privy Council Office. If we've already housed primary responsibility within the PCO, why are we still talking about moving this into a central agency when that actually exists under legislation already, Mr. Linklater?

Mr. Les Linklater: I said earlier that the committee that's referenced in section 6, in effect, would be the cabinet committee on environment, climate change, and energy. In terms of policy proposals coming forward from that committee for full cabinet ratification, the policy deliberations would happen there.

With respect to section 7 and the establishment of the office, which other witnesses have commented on, saying that the office should not be located at Environment but at another central agency, the view would be that given the progress that's been made to date, while not perfect, trying to dial that back and start over with a new creation within a central agency is going to have repercussions in terms of maintaining momentum to move forward.

I think that as we look at a number of cross-cutting files—I've mentioned infrastructure—an argument could be made that central oversight of infrastructure, given the scope of that program, would require central agency oversight. However, there is a Department of Infrastructure that is charged to work horizontally, again, to be able to move forward to advance the government's priorities.

Hon. Ed Fast: As a representative of PCO, do you have a view on whether the sustainable development assessment process should actually be enshrined in legislation or remain a cabinet directive?

Mr. Les Linklater: I think there are advantages and disadvantages to both constructs. From the perspective of accountability, as was mentioned by one of the other witnesses, legislation provides a certain sanction, if you will, in terms of compliance. On the other hand, by maintaining something in policy, you maintain flexibility to be able to adapt to conditions or to make changes much more quickly than, as you are aware, can be accomplished through the legislative process.

My view is that the tools we have are not being used to full effect. There is, as I said, a role for the Privy Council Office to redouble efforts on that front. My view is that maintaining policy flexibility will be important to move this out and to add momentum to the file.

Hon. Ed Fast: Okay.

Mr. Boyd, I've gone through your recommendations, and you know, some of them we will support as we discuss this in the drafting of a report. However, you've also suggested that there be a right enshrined in legislation to live in a healthy environment. You and I both know what happens when you actually enshrine a right in legislation. You take responsibility from government. It now becomes the role of the courts to interpret and of course over time expand the scope of that right to where we may not imagine right now it could land. It will generate very significant litigation. I think one of your solutions to the problem of a lack of enforcement is to allow the courts to enforce sustainable development obligations that a government takes upon itself, and that this is the expectation Canadians have.

Just as a shot across the bow, not only for you but for this committee, if in fact a proposal comes forward to this committee that a right to a healthy environment be enshrined in legislation, we will vigorously oppose that. It's not because we're not in favour of sustainable development and a healthy environment and a healthy economy. It's just that what you're doing is taking responsibility for something that rightfully rests with government and transferring it to the courts for them to interpret and expand the scope of rights. To me, that would be of great concern. As our colleagues at this table consider this, I would hope that as we have our discussions going forward, it will lead to the right decision on that.

• (1230)

The Chair: Thank you for that warning.

We are over our time there. I have one last speaker.

Mr. Cullen, you have three minutes.

Mr. Nathan Cullen: Mr. Boyd expressed a concern over something very basic. How much greenhouse gas emissions are coming from the federal government right now? How do we know if we're doing well if we don't know where we're at?

Can you help him out, Mr. Linklater?

Mr. Les Linklater: I'm certainly happy to go back to client departments to determine what information is available and to have it provided to the committee.

Mr. Nathan Cullen: You can provide that to the committee so that we can just get a sense of what the emissions have been for the federal government. I'm sure the number exists. We know what it is for industry. We keep those records in StatsCan. We just don't have that publicly available for the government itself.

Mr. Les Linklater: As I said, I'm happy to go back and work with departments to provide the committee with whatever information is available.

Mr. Nathan Cullen: I'm sure that will make Mr. Boyd and me and others very happy. I think you closed the argument for me about whether this thing about environmental assessment should be enshrined in law or kept as a cabinet directive. If the performance rate to this point is 0.3%, I'll be voting for this to get into law.

Mr. Boyd, I have a question for you about where this thing should sit. The environment ministry has often been described as the "Ministry of Well Intentions", and if you want the thing to get done, it has to go into Finance, into these stronger, more muscular ministries of government. Is that still your view after the evidence you've heard today, or is moving it around just going to cause disruption?

Dr. David Boyd: No, it's clear that the current system is not working. That's why I and other witnesses have put forward the recommendation that we do what the OECD has said is an international best practice and resituate responsibility. It could be joint responsibility, so that we have the best of Environment and Climate Change Canada but also the muscle, as you say, of one or more of the central agencies. That's fundamentally important going forward.

Mr. Nathan Cullen: Finally, to Mr. Fast's point, if it weren't for Canadians pursuing some of these issues through the courts, I'm not sure what the federal government would be doing at all when it comes to environment.

Did you want to make a comment to his concerns about the environmental bill of rights, which I believe the Union of BC Municipalities has asked to be enshrined into B.C. law? That radical group has come out again.

