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• (0845)

[English]

The Chair (Ms. Yasmin Ratansi (Don Valley East, Lib.)): Good morning, everyone.

Pursuant to Standing Order 108(2), we are having a briefing by the Impact Assessment Agency of Canada. The witnesses are Brent Parker, acting vice-president, strategic policy; Jennifer Saxe, director general, regional operations; and Steve Chapman, chief science and knowledge officer.

Who am I missing—

Yes.

Hon. Kerry-Lynne Findlay (South Surrey—White Rock, CPC): On a point of order, Madam Chair, I have a preliminary matter I want to bring up before we proceed with the witnesses.

The Chair: Sure.

Hon. Kerry-Lynne Findlay: It was my understanding on Thursday when we came together that there was an agreement that after we heard from the witnesses today we would go to open committee, where we would discuss what would be going to steering committee and what would be in open committee. The agenda that we received says that we immediately go in camera, which was not what we had discussed or agreed to on Thursday.

The Chair: Generally, Madame Findlay, the committee business is always done in camera, but if you want it to be open, it can be. It's not a problem.

Hon. Kerry-Lynne Findlay: Well, we did discuss this on Thursday and had consensus on this then.

The Chair: I don't.... I think we'll have to check the blues for whether we agreed what will be in camera or open, but—

Hon. Kerry-Lynne Findlay: My understanding from you, Madam Chair, and from our discussion was that we would be in open committee where we would discuss what would go into in camera in the steering committee, and that's what we prefer to do.

The Chair: Is there anybody who has a problem with the committee being open?

Yes, Mr. Longfield.

Mr. Lloyd Longfield (Guelph, Lib.): I never have a problem with open committee, other than some of the items, of course. I shouldn't say "never", as "never" is not the good word to use.

My understanding last time was that the subcommittee was going to talk about the motions that had been received and look at priori-

tizing the motions, and then come back to the committee with what the next study recommendation would be, so that the committee could vote on the next study.

If we need to do some of that out of camera, yes.

The Chair: Sure. Nobody has a problem keeping committee business in open, right?

Some hon. members: Agreed.

The Chair: With that, can we proceed with the witnesses?

Hon. Kerry-Lynne Findlay: Yes.

The Chair: Okay, thank you.

Mr. Chapman is not there. I'm not even looking there.

Mr. Ketcheson and Mr. Hubbard, how many minutes do you have between the four of you? Are you each taking five minutes, seven minutes, 10 minutes?

Mr. Terence Hubbard (Vice-President, Operations Sector, Impact Assessment Agency of Canada): Brent will make our opening comments, so we'll have one presenter for opening comments and then the rest of us will be—

The Chair: Okay, and that's it, and then we can ask questions.

Go ahead, Mr. Parker.

Mr. Brent Parker (Acting Vice-President, Strategic Policy, Impact Assessment Agency of Canada): Thank you very much.

My name is Brent Parker. I am the acting vice-president of external relations and strategic policy at the Impact Assessment Agency of Canada.

I appreciate the opportunity to come to speak with you today about the agency and the Impact Assessment Act itself.

[Translation]

The Impact Assessment Agency of Canada is a federal body accountable to the Minister of Environment and Climate Change. The agency is responsible for conducting impact assessments under the Impact Assessment Act, and is headquartered here in Ottawa, with six regional offices. The agency has almost 500 full-time equivalent employees with an annual budget of \$74 million for this past fiscal year.

[English]

Impact assessment is an internationally recognized planning tool designed to understand and mitigate the negative effects of projects while enhancing their benefits.

Federal impact assessment has a long history in Canada, first established in 1974, and our predecessor, the Canadian Environmental Assessment Agency, was established in 1994 under the original Canadian Environmental Assessment Act and continued under the Canadian Environmental Assessment Act of 2012.

This past August, 2019, the Impact Assessment Act came into force, repealing the 2012 law and creating the Impact Assessment Agency of Canada.

[Translation]

Federal impact assessment applies to major projects. These are designated in a regulation, colloquially referred to as the “Project List”. It focuses on those projects with the greatest potential for adverse effects in areas of federal jurisdiction related to the environment. There are currently over 70 major projects undergoing federal assessment, ranging from oil and gas and mining projects, to highways, ports and infrastructure, and renewable energy projects.

● (0850)

[English]

The Agency's work under the Impact Assessment Act is guided by a number of principles. They include fostering sustainability, predictability and timeliness, co-operation, reconciliation and partnership with indigenous peoples, meaningful public engagement, and integrating scientific information and indigenous knowledge.

I'd like to touch on each of these themes today and highlight some of the early successes in the implementation of the Impact Assessment Act.

[Translation]

First, the Impact Assessment Act broadens project reviews, from environmental assessments to impact assessments, with a focus on sustainability.

This means that federal assessments now consider a broader range of potential impacts to understand how a proposed project could affect not just the environment but also social and health aspects, indigenous peoples, jobs and the economy over the long-term.

[English]

The act also recognizes that individual project reviews are not best placed to address complex policy issues, and it provides new tools for the consideration of these. Regional and strategic assessments are the tools that provide avenues to understand the “big picture” view.

With this in mind, the agency has been working closely with the Canada-Newfoundland and Labrador Offshore Petroleum Board, as well as with the Province of Newfoundland and Labrador since last spring on a regional assessment of offshore oil and gas exploratory drilling east of Newfoundland and Labrador, which will enhance environmental understanding and protections while also streamlining specific project review.