Dr. David Boyd: Look, the right to a healthy environment is recognized in law in 150 countries around the world. It's in the constitutions of more than 100 countries around the world. It's in the law of Ontario, Quebec, and the three northern territories. It hasn't had any of those adverse consequences that Mr. Fast suggests.

It is a fundamental human right that we ought to recognize. Governments have nothing to fear. If they respect the rights of their citizens, there's nothing to go to court about.

Mr. Nathan Cullen: Thank you.

Thank you, Chair.

The Chair: Thanks very much to all of you for being with us today and sharing your wisdom. There's a lot we have to consider as we're moving forward. I'm trying to get to that now, so I'm going to say thank you and let you go, and we're going to get to committee business. We won't break because we don't have time.

Thank you very much, everybody. We appreciate it. We're sorry to have to cut you off. There's just so much to get into, but thanks.

For our committee business, we have quite a few things to do. We'll just hand stuff out and give you a few minutes, and then we'll get going.

Okay? Sorry, guys, but I know there's very little time, and some people have to run right out, so could we have everybody back at the table? Thank you.

After the meeting on Tuesday, we had a subcommittee meeting to try to hash out how we were going to proceed with our committee business over the next couple of months to get to the summer.

Just to let you know what we're trying to do right now, there was also a motion tabled on CEPA. I don't know if Will is going to be moving anything today or not, but I know that he might do that. I also had an email from Mr. Fast asking us to consider having some other people come forward in front of this committee for consideration of and more discussion on the strategy. That's also something I'd like to discuss.

As well, we have a press release, and we have main estimates to cover for our budget. Plus, if we have time, we want to talk about the Startup Canada event on May 5 and who might like to attend.

I will get started with the adoption of the subcommittee report. You now have it in front of you. Obviously, with the suggestion from Mr. Fast that we might want more witnesses and with the comments that have already been made around the table that you might like more time to consider those directions to staff for the report, we might not even be able to stick to the schedule that on Tuesday we thought we could do.

I'll open this up for discussion on what's in front of you in terms of the work of the committee for the next couple of months. Does anybody want to talk to it?

Mr. Amos.

• (1235)

Mr. William Amos: Are we doing scheduling now or can I move my motion?

The Chair: You can move your motion at any time that you want to move your motion, and then we'll have to vote on it.

Mr. William Amos: I just fear that the scheduling conversation may take us a while, if history is any guide. I'd like to get this out of the way. The notice has been tabled, so I'd like to move that to a vote.

The Chair: Do we need it read? Does everybody need it read out?

An hon. member: I'd like it read out.

The Chair: We're going to pass it around. I'll give you just a couple of minutes to quickly digest it.

Okay. You've all had a chance to digest it. It really is something that we're already doing. We've already started it, so I don't think it's contentious, but who would like to talk to it?

Mr. Cullen.

Mr. Nathan Cullen: Yes, I have a question. It reads "immediately undertake". We have a calendar that we're going through. What is different?

The Chair: We've already started it.

Mr. Nathan Cullen: I know. I'm just asking. Do we "immediately undertake" and move everything out of the way? It can be interpreted in a couple of different ways.

Mr. William Amos: No, that's not the intention. The intention is to ensure that what we are doing is understood to be what was referred to us by the House.

The Chair: It's communicating what we're already doing.

Mr. William Amos: There's an understanding that what we initiated initially, and what we started even prior to the reference from the House, is in fact what the House asked us to do. There's no implication on the timing side.

The Chair: If there's no further discussion, can we move to vote?

(Motion agreed to [See *Minutes of Proceedings*])

• (1240)

The Chair: We're moving on to the budget. You have the budget in front of you. There are two budgets. This helps us pay the bills and make sure that we cover the work we're doing in the committee.

Is there anybody that has any issues with the budgets that are being brought forward?

Mr. Cullen.

Mr. Nathan Cullen: Is lunch \$500? That can't be.

The Clerk of the Committee (Ms. Cynara Corbin): It's slightly less. It's about \$300 and something. I know that one budget says \$500, but it's a general amount. Whatever we don't spend, we do get back.

Mr. Nathan Cullen: Okay, I'm looking at it, and no way that's \$500, but maybe....

The Chair: I run a caucus breakfast and I am shocked by the amount of money that we have to spend to have some food in front of us when we do caucus. It's expensive here.

Mr. Nathan Cullen: No kidding.

Mr. Jim Eglinski: Well, then move away from government.

Some hon. members: Oh, oh!

Mr. Nathan Cullen: I'll move the two budgets.

Do we need to move these separately, Chair, or as one?

The Chair: I think we can move the two budgets unless there's some reason to separate them. I think we can just move them.

Is everyone in favour?

Mr. Fast.

Hon. Ed Fast: Just to remind you that, as much as possible, we want to use video conferencing when we have witnesses from abroad. I think it works quite well to have video conference.