[Translation]

The Impact Assessment Act creates an efficient and predictable review process, giving companies the clarity and predictability they need.

Project reviews have legislated timelines and they are rigorously managed.

[English]

The Impact Assessment Act introduces a new planning phase. Planning brings greater predictability to the process by establishing requirements and expectations at the outset that will inform and guide a project assessment. It lays out how we will engage with indigenous groups and stakeholders, and co-operate with other jurisdictions. It also enables public participation to identify potential issues early and determine how they may be addressed. Most importantly, for project proponents, it establishes what will be examined during the impact assessment and any information and studies that will be required.

Just this week, the agency marked a milestone, posting notices of commencement for the first projects that have completed the planning phase under the Impact Assessment Act, those being the Webequie Supply Road and the Marten Falls community access road, both in northern Ontario.

[Translation]

Cooperation is another guiding principle to move towards more timely project assessments for companies and a one-window approach for stakeholders, to avoid duplicating efforts.

[English]

Federally, the Impact Assessment Agency of Canada leads all major project reviews and coordinates consultation with indigenous peoples. Assessments continue to rely heavily on the expertise and experience of federal departments, as well as life-cycle regulators, including the Canada Energy Regulator, the Canadian Nuclear Safety Commission, and the Atlantic offshore petroleum boards. For example, the agency has closely worked with federal departments and the Canada Energy Regulator over the recent while to work through the planning phase for the Gazoduq project, a proposed natural gas pipeline located in eastern Ontario and Quebec, including on the development of the draft tailored impact statement guidelines, which are currently out for public consultation.

The act also mandates the agency to co-operate with other jurisdictions on impact assessments, and provides enhanced tools to avoid duplication and align processes. There are collaboration agreements in place for almost all current assessment that are underway.

One particularly fruitful partnership is that with British Columbia, driven by a co-operation agreement that was put in place in August 2019, between the federal Minister of Environment and Climate Change and the British Columbia Minister of Environment and Climate Change Strategy. This agreement has seen us realize the first substitution process under the Impact Assessment Act.

[Translation]

Reconciliation with indigenous peoples is a key consideration woven into the design of the assessment process.

The Impact Assessment Act provides enhanced opportunities for partnerships with First Nations, Métis and Inuit communities, based on recognition of indigenous rights from the start—this includes early engagement and opportunities to participate at every stage.

The law also requires that decision-making take into consideration indigenous culture and impacts on Indigenous peoples and rights. The aim is to secure consent through processes based on mutual respect and dialogue.

● (0855)

[English]

As I mentioned, public participation is a key element of the Impact Assessment Act. This process under the act is open and transparent, with greater opportunities for communities to have their voices heard. A new online platform has been created for sharing information and increasing public access. Throughout the assessment process, the public has meaningful opportunities to participate. There are many ways that indigenous groups, stakeholders and the general public are able to provide feedback, from town halls to workshops to online platforms; and all of those opportunities are tailored to the circumstances of a particular project.

[Translation]

Transparent, evidence-based decision-making is a fundamental part of the review process. Impact assessments consider scientific evidence which is rigorously tested by federal scientists and made available in an easy-to-understand format for the public. It is mandatory to consider and protect indigenous knowledge, where available, alongside science and other evidence.

[English]

Impact assessments are carried out by the agency or by a review panel under the act to help inform the public interest decision, which is made by the Minister of Environment and Climate Change, or cabinet.

Reasons for decisions are now made publicly available so that Canadians can better understand the rationale for decision-making.

In conclusion, the agency's working to put into practice the principles articulated in the Impact Assessment Act, and to reflect values that are important to Canadians: early, inclusive and meaningful public engagement; a predictable and co-operative process; nation-to-nation, Inuit-to-Crown and government-to-government partnerships with indigenous peoples; timely decisions based on the best available science and indigenous knowledge; and sustainability for present and future generations.

Thank you very much. This concludes my opening remarks. We would welcome questions from the committee.

The Chair: Thank you.

We go with the first round for six minutes. Madam Findlay.

Hon. Kerry-Lynne Findlay: Thank you all for being here today. We appreciate your informing us on what you do and how you do it. It's a great opportunity.

Mr. Parker, in your remarks you talked about having a process that is predictable for business, and one of the ways you say it's predictable is by engaging with indigenous people...how to do that. Clearly, in these last two and a half weeks of railroad blockages and shutdowns of businesses, layoffs of Canadians right across the country, there was a failure with respect to the Coastal GasLink... And now we have Teck, which has pulled out because of, among other reasons given, political unrest and uncertainty in the business environment in Canada.

When you say that you organize whom to talk to, because reconciliation is a key factor, how do you determine whom to talk to? Are you recommending that government and you engage with elected chiefs and councils? How do you take into account, for instance, hereditary chiefs who have been saying they weren't consulted?

Mr. Brent Parker: Thanks for the question.

I think I'll ask Ian to take that, who's responsible for our Crown consultation division.

Hon. Kerry-Lynne Findlay: Thanks.

Mr. Ian Ketcheson (Director General, Crown Consultations Division, Impact Assessment Agency of Canada): Great. Thanks very much.

At the beginning of every project we undertake, we go through a process of assessing the likelihood that there are would-be impacts to asserted rights or established rights of indigenous groups. Obviously, the process of fulfilling "duty to consult" obligations is top of mind right now for many people. Our approach is very much driven by the specific projects that we work on and that are going through the impact assessment process.