The Chair: I completely agree, and this has worked out well over the last week.

Do we have any issue with that?

Mr. Amos, do you have something?

Mr. William Amos: I was going to say that even within the country that would be preferable.

I would love to have seen David Boyd in person. He's someone I know, and I think it could have been great to sit down with him, but the carbon footprint is huge and the taxpayers are responsible.

To the extent that we can encourage our guests to use the video conference, I think that's an appropriate approach.

The Chair: I'm completely supportive of that, and I think so is our staff. We will do that going forward.

I think the intent is to always try...we thought having the person in front is easier, but this is working out really well. We weren't sure how well the technology was going to work, and you don't want to miss a chance. This is working out well though, and we'll go that route.

Thank you.

Mr. Eglinski.

Mr. Jim Eglinski: We have a London, U.K., on here for \$4,800. Is that what it costs us to bring her out here?

The Clerk: All these figures are estimates at this point. I don't have the invoices. The logistics officer who prepares this in our office used a rough approximation, including flights. There are definitely guidelines from the House of Commons that say they are to travel economy at the lowest possible cost that is most practical.

Mr. Jim Eglinski: Was this for the witness we had at the last meeting? She was visiting with several different departments. Are we footing the bill for the other departments?

The Clerk: I'm not aware. Sometimes when witnesses do come and they have other business, then we would share the cost of it. I wasn't informed of that, but certainly if a witness extends a trip because they have other meetings, we don't pay for additional hotel nights beyond the committee activity business.

The Chair: She came to give witness to us, and if she's tacked on some other things then I understand she might have tried to take advantage of being here, but you know what—

Mr. Jim Eglinski: She could have appeared by video conference.

The Chair: She absolutely could have, and we will make sure going forward that we do that. We were trying to follow a trend of what was done in the past, but I think this is working out very well.

Thank you.

One last comment and then we need to move on.

Mr. Nathan Cullen: These have been the standing committee's policies for a long time. I would say, as a western MP, there are times when there's a disadvantage for witnesses to be here, and it's much easier to be a witness coming from Montreal, Toronto, or Ottawa to testify for us. We tend to, if you look through the committee's witness list, recycle a lot of the same people from the region.

As an environmentalist, I appreciate it and I am concerned about taxpayer money, I never think committees should ever preclude it. There is an advantage to have that contact as Will was talking about and the other things that come along with coming to Ottawa to testify in front of committees.

I'll stand as a westerner on that one. We spend a lot of money to get us western folks here. It's more than we do to bring an MP from across the river or wherever. It's something to bear in mind. We should always push for the environmental and taxpayer-friendly thing.

The Chair: We wouldn't benefit from having you on video conference, right?

Mr. Nathan Cullen: We could put the whole Parliament on video conference if we were really sincere about it, but we don't for a reason. It's because there are other ancillary benefits when we're able to bring people from the west or the north.

Mr. Mike Bossio: I get where Nate's coming from on this. The only thing that I would add is that if we're going to do that—actually to develop a point on what Jim was saying—let's try to make sure that we maximize the environmental aspect of it and make sure they have a number of meetings set up. While they're in town they can share the cost. If they share, they kill many birds with one stone.

● (1245)

The Chair: Okay.

What I'm hearing around the table is that there's a balance, that we'll try to set a balance, and that we won't preclude anybody coming over. But if they can do it by video conference, then we would prefer to do that. Okay. How about we do it just like that.

Mr. Nathan Cullen: I've seen one committee that went into a doctrinaire stance and then suddenly there was nobody brought in. Then the witnesses tend to come from the greater Ottawa area, Toronto, and Montreal, which is nice and they're all nice people, but sometimes you want to talk to somebody from....

The Chair: Okay.

The last comment on this goes to Mr. Gerretsen.

Mr. Mark Gerretsen: I'm glad that Mr. Cullen made that comment because I much prefer to have the witness here in person. I can tell a lot more. I get a lot more off of them. There are other ways to offset the environmental impact if you really wanted to do that, such as purchasing the offsets or whatever it might be.

The Chair: Okay, guys, we're way off schedule here.

Can I have approval for the budget, please? Who is going to move it?

Mr. Jim Eglinski: I so move.

The Chair: Thank you very much.

(Motion agreed to)

The Chair: Okay, thank you very much. We got that done.

Now we're going to the subcommittee report where we're going to try to talk about the work plan.

Just before we get into discussion, what I am hearing is that we already have next week laid out for the minister and we were going to start into the protected areas. I was concerned and I think I've said it many times that we're trying to push the directions to staff on the report too fast and that we need time to do it, but we all thought in the subcommittee we may be able to do it.

I spent some time last night trying to draft it. I think it needs a lot more discussion. I believe we may not need a whole meeting, but we will need some time to have a discussion around the table on what direction. The better we give direction, the better the report, and the less time we will need on the back end and the less time and aggravation that we create in the wider environment of people who may get their hands on it and want to start to get concerned about things that we weren't necessarily intending because we didn't have clarity on our drafting instructions.

I think drafting instructions are incredibly important. It's our first one. Many of us are brand new and we haven't done it before. I would like to have consideration as we discuss this for at least one meeting to get us off the ground on how we do it, and have really good drafting instructions going forward on the strategy and the act. We really have not discussed the strategy and I think we just began to hear today the difficulties with it. That's one thing, and then obviously the rest of it is open for discussion.

I'll open the floor, Mr. Bossio.

Mr. Mike Bossio: I agree, Chair. Maybe I'm naive but we started down this path on the Federal Sustainable Development Act and I just see such an incredible opportunity here to have a huge impact on the future direction of this country around sustainability and the SDGs and really trying to make the effort to get it right. We could pass on something here to Parliament and to the minister and advocate and lobby on behalf of it, do whatever is necessary, to bring this about. It's something that I think would be an incredible legacy and would be something that we could be proud of for generations to come. I am really concerned about a long-term sustainable society, as I said in the blue-sky speech that we had, the second day we had it.

Also, I would really like to point out that with this directive from Parliament around CEPA, we do have to make time for this. This is legislation. This is passed to us from the House. We said in our initial discussions that protected lands in CEPA were going to be the priority. Unfortunately, the Federal Sustainable Development Act has consumed us I think more than was initially expected, but we have to get back on track with CEPA and start moving forward on that because it is also an important area that we need to deal with. I'd like to put that out there.

The Chair: Okay.

Mr. Fast.

Hon. Ed Fast: Thank you.

You're correct, Madam Chair. Virtually all of our witnesses and the discussion around the table have focused on process rather than the 2016-19 strategy itself.

I'm not going to suggest that we bring in further witnesses on this study. I think if it's very clear that the recommendations we are making are based on improving the process, I believe that in the future we may have an opportunity to do a study on the strategies more specifically. Right now we have no material before us. Quite frankly, if we were going to review the proposed strategy, the draft strategy itself, we would require quite a number of additional meetings, because it's a document that has so many elements attached to it.

I am thus not recommending that we extend this study any further. I believe we can go to drafting instructions.

The comment I would make on the drafting is this. I find that, certainly in the past, in those instances in which committees came out with unanimous reports, without dissenting opinions or dissenting reports, the reports had the greatest *gravitas* so to speak, the greatest impact, because the report was issued unanimously.

I hope this is what we seek to achieve here. Having heard a lot of the testimony here, I expect we'll likely be supporting many of the recommendations that are going to be proposed. I think this is a very healthy process to go through.

Clearly, within government itself there has been a breakdown of the rigour with which the act has been applied, whether it's through the strategy or through the cabinet directive. I think we have a real opportunity to do something meaningful in the long term for the country.

● (1250)

The Chair: Thank you for that.

I have a comment before we move to the next speaker. We were asked by the minister to respond on the strategy. As we started to look at it, we realized that there was an issue with the act. The strategy was great, but if it didn't have any real teeth or location where it could be embedded it wasn't really going to be worth its weight on paper. We therefore went off but we have an obligation to get back on the strategy. We thus have to think about how we're going to respond. We may say it's okay for now, but really we need to do this and then go back to it. Whatever we do, we're going to have to come up with some response. We can't completely forget about it, because we have to give back a response.

Who is next? We have Mr. Bossio.

Mr. Mike Bossio: I know you gave warning. You threw out the salvo when our witnesses were here. Although I agree, in that I hate to waste unnecessary resources and finances fighting things in the courts, let alone waste the time it takes to get through the courts, at the same time it is that last option that sometimes needs to be taken in order to hold government to account. That's why we tried to direct some of the questioning around that. We saw from the other witnesses that the enforcement and accountability piece is always the most difficult piece to get in place so that the citizens of our country can hold the government to account.

I like the position of David, saying you need to give the commissioner the teeth to come back to say that's not good enough and you need to do better. Finding the carrots and sticks and having the commissioner and the future generations advocate, all of these things are pieces of the puzzle that we can put in place to try to minimize the problem. At the end of the day, however, if all of it fails.... I don't care what government it is. We can all be around this table and agree for the most part on everything, but there are times when we're not going to agree. Sometimes the government is not going to act, and the courts need to.

The Chair: Mike, I think what we're discussing right now is what we might have in our drafting instructions. I'm actually just trying to get to the point of what our schedule is, so that we can get to that point. Could we just get to the schedule, if you don't mind?

•(1255)

Mr. Mike Bossio: Sure.

The Chair: Thank you. I didn't mean to cut you off, but we really don't have a lot of time.

We agreed that next Tuesday we have the minister. We had in our schedule for the following Thursday, which is April 21, that we're moving to protected areas. We were going to do that for five sessions, April 21, and May 3, 5, 10, and 12.