In the case of Teck Frontier, there were approximately 20 groups that we consulted over a period of approximately eight years through that process. I'm not really able to speak to the specifics of Coastal GasLink. It went through a provincial process and the determination as to the indigenous groups to be consulted was very much driven by that process.

From our perspective—

Hon. Kerry-Lynne Findlay: Excuse me, we only have so much time.

In the Teck case, for instance, how did you determine among those groups? Our understanding is that there were many first nations in agreement with Teck Frontier. How did you determine among those groups whom you were talking to and whom you were getting agreement from?

• (0900)

Mr. Ian Ketcheson: We undertook consultations with approximately 20 groups from the beginning. Some of those indicated that they had signed impact benefit agreements with the proponent. We spoke with all of those groups through every step of the process and made sure that at the end of it, we had properly assessed what the impacts on rights were, identified ways in which we could address those impacts and worked with the communities to determine if there were any outstanding issues. That was a process that we undertook for approximately eight years.

Hon. Kerry-Lynne Findlay: I understand, but you haven't answered my question. You're talking about groups. Who within those groups did you get sign-off from?

Mr. Ian Ketcheson: In the context of Alberta, we worked very closely on the first nation side with the chief and council of those groups that were there. On the Métis side, we also worked with local communities and regional communities. We also worked with some groups who asserted rights and were not part of a formal first nation. We talked through those issues with them as well.

Hon. Kerry-Lynne Findlay: With respect to the indigenous groups where you were dealing with the chief and council—which I would suggest would be a normal, recognizable process for government to do—how have you assessed the risk of others within that group still not being onside and still holding up a project?

Mr. Ian Ketcheson: Through all of the impact assessments when we undertake consultations—and this is a new feature that is sort of codified in the act—we are aspiring to achieve consent. We're making every effort that we can to ensure that the communities we work with provide consent on a project. Obviously, there will be a range of views within every community around individual projects, but we are very much looking at the impacts on rights and assessing the ways in which those impacts can be mitigated or accommodated if needed.

Hon. Kerry-Lynne Findlay: I understand that you're making your best efforts, but I think you would have to agree with me, given recent events, that it is impossible to say that it's entirely predictable.

Mr. Ian Ketcheson: I think it's fair to say that when undergoing indigenous consultations, it's not predictable, much like any other processes with representatives.

Hon. Kerry-Lynne Findlay: Thank you. That's good.

Do I have more time?

The Chair: You have one and a half minutes.

Hon. Kerry-Lynne Findlay: One and a half minutes. Okay—all that time.

I want to take a look at section 9 of the act. This gives the minister the power to designate a project on request or by his or her own initiative. Are there limitations on that power, or is it an open power where the minister can simply designate?

Mr. Terence Hubbard: This provision was carried over from the Canadian Environmental Assessment Act, 2012. It is an extraordinary authority, an authority that hadn't been used frequently under the previous legislation. The authority requires the minister to assess whether there is potential for significant environmental

impacts in areas of federal jurisdiction or significant areas of public concern, so those tests have to be met. If they are met, then the minister may designate a project as requiring a federal assessment. It's not a mandatory requirement that he reach that conclusion.

The Chair: Thank you very much.

The next round of questions is from Mr. Scarpaleggia.

You have six minutes, please.

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Thank you, Madam Chair.

This is sort of in the same vein or continuing on that track.

When we say “designate a project”, that means a project that's not on the project list, right?

Mr. Terence Hubbard: There are two ways that a project could be designated. Number one, it is on the project list, or number two, the minister uses that discretionary authority that was mentioned by the other member to require an assessment of something that's not on that list.

Mr. Francis Scarpaleggia: How does a project get on the project list? The project list must be a revolving list, really.

Mr. Brent Parker: The project list is a regulation that existed under CEAA 2012. It was reviewed as part of the EA review process, so there was a fairly extensive public engagement process on that. However, the project list is a GIC regulation that was established. In its establishment, there was a fair bit of analytical work that looked at what the major projects typically seen in Canada are that have the potential for impacts in federal jurisdictions.

Mr. Francis Scarpaleggia: I'm just trying to understand the mechanics of this. The project list is not specific projects. It's specific types of projects.

Mr. Brent Parker: That's correct. It's specific types of projects.

Mr. Francis Scarpaleggia: So, the main criteria are that it has to be above a certain dollar amount, I guess, and it has to be within federal jurisdiction. Would those be the main criteria?

• (0905)

Mr. Brent Parker: The basic tenet is that we're looking at projects that have the potential for the greatest environmental affects in federal jurisdiction. The way that we identified that was through thresholds, and typically there are production thresholds. For example, with regard to mining, there are different types of mining projects that are identified on that list above a certain amount of annual-production thresholds.

Mr. Francis Scarpaleggia: So, public transit projects in and around cities would not qualify unless they traversed federal lands or impacted migratory birds or species at risk. Is that correct?

Mr. Brent Parker: That's generally correct. There are some specific infrastructure projects that are included on the list. In terms of going through the impact assessment process, you would need to be on the list. The one exception in your comment is that, if it's on federal lands, there's a separate process that is not an impact assessment process to the same degree. It's identified in separate provisions within the act. Those are managed by the federal land managers, as opposed to the Impact Assessment Agency.

Mr. Francis Scarpaleggia: I see. In the past, there were different kinds of assessments; there were panel assessments, then there were screenings and assessments that were somehow narrower in scope and less involving of public consultation.