We are then going to move back to the Canadian Environmental Protection Act for May 17 and 19, and June 21 and 23.

We were supposed to consider the draft report. Perhaps it's obvious to everyone that we don't have drafting instructions time. One of these bits of time here on either the federally protected areas.... It needs to be sooner rather than later. I think we have to move the schedule at least one session. That would make sense to me.

Then we have the spring reports of the commissioner, which would be June 2.

Somebody has to give up some time. I believe at this point we probably need to give up federally protected areas. I think we'd like to stay current, while we're all cognizant of what we've heard. We have witnesses lined up, but they are mostly from departments here. We can move them and have them come on the 3rd. I'm just making suggestions and then we can have comments.

Let's make April 21, next Thursday, our drafting instructions day and discussion. I think we will have the discussions that Mike is trying to have and that Mr. Fast has tried to have about where we're really going to land to make sure that we are clean and clear when we go forward.

If that's the case, then we have May 3, 5, 10, and 12 on federally protected areas. We go back to CEPA for May 17 and 19, and June 21 and 23. We have consideration of a draft report, giving Penny and Tim the time to have something ready for us on May 31 to consider and discuss. Then we have the commissioner, potentially, coming to us to give us a chance to question her on her reports. I did find it helpful last time. It's up to the committee.

Then we have agreed at the subcommittee that we will move on to the fourth subject matter, which is a climate change study on June 7, 9, and 14. Then we go back to the federally protected areas to try to do a draft, the consideration of—no, sorry, my fault.

We were going to do drafting instructions for the federally protected areas on May 12. I'm not sure we're going to have enough time to do all this and get online for the federally protected areas, which means—

Mr. Jim Eglinski: Wasn't that the 16th?

The Chair: No. We had April 21, and May 3, 5, and 10.

Mr. Darren Fisher: Madam Chair, my apologies, could I just ask a question? Was the climate change study—June 7, 9, and 14—on our original work plan passed by this committee, or was it just the subcommittee that looked at that?

The Chair: It was on the work plan, but it was to come after the CEPA and the protected lands. That's how the original motion was passed.

I think we're trying to be co-operative and help get things—

Mr. Darren Fisher: I thought it was fall, for some reason.

The Chair: I don't think we had set a timeline. What we said was—

Mr. Darren Fisher: This looks different from our work plan.

The Chair: I'll make it clear. Obviously the subcommittee is trying to be co-operative.

What we originally agreed to in our motion that was unanimous was this. We would do CEPA. We would do protected areas in concert, together, in parallel. We would do the federal sustainable development strategy, which has now turned into the strategy and act. We would do that third. It has bumped up, clearly. Then after those are done, we would move on to climate change.

That's the way the motion was approved unanimously. Obviously, we have not completely followed that.

Mr. Darren Fisher: The motion was approved unanimously at committee...?

The Chair: At our committee.

Mr. Darren Fisher: Okay, so why are we changing it?

The Chair: There has been flexibility. I'm just saying we did, obviously, already make a change when the sustainable development act and strategy got bumped up, because it was going to be third.

The floor is open. We did make an agreement. Everything has to be unanimous if we're going to change it. It's up to you guys.

Mr. Gerretsen.

Mr. Mark Gerretsen: When you say that everything has to be unanimous in order to change it—

The Chair: It doesn't have to be unanimous.

Mr. Mark Gerretsen: Yes, it wasn't unanimous when you changed it.

The Chair: We need to vote on it. This is why it's in front of committee right now.

I think the subcommittee tried to be flexible and to help show everybody that we're all trying to move them along. But, really, it is a decision of committee as to how we're going to do our work plan.

It's in front of you today and discussion is on the floor.

Mr. Mark Gerretsen: If we want to change it, are you looking for a motion to amend?

The Chair: We're amending it yet again, because we're not going to get our drafting instructions done today. We're going to have to amend the subcommittee. Right now it's on the floor. This was the recommendation of the subcommittee. It is up to the committee to make changes to this and adopt it. I need to know how we're moving forward with this committee. I need specific suggestions to make this change and then we will adopt it. We will vote on it. It doesn't have to be unanimous. We will vote on it, and whatever it is, that's what it will be.

Mr. Nathan Cullen: Are we discussing the motion on the table for the calendar to be slightly changed?

• (1300)

The Chair: Correct.

Mr. Bossio.

Mr. Mike Bossio: When I initially looked at it I thought, okay, we're all trying to play nice. We're all trying to work together on this.

I want this to come across correctly. With the House now directing us to go to CEPA, I think that we need to stick with the original plan that we had and get CEPA done and out of the way, because it has to be done. It was one thing when we set the original plan and could say, "We are the committee. We can adjust that." But now that it has been passed down to us from the House to do a legislative review of CEPA, I think it behooves us to do that and get on with it.

The Chair: Just to be clear, we do have a year. We are a separate committee. We can choose to do what we want in committee. I'm hearing you. It was asked that we consider it, and we have a year to do that.

Who's next?

Mr. Cullen.

Mr. Nathan Cullen: [*Technical Difficulty—Editor*] your point, the House gave a directive but we have a full calendar year. First of all, who knows what the committee is going to set for its study on CEPA, but Will could probably comment. It's not small. There's no way it's a three-, four-, or five-meeting kind of operation. Typically, it's a big review. The prospect of getting something out of this committee with all the other things we're trying to do before the summer is slim to none. We have a year. There literally isn't urgency on it. We're starting it. We're dedicating meetings. We're going to get a sense of the scope of the study that we want to do.

The chair has made some suggestions about getting some drafting time in, which is all new for me. I'm learning how the committee wants to go through the process of writing this report. It is about giving and taking, and the offer from the chair was a give-and-take offer. That's what your subcommittee has recommended. If we want to go back into the discussion, it's now 1:02 and we can have a full committee discussion about the calendar. I'm sure we're all thrilled by that prospect. I know I am. It's awesome.

An hon. member: Is that what you offered, Madam Chair?

The Chair: I want to make sure that we have this subcommittee report adopted today, in whatever form it comes out of this discussion, so that we know what we are doing.

Mr. Nathan Cullen: And you made a suggestion....

The Chair: I said that we have to fit in drafting instructions. I take the 21st and we do drafting instructions on the 21st. I said, shift everything. We have federally protected areas and now we're down to four meetings, one of which is for drafting instructions, whereas I think we agreed that we needed five. I think we're really limiting our time on the federally protected areas. I'm seeing the time for areas shrink. We did agree that we would have that concurrently with CEPA, and that it would come ahead of the climate change discussion.

I'm getting worried because we're trying to do a lot in this committee. We have lots of balls in the air. We're all trying to accommodate each other with our ambitions and our hopes for this committee. I think we want to be effective. If we have too much going on, I think we're not going to be as effective as we could be. I'm trying to make sure that we are moving these along and giving ourselves the time to do it well, because the better we have drafting instructions the better the end result, and the less time we'll spend haggling over it at the end.

My recommendation was that we take the 21st to do the drafting instructions for the sustainability development act. We can't shuffle everything along, but we can allocate May 17, which was going to be for CEPA, to federally protected areas. I still think it's a squeeze, but we're working our way towards that.

Hon. Ed Fast: Why are you moving that?

The Chair: May 17 will now be devoted to federally protected areas because we took one of the days off federally protected areas and gave it to the Federal Sustainable Development Act. Then, we have consideration of the draft report of the Federal Sustainable Development Act on May 31. We've stayed with that because we're trying to make a deadline. Then, we have the commissioner coming forward with her reports. We did hear comments at the subcommittee that we may not need to do that, but I did find it helpful so I don't want to take that away.

Mr. Nathan Cullen: I'm sorry. You might not want to do what?

The Chair: It's the commissioner coming in front of the committee to open for discussion what she's bringing forward in her reports. I didn't want to have that go.

Then it's really up to the committee. We've now lost one day for CEPA, so what are we doing with this climate change study? Then we were again going to go back to federally protected areas on June 6 for the report that was supposed to be drafted, in this case, on the 17th.

I have a feeling people aren't with me.

• (1305)

Mr. Mark Gerretsen: I'm with you. I think we have too much stuff for our meetings.

The Chair: Okay.

Mr. Darren Fisher: There's too much stuff.

The Chair: Okay. I have a speaking order.

Mr. Eglinski.

Mr. Jim Eglinski: I'll pass my time over to Ed.

I just want to state that initially we went over this at the beginning, and when the sustainability came in and it was mandatory that we bring it forward, we said that we were going to run into problems. I think we had a good discussion over that, but we all bent and said, okay, let's go with it. It was going to cause problems, it is causing problems, and we're going to have to work around it. I think we had a good discussion in the subcommittee and we all came to agreement on the time frames of these things. We're willing to move them, but we're going to have to move them. We don't have a choice.

The Chair: We did agree at the subcommittee that we would have flexibility. We did agree that we would be flexible if things looked like they weren't fitting, but I do want to try to make sure that we are clear on where we're moving forward. With regard to getting into the federally protected areas, I am concerned that having only three witness days and then potentially a day for drafting is not enough.

An hon. member: Yes, absolutely.

The Chair: I'm very concerned about that.

Mr. Darren Fisher: Let's move climate change to the fall.

The Chair: Hold on. I have a speaking order. That's my fault. I have an order here.

Mr. Bossio.

Mr. Mike Bossio: Once again, I hear where you're coming from. There's no hurry, but I would counter the same... The minister is meeting with her provincial counterparts to discuss the climate change initiatives. Really, what are we going to add to that discussion with two meetings in June that we can't take more time for in the fall?