Has that continuum been maintained, or are you just now doing impact assessments that involve public consultation and the like?

Mr. Brent Parker: Those processes have been simplified into two different streams. The assessment can either be run by the agency itself, or the minister can choose to refer that project for review to an independent review panel. In both cases, there is actually a new provision, which I mentioned in my opening remarks, around a planning process, which allows us, as the agency, to work with the proponent and the public for up to 180 days to plan how the assessment will proceed. That's a new feature that enables us to have a lot more engagement with those who are interested in the project, to work with the proponent around improvements to the project before it actually moves into the assessment that would be done by the agency or the subsequent review panel.

Mr. Francis Scarpaleggia: Is that an element of added flexibility that proponents would welcome? This seems to be that there's an opportunity after study to take a different track from a full-blown assessment and go to something that is more restricted. Would that be a feature that would, in a sense, please project proponents?

Mr. Brent Parker: Through the course of our consultations, we certainly heard a lot of support for having proponents engage with us early and have that early planning process where there is open and transparent access to the conversation around how projects are being developed. I think the thing that is probably most beneficial is that, because of that early engagement, we have a much better sense of what the key issues are for those projects, what the key interests are from communities and indigenous groups, which allows us then to work on focusing and scoping the project. I mentioned tailored impact statement guidelines in my remarks. That's a new tool under the act that allows us to tailor the issues that are most important in the process, so that when that assessment begins, proponents already know at the outset what the key issues are and what the information methodologies would be in terms of requirements for bringing themselves into the next step of the assessment.

Mr. Francis Scarpaleggia: The last question, if I have time, Madam Chair, is about the substitution process.

I'm told that Bill C-69 made it easier to just have a provincial assessment body do the assessment, whereas before you might have needed a joint assessment or even maybe—

The Chair: The answer will have to come later. Thank you.

[*Translation*]

Ms. Pauzé, you have six minutes.

Ms. Monique Pauzé (Repentigny, BQ): Thank you.

From the outset, I would like to ask that the answers to the questions be provided in writing. We have received written responses from the Department of Environment and Climate Change to the questions that were asked at last week's meeting. I'm making the same request for this meeting today. Thank you.

I'm worried, but I imagine you will reassure me. Initially, when we talked, there was still the word "environmental." It was the Canadian Environmental Assessment Agency. Now, we keep talking about impact.

I'm going to refer to IAAC's mission and mandate, which is about making informed decisions on major projects in support of sustainable development. In the environmental community, the words "sustainable development" are no longer used because they go far beyond environmental considerations.

When you conduct your analyses, do you look at the impact on the forests, on biodiversity, on health, basically on everything?

• (0910)

Ms. Jennifer Saxe (Director General, Regional Operations, Impact Assessment Agency of Canada): Absolutely. We continue to observe and analyze all the environmental effects: biophysics, forests, biodiversity, and health. Under the new bill, we are also looking at social, economic and health effects. The process is transparent for environmental effects, but in addition to that, other effects are considered as part of the assessment.

Ms. Monique Pauzé: If I understand correctly, when proponents want to obtain an assessment, they are the ones who must produce the impact study.

What are you asking them to produce? Does that have anything to do with what you have just explained?

Ms. Jennifer Saxe: Exactly. That's the planning period that Mr. Parker described. At the beginning of the assessment, we talk to and consult with the public, the proponent, and the communities. That's when we develop the guidelines. We have interim guidelines and we consult on those guidelines.

Those guidelines include all the information and all the studies we need. They include all the environmental, social, economic studies and information, including the gender-based analysis plus, GBA+. That all ends with guidelines so that proponents have the clear knowledge they need to move forward and to provide us with the information we need.

Ms. Monique Pauzé: I'm going to talk about a specific case that we discussed earlier: the Frontier project.

Which members of the panel had the decision-making process in their hands?

We went to see all the people consulted, but we were not able to find out where they all came from. The few people we were able to find were mainly people associated with the oil companies.

Let me ask a direct question. Could you tell me who are the members on the panel who had the decision-making process in their hands?

Where did they come from? I may have missed it, but I only saw a few of them and they were all connected to the oil industry.

Mr. Terence Hubbard: In this case, the panel was established by the governments of Canada and Alberta. Two members of the panel were selected by Alberta. They were energy experts from Alberta, and another member was appointed by the Minister of Environment.

That panel made the recommendations to the Government of Canada and made the decision on the province's behalf.

Ms. Monique Pauzé: The people chosen to be part of it are therefore chosen by the province. The agency does not choose the people to sit on the panel.

Mr. Terence Hubbard: The Frontier project was born under the old act.

Under the new process, the Minister of Environment has to create a list of nominees, and the agency has to appoint the nominees to each panel.

Ms. Monique Pauzé: Could I get some documentation on the requirements you have just listed?

Mr. Terence Hubbard: Yes, we can get them ready.

Ms. Monique Pauzé: I still have some questions. Do I have any time left, Madam Chair?

• (0915)

[*English*]

The Chair: You have 45 seconds.

[*Translation*]

Ms. Monique Pauzé: I will ask a question and you can answer in the next round.

Last week, we heard from officials from the Department of Environment and Climate Change. They have a great deal of expertise, of course, but there are also many experts in universities. The science is there and it's objective, in my opinion.

Do you also turn to those scientists?

Mr. Terence Hubbard: Of course, that's a major part of our mandate.

We rely heavily on the expertise of our partners: the ministers of Environment, of Fisheries and Oceans and of Transport Canada.

We don't try to replicate all that knowledge within our agency; instead, we use all the available expertise.

[*English*]

The Chair: Thank you very much.

Madam Collins is next, for six minutes, please.

Ms. Laurel Collins (Victoria, NDP): First, thanks so much for being here and for your presentation.

First, is it correct that in the previous iteration of the review panel, climate change and the impacts upon our climate commitments—say, for example, of tech—were not considered and they didn't actually look at how this project would impact our getting to net zero by 2050?

Mr. Terence Hubbard: Climate wasn't a specific factor listed within the legislation of the Canadian Environmental Assessment Act, 2012, but in 2016 the government put policy guidelines in place that would require the agency to look at climate impacts for projects that were underway throughout that framework.

In the case of Teck Frontier, the panel did look at impacts of climate change throughout that assessment, and it's more specifically

laid out as a specific criterion under the new Impact Assessment Act for any new projects that will be coming forward under that legislation.

Ms. Laurel Collins: My understanding is that in their decision-making process, they said they couldn't actually take climate impacts into consideration. They looked at the impact on species at risk and at land use, but really, the climate piece and its impact on our meeting our climate commitments wasn't included in their actual decision-making.

Is it from this point forward that it will definitely be included in the decision-making process?

Mr. Terence Hubbard: I can't speak on behalf of the Province of Alberta and what they considered specifically in making the decision on behalf of the province, but certainly climate impacts are considered in making a final determination in a federal assessment.

Ms. Laurel Collins: You've talked a little bit about the rationale for the project list and about the increase in the size thresholds to require review of projects from those under the previous rules. Why is there no threshold or trigger that would mandate assessments based on a project's greenhouse gas emissions, to make sure that any large carbon project, regardless of the sector, would receive an assessment?

Mr. Brent Parker: Building off the last answer, there is certainly an obligation on governments to consider the climate impacts of projects that are on the list. For projects that are on the list, there was analysis done to look at whether the projects on the list were those that would typically involve federal jurisdiction.

When we articulate all the different areas of those, climate change and greenhouse gas emissions are among those areas. Those types of projects are, then, captured on the list. There's not an explicit entry that is carbon-based per se, but going through the list one can see that those projects that emit high amounts of GHGs are actually on the list.

Ms. Laurel Collins: There are some major projects, including new cement plants and in situ oil sands projects, being excluded from the new project list.

Can you talk about the rationale for those ones being left off?

Mr. Brent Parker: There are a number of different regulatory considerations for projects. When you look at essentially any major project, there is typically provincial as well as federal regulation of some sort that comes into play.

In terms of its rationale, the Impact Assessment Act really is designed as a planning tool to look at the impacts of major projects. Projects that are not on the list were ones that for the most part either were formerly on the list or ones that, in addition to those, were considered but already have a regulatory framework of some sort around them for managing the interests that fall within federal jurisdiction.

Specifically, if you look at impacts on migratory birds or on climate change—those different areas—those are the things that were taken into account when we were looking at these projects.

● (0920)

Ms. Laurel Collins: To move away from carbon and look at nuclear, in the switchover the threshold no longer includes a number of smaller nuclear projects.

Can you talk about the rationale for excluding those?

Mr. Brent Parker: That's a very specific case that relates to the life-cycle regulator for that sector, the Canadian Nuclear Safety Commission.

When we looked at projects with the offshore boards and those that would be regulated by the Canada Energy Regulator now, all of those life-cycle regulators look at those projects from cradle to grave. With a full life-cycle regulatory oversight by those regulators, we looked at the impact assessment process as a planning tool for major projects.

You will see that there are also some changes to the entries that are there, in terms of looking at nuclear projects that would be outside a licensed area. Those projects that are within a licensed area already and are fully regulated by the CNSC are ones for which it wasn't felt there would be additional value created by looking at them through an impact assessment process.

The Chair: You have 15 seconds. Do you want to give it up?

Ms. Laurel Collins: That's okay.

The Chair: Thank you.

We now go to the second round of five minutes.

Mr. Redekopp.

Mr. Brad Redekopp (Saskatoon West, CPC): Thank you.

I was looking at your website, this little picture of the five steps. It's great information on there, and lots of information there, so I commend you for what you've done with that.

I wanted to look at step 4, decision-making. I had some questions about that. Beyond what is publicly available and what's written in the regulations, you talked about things like the social, economic, health impacts, and so on.

What are the criteria used to determine what becomes a Governor in Council decision versus a ministerial decision?

Mr. Brent Parker: It's aligned with the two streams that I mentioned earlier. If an impact assessment is done by the agency, then the decision-making at the end of that process is done by the Minister of Environment and Climate Change.

If the review process is done by a review panel, which is a choice that the minister would make at the end of the early planning phase, then that would go through to a GIC decision.

In the case of the life-cycle regulators that I mentioned, the Canada Energy Regulator or the Canadian Nuclear Safety Commission, those types of projects automatically go to an integrated review panel with the regulator, which then would be a GIC decision.

Mr. Brad Redekopp: What flexibility does the president or the agency have in changing the criteria to favour one or the other? Like you said, the minister decides in that early phase. How do you shift it one way or the other?

Mr. Terence Hubbard: Again, similar to the criteria that we look at when we receive requests to designate a project, we look at the potential for a project to have significant impacts in areas of federal jurisdiction and the nature and level of public concern around a project.