We're already into CEPA. Let's continue that discussion so that it stays fresh and we can move forward on it and hopefully continue to move it along more quickly. Then we can pick up climate when it's relevant to the discussion around what the minister and her provincial counterparts are going to be proposing.

Maybe I'm wrong in my view on that, but that's the way I look at it, to be honest.

The Chair: Mr. Fast.

Hon. Ed Fast: My colleague just suggested Saturday meetings, so....

Some hon. members: Oh, oh!

The Chair: Listen, Cynara has been telling me that we can make our meetings longer or we can try to have another meeting.

Hon. Ed Fast: No, no. Skype us all in, right?

Your suggestion is fine, Madam Chair. You've suggested essentially pushing the whole schedule down by one meeting so that everything gets delayed by one meeting.

The Chair: Well, sort of, but not really.

Mr. Mark Gerretsen: No, because you're eliminating one in CEPA. You're eliminating a meeting in CEPA, so it's not shifting it all down.

Hon. Ed Fast: No. I'm not suggesting that we eliminate a CEPA one, because we all agreed to how many days we were going to have for CEPA and how many we're going to have for the protected lands.

What you're doing is inserting, on the day on which the protected land study was going to start, the provision of directions to staff on the sustainable development report, correct?

The Chair: Yes.

Hon. Ed Fast: Then we just push everything down. Also, I agree with Mike's suggestion, given the fact that the climate change discussions are going to be happening throughout the summer. My

understanding is that it won't be until October that the premiers and the Prime Minister will be meeting again.

Nathan may not agree with me, but I think there's enough flexibility there to do justice to that study, yet go ahead with what we had agreed to. I think that in essence what you're proposing is acceptable.

The Chair: We will go one more time over what we've said, because I don't think everybody is completely clear on what we've said.

We are moving that on April 21 we're going to do the drafting instructions for the FSDA. On May 3, 5, 10, 12, and 17, we're going to have witness statements on the protected areas. We're going to do the drafting.

• (1310)

Mr. Mark Gerretsen: We're going to do drafting on the 17th.

The Chair: Yes, on the 17th. I'm really concerned that we're pushing it again, but that's okay. On the 17th we're going to do the drafting instructions.

We have CEPA coming in on the 19th and we have here June 21st and 23rd, which means we're doing it May 19, and then we're going to take a break again and go off to another issue, which is the climate change study. That's what it says and I'm not sure that everybody is on the same page with that.

I think what I'm hearing from some is that we should have some consistency in the work that we're doing, and we should do the Canadian Environmental Protection Act on the 19th, 7th, 9th, and 14th, and then, if there's time and we have the opportunity, we do climate change on the 21st and 23rd.

Mr. Mark Gerretsen: Of which month?

The Chair: June.

Mr. Mark Gerretsen: We might not even be here.

The Chair: We might not, but it means that we're progressing in some orderly manner in terms of the subject that we're trying to do. We're hoping that we're going to get the Federal Sustainability Development Act out of the way and that we will have our drafting instructions for the protected areas done and to staff, which will then be bringing that back on June 16 to us. That's the plan.

Mr. Gerretsen.

Mr. Mark Gerretsen: Yes, I've understood that from the first time that you said it.

My only concern is that, in eliminating a meeting from CEPA and not shifting it all... Because that's essentially what you're doing, correct?

The Chair: I'm actually eliminating one of the meetings at the first end of the CEPA, but I'm taking some of the days from the climate change study and moving it to CEPA.

Mr. Mark Gerretsen: Perfect.

It's not that I want to take away from the climate change. I just think that if we're going to shift, everything shifts, so that the climate change one just starts after, in the order by which we all sat and discussed that we would do this stuff.

Pardon me?

Mr. Nathan Cullen: Which we then changed.

Mr. Mark Gerretsen: No, you changed it at the subcommittee.

The Chair: Okay. Hold on.

What he's saying is that we did not do the Federal Sustainability Development Act in the order that we had originally agreed. We did come off of our game plan, and we're open to come off it again, but only if there's agreement around the table to do that. It's not going to be 100%.

Mr. Mark Gerretsen: Mr. Cullen, are you going to be happy if we can get to it before the end of June, or is June 7 your deadline?

Mr. Nathan Cullen: Here's the thing. I have the forestry industry in my office wondering if I care about forestry right now. We're over time, so I'll make this quick.

There are two things happening at once. One is the very definition of bad faith negotiations, which is the following. You make concessions and you make agreements, and then you revisit them and then revisit them again and then undo them. The concessions that I made to support unambiguously other priorities of other parties were done in that good faith—fine.

The second piece is around the climate change issue itself, which I do think is incredibly pressing. It's very good that the government has this process going on, but the government also went to Paris and made a 1.5 degree agreement with no economic analysis and no understanding of even what the federal government's contribution to climate change is.