If it is a significant project that could have significant impacts and there's significant public concern around that project, those are the factors the minister would contemplate when deciding whether to bump up a review process to a review panel versus an agency-led assessment.

Mr. Brad Redekopp: Do you have internal guidelines that you use for that sort of thing, or is that just pulled out of the air for every one?

Mr. Terence Hubbard: We do have guidelines and we do follow certain criteria whenever we make these recommendations to the minister.

Mr. Brad Redekopp: Could you share those guidelines with the committee, please?

Mr. Terence Hubbard: Yes.

Mr. Brad Redekopp: Thank you.

In the last week, obviously, there have been issues with the blockades and things like that. Let me refer to those as a "political situation" in the country.

Do political situations like that enter into some of the decision-making when it comes to whether these become ministerial or GIC issues, or in terms of the recommendations that you make?

● (0925)

Mr. Terence Hubbard: Situations like that would point to, again, the nature of the public interest around the project. If there is substantive public interest, similar to what you're pointing out, that would definitely be something that is factored in and considered, whether to appoint an independent commission to look at that versus the agency leading that assessment process.

Mr. Brad Redekopp: Okay.

Mr. Brent Parker: I might just add to that around the guidelines. The criteria by which the minister decides on what path that project would go are actually laid out in the legislation in section 36. That's something that is clear, and then we support that through the guidelines.

Mr. Brad Redekopp: You did indicate that there are some other criteria that are used internally for that as well. If you could provide those, that would be great.

You talked about the project list and a fair bit of analytical information that's used to determine what's on the list. Can you talk more about that analytical work that you did to determine that?

Mr. Brent Parker: Sure. As I said, the EA review process, which began in 2016, was something that included the review of the project list. The basis for that review included starting with the existing project list in CEAA, 2012, and looking internally at what projects had typically come through the process.

The project list is actually fairly extensive and there were a number of projects that we typically saw coming through the system. There were others that we didn't see a huge number of projects. There were also changes, of course, over the past seven years since CEAA, 2012, came in in terms of regulatory frameworks. We looked at that with all of the expert federal departments that typically support us through an environmental assessment, and then also with the life-cycle regulators that I mentioned. In doing that, we determined what projects had the greatest potential for significant impacts on areas of federal jurisdiction in light of the other regulatory frameworks.

The Chair: Thank you very much.

We now move to Mr. Baker for five minutes.

Mr. Yvan Baker (Etobicoke Centre, Lib.): Thank you, Chair.

If you don't mind, I'm going to share a little bit of my time with Mr. Scarpaleggia, who wanted to finish his last question.

[*Translation*]

Mr. Francis Scarpaleggia: Thank you very much, Mr. Baker.

Actually, I want to come back to the assessment process and how the new act streamlines the process so that federal-provincial overlap is avoided. This may even eliminate the need for joint assessments by the two levels of government and give all the responsibility for the environmental assessment to a provincial authority.

At the very beginning, you mentioned that you now have an agreement with British Columbia. So British Columbia would conduct the entire assessment? Is that correct?

Ms. Jennifer Saxe: It depends on the project and the province. When we receive a request, we go through a planning stage for each project. We see which province is involved and what type of project it is. In the planning stage, for every project under the new act, we develop a plan to work with the province to see if we can dovetail our processes. Is this a project where one government can be substituted for another?

In British Columbia—the example you are using—we have an agreement. In fact, after we receive a project description, British Columbia will also conduct an assessment. Then it will make a request to the minister for substitution, so that we give British Columbia the authority to go ahead while making use of the assessment that we have done. However, when that happens, the agreement already outlines all the criteria, all the needs—

Mr. Francis Scarpaleggia: An equivalency agreement must be in place.

Ms. Jennifer Saxe: That's right. However, other projects in other provinces are on a case-by-case basis. With the new act, we are developing a collaborative plan for almost all the projects to coordinate new projects.

Mr. Francis Scarpaleggia: Thank you.

The floor goes to Mr. Baker.

• (0930)

[*English*]

The Chair: You have two and a half minutes.

Mr. Yvan Baker: Thank you, Chair.

When I talk to my constituents, they think about the decisions that are being made on the basis of the information or assessments that you provide. I think one of the things they're curious about is what is being analyzed and how. I know we only have two minutes left, but just briefly, could you talk about what aspects of environmental impact you assess and how you do that?

Mr. Brent Parker: I'll start with what we do. As was mentioned a couple of times already, it's an assessment of impact. It's not just of the environment. It's social, health and economic impacts as well.

In terms of the environment focus, we essentially look at anything related to the project that is of interest to those who are engaging in that process. The early planning phase is really the key to that. We will have a public, transparent process where communities, stakeholders and indigenous groups can identify those things that are of interest or concern to them. Traditionally, it's been our looking at the significant adverse environmental effects, but there's also the possibility and obligation under the new act for us to be looking at positive effects.

We look at all of the environmental effects in federal jurisdiction. That would include things like biodiversity, species at risk, climate change issues and water issues—you name it. It's something that we've probably heard in an assessment and have done analytics around.

As Mr. Hubbard mentioned, we rely heavily on other federal departments' expertise. Where we don't have expertise in house, within the federal government, we're also able to reach outside and work with other academics or experts. There's also a new set of provisions under the act that allows us to reach outside and have external technical reviews as a tool, where there's uncertainty on the science associated with some of those environmental or other areas. Those external technical reviews will basically do a rapid response review of the literature and the science and provide information where there's uncertainty about how analysis should be undertaken.

The Chair: Thank you.

Mr. Mazier, you have five minutes.

Mr. Dan Mazier (Dauphin—Swan River—Neepawa, CPC): Thank you.

[*Translation*]

The Chair: Mr. Mazier, go ahead.

[*English*]

Mr. Dan Mazier: Hi. I'm Dan Mazier from Manitoba.

I want to talk about flood protection. Of course, it's Manitoba, right? You folks are familiar with the Lake Saint Martin project. If I'm understanding the conversation correctly, the act was changed in 2019. The conversation that's going on right now in Manitoba is about the goalposts that are changing. We can't build flood protection in Manitoba right now with the new act in place. Everybody is running out of patience because we're flooding out communities.

How are the new rules impacting positively on flood protection? Is anything being taken into account differently now when it comes to flood protection types of strategies? I know there are communities now that are being assessed differently. There are things that have changed drastically in that whole assessment process.

As well, are these projects weighted? When you determine the criteria for each project, and the criteria of, say, species at risk versus carbon emissions, are they given certain points? How do you determine what the priority is of that project or of the department?

My last question is regarding old process versus new process. Just for clarity, the old process allowed the province and the federal government to determine who was going to be on the panel. In the new process, the federal minister decides who's going to be on that panel.

Those are my three questions.

Mr. Terence Hubbard: Maybe I can start, and then I'll ask my colleague, who's been very closely engaged in this specific project that you mentioned, to join in.

One of the misconceptions around the Lake Manitoba project is that it is subject to the requirements of the new legislation. But it's actually being evaluated under the Canadian Environmental Assessment Act, 2012. The way the transition provisions were written in the legislation were such that any project started under the Canadian Environmental Assessment Act, 2012, would continue under that regime as if that regime had not been repealed.

Mr. Dan Mazier: That's good. Okay.

• (0935)

Mr. Terence Hubbard: Coming back to your question about panel appointments and panel members, there is a nuance there.

The Minister of the Environment is responsible for creating a roster of members who could be appointed by the agency to individual panels, but we would still work with provincial governments on the potential for joint panels, as we have in the past. In those cases, as Jen noted earlier, we would specifically develop a collaboration agreement on how those appointments would work.

Mr. Dan Mazier: Before the project? When?

Mr. Terence Hubbard: As part of our planning process before getting into the formal assessment process, we would put in place and negotiate a formal co-operation and collaboration agreement, which would outline how we would work with the province. We would anticipate, if it were a review panel type of assessment, that the mechanics of how those appointments would work would be laid out in that agreement.

Mr. Dan Mazier: Okay, and then they're weighting.

Mr. Brent Parker: I'll take over the weighting.

If I understand the question correctly, you're wanting to understand how we consider all of the factors in the final public interest decision.

Mr. Dan Mazier: Yes. It's the impact on indigenous communities versus on burrowing owls, snake dens and things like that.

Mr. Brent Parker: There's the requirement in section 22 of the act to look at all of these different factors. As I mentioned, that would get scoped down in the early planning phase to a subset of what we potentially could look at. That, then, will inform the final report and the public interest decision.

In the public interest decision, the rationale for structuring it in the way it is, with five different factors, is to ensure that we're looking at projects holistically. There's not a weighting system where we're assigning points to different sorts of criteria.

But there is a report, as you will have seen through different projects that a panel or the agency will produce, that will identify those types of impacts that are significant. That's a requirement in the act and in the public interest decision. At the end, we actually need to consider which of the impacts are significant versus not, and then look at the mitigations associated with those potential impacts.

Then, the work that my colleague was talking about with indigenous consultations and impacts on rights would be rolled into the decision through a Crown consultation report, which would provide the views of indigenous peoples. All of that would be considered together in the final decision.

The Chair: Thank you.

We now go to Mr. Saini, for five minutes.

Mr. Raj Saini (Kitchener Centre, Lib.): Thank you very much for being here.

I have two specific questions. The first is on our plan to plant two billion trees. One of the things we see with large-scale planting projects is that we tend to plant them in rows, which creates a monoculture and is usually highly susceptible to disease. There's no biodiversity or any ecological benefits from just planting one species.

How would you assess a project like that? Would you have to have different or varying species of trees, or would you just allow the planting of one type of tree?

Mr. Terence Hubbard: Typically, forestry projects like this aren't identified on our project list. The way we would typically go about it is that we have standardized filing requirements, if you will, or guidelines for proponents that indicate the types of environmental, social, and economic factors that any proponent would need to look at.

We would consult with the proponent. We would consult with provincial jurisdictions. We would consult with indigenous communities as well as expert departments such as Natural Resources Canada, which has a forestry sector, and Environment and Climate Change Canada, which has specific interests and specific scientific expertise that we would rely on for their advice on how best to achieve the outcomes of the project and mitigate any potential environmental effects associated with it.

Mr. Raj Saini: The second question I have is regarding an international treaty we signed in 1991, the Espoo Convention, which talked about international transboundary projects that would impact either us or other countries. One of the things that I have some skepticism about is that when we look at the Arctic and the melting polar ice there, we are going to see more polar routes potentially opening up more opportunities for resource extraction.

Canada has not had an issue yet because France and Denmark have signed locally, but when we look at the Arctic Council, two important members of the Arctic Council, whether Russia or the United States, have not ratified that agreement.