Lo and behold, it seems like that would be important for all of us to understand and appreciate. I've lost that argument, and that's fine.

I have to go. The committee will make the decision on the calendar as they see fit. I will move a motion that we study climate change this spring. Vote against it, which I was trying to avoid for you. So be it.

The Chair: I don't think we want—

Mr. Nathan Cullen: It's this, Chair. I made concessions. We all move pieces around and they're all done in good faith and in good humour and I like you, but the way the committee has got to be able to function is that when we set things down, we set things down. The constant revisiting and moving and new inventions of the day for drafting, which is not something I've ever heard of from a committee before, is fine. But don't pretend that this is what we agreed to all along. I've made those concessions and that's all fine and well.

What I was hoping to avoid for you is the vote against the motion that the environment and climate change committee studies climate change in a six-month period in which the government has said, it's your top priority. I didn't think it was all that contentious, but apparently it is because you can't seem to get to it. It's always being bumped. The idea of putting it on the last day or the second last day of the House sitting is well and good. It's like saying, maybe, possibly, we'll see what happens. That's fine too.

I just want to know what the rules are and how we're going to negotiate these things so that I can have some sort of clarity as to whether I invest any time in the conversation or not, rather than

investing the time and making the concessions three times, and then having it revisited again and again. Surprisingly always having the thing I'm trying to push forward fall to the bottom of the list has been consistent throughout this. Forgive me if I sound a bit aggravated about it but how many conversations about it have been on the committee calendar? It's just incredible.

• (1315)

Hon. Ed Fast: How do you want to resolve this?

Mr. Nathan Cullen: I want you guys to just put the calendar together as you see fit.

Hon. Ed Fast: Make your case.

Mr. Nathan Cullen: No, absolutely. If you want to bump the climate to the fall, I've made my case. I have to go.

The Chair: Nathan, if I can, because I've tried to have some conversations with you about this.

Mr. Nathan Cullen: Absolutely. We've had very good conversations.

The Chair: And we have.

Mr. Nathan Cullen: I appreciate that.

The Chair: I'm trying very hard to be incredibly respectful of everybody's time and also what they want to get done here. I think we have understood that the Federal Sustainability Development Act has the potential to really help us with climate change and bending the curve and getting that conversation going on how Canada is going, what Canada is going to do, and how it's going to meet its goals and objectives and that this is a tool to do that. I think we are moving forward in the direction and trying to bend the curve by getting our government house in order. That's where I'm at.

It's not that we don't care about getting to climate change discussions and how we make our commitments.

Mr. Mike Bossio: I think we've been having the climate change discussion.

The Chair: I think the point is that we're trying to get this done and we think this may be a fundamental piece.

Please don't say that we don't care about climate change because I think all of us around this table care very much.

Mr. Nathan Cullen: I'm not suggesting that people don't care deeply and long about the issue. What I'm suggesting is how this committee should function. We come to some resolution and then just have the resolution set and go off on our merry ways, as opposed to revisiting and revisiting and adding witnesses and reconsidering and adding another day.

I love flexibility. I was one who argued for flexibility at the beginning, but to a point because after a certain point... As Ed would know negotiating trade deals, you need a point where you finally stop talking about it and just agree or not agree. I'm at that point of frustration now, I think.

The Chair: Before we spend any more time, are we prepared to...? I think my problem is that I'm a new chair and maybe I have tried to be too flexible. I just want to make sure that we can get consensus on things. It's always better. It's worth the time, but it's frustrating people obviously.

I've put forward a suggestion on how I think we might move forward. Are we in a position to vote on it?

Mr. Jim Eglinski: I move we adopt your motion.

The Chair: Yes.

Hon. Ed Fast: Could you clarify what the motion is exactly.

The Chair: My motion is that on April 21, we draft instructions for the FSDA. May 3, 5, 10, and 12, we have witnesses for federally protected areas. On the 17th, we try to draft instructions for that piece of our work. Then on the 19th, 7th, 9th, and 14th of June, we work on the Canadian Environmental Protection Act. We consider the report that comes back to us on May 31, we have the spring report from the commissioner on June 2, and the climate change study begins on the 21st and 23rd. That's what I'm suggesting.

June 16 was the draft report of the federally protected areas.

Mr. Mike Bossio: Can you give us one minute to converse?

The Chair: Sure, but I know people have to go, so let's not be long.

I really do think we've had enough discussion on this. Are we ready to vote?

Some hon. members: Yes.

The Chair: It's on the floor.

• (1320)

Mr. Mike Bossio: Hang on a second, please.

The Chair: Mike, do you have something you need to put on the table for people? I'm not sure what the problem is.

Mr. Mike Bossio: No, it's okay. Call the question.

(Motion agreed to [See *Minutes of Proceedings*])

The Chair: I'm sorry, it is not unanimous.

Thanks. The committee is adjourned.

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