When you look at the observer countries, the other 13 countries—China is one of those 13 countries—how are you going to deal with this when we've ratified the treaty but other countries have not ratified it but also have an interest in the Arctic? How are you going to assess projects or allow...if they decide to do a project tomorrow, especially since we are the only ones who have ratified that treaty?

● (0940)

Mr. Brent Parker: I have a couple thoughts on that.

One is that, under the Impact Assessment Act, outside of that convention, there are obligations and provisions for us to cooperate with other jurisdictions where there are potential transboundary effects. We've seen some of that already with the United States—not in the Arctic that I'm aware of but certainly on the southern border.

We've had projects where the U.S. EPA has indicated an interest and we've cooperated with them on the potential for cross-boundary effects. That's something we do have some experience with. Similarly, going forward, I think that if there are additional projects that arise because of changes in the Arctic, we would undertake a similar process where we would cooperate with them through some of the cooperation mechanism that—

Mr. Raj Saini: I'm not worried about the United States, because they've signed the convention but not ratified it. That's usually a standard American political procedure where they'll sign treaties but won't ratify them.

My concern is specifically with China or Russia, especially China because of the belt and road initiative, and also because of the polar route initiative, which they are very active in, and also Russia in that area, especially when it comes to resource extraction.

Because we've signed the convention, we would do our due diligence in announcing, explaining or trying to mitigate the impact assessment or the study that would be going forward, but how do we deal with states that have not ratified that and may continue, especially in that very sensitive area of the Arctic?

The Chair: Please answer in 30 seconds.

Mr. Terence Hubbard: Unfortunately, we don't have any specific tools under our legislation, the Impact Assessment Act, to ensure that other countries adhere to the spirit and intent of some of those treaties. In those types of circumstances, we would need to work through Global Affairs, through our colleagues at Environment and Climate Change Canada, and through other means and mechanisms to try to address those issues. We just don't specifically have anything within our toolbox to be able to deal with those issues.

The Chair: Thank you.

Madame Pausé, you may have two and a half minutes.

[*Translation*]

Ms. Monique Pausé: Thank you, Madam Chair.

Do the joint assessment committees that were in the old act still exist in the new act?

Mr. Terence Hubbard: Yes.

Ms. Monique Pausé: When you choose the members of the committees—you mentioned this in your answer to my colleague's question—does the proponent participate in that choice?

Mr. Terence Hubbard: No, that's not the proponent's role.

Ms. Monique Pausé: Okay.

I would now like to talk about public interest. The old act talked about national interest, but what I saw in what you have shared with us is public interest.

Are there criteria determining what public interest is? Could you define “public interest,” please?

[*English*]

Mr. Brent Parker: If I'm understanding the question correctly, the national interest test that was in the former legislation was actually in the National Energy Board Act, whereas in our legislation it was always a decision around significant adverse impacts.

In the Impact Assessment Act now, it has changed to being a decision of public interest. Because of the expanded scope of the act, it is looking at sustainability, the impacts upon indigenous peoples, environmental obligations, climate change, commitments—those five factors that are in section 63.

This shift allows us now to look at the project holistically at all of the project's positive benefits as well as the negative impacts. This change allows us to look at it in a different manner that better reflects the project as a whole.

● (0945)

The Chair: You have 10 seconds left.

[*Translation*]

Ms. Monique Pausé: So no specific criteria help you define public interest. It comes after the analysis of all the assessments related to health, biodiversity, and forests. Is that correct?

The Chair: Thank you, Ms. Pauzé.

[English]

Ms. Collins, you have two and a half minutes.

Ms. Laurel Collins: Going back to Teck for a moment, when the proponent withdrew its proposal, it cited the need for a framework that reconciles resource development and climate change, which I think speaks to the desire for more certainty. Canadians are also wanting more certainty that Canada is going to live up to its climate commitments.

We spoke to Environment and Climate Change Canada last week. They're developing a strategic assessment of climate change, but the draft really wouldn't adequately link individual project decisions to Canada's international obligations.

I'm curious as to what the agency is doing to ensure that there's a transparent and credible framework for assessing whether a project is going to help Canada meet its international climate obligations.

Mr. Terence Hubbard: There is a specific factor within section 22 of the legislation that obligates us to examine our international obligations.

You specifically referred to the strategic assessment of climate change. We have been working with colleagues at Environment and Climate Change Canada. It will be an important tool to provide guidance to proponents and to the agency on how to assess those climate impacts as we move forward.

Currently we are leveraging and utilizing the draft assessment as the basis to support the discussions with promoters, but as the analysis and that guidance evolve through the development of the final documents, we will be looking to incorporate the guidance into our discussions with proponents.

Ms. Laurel Collins: While the SACC is being developed—and some have said with minimum public engagement—what is the agency's role and what is it doing to ensure that future strategic assessments engage the public early, that the engagement is meaningful and that it's really in the spirit of the Impact Assessment Act?

Mr. Brent Parker: The strategic assessment provisions in the act require certain obligations, in terms of the process itself. We've been building a policy framework around that requirement. There are thus provisions around public participation, indigenous engagement, indigenous knowledge. All of those have now been built out into a policy frame, and we're working with a number of experts, including an advisory group set up under the Impact Assessment Act called the technical advisory committee, which reports to the president of the agency.

The Chair: Thank you. Can you wrap up, please?

Mr. Brent Parker: Sure.

This is going to be published later this year for public comment, to drive all strategic assessments going forward.

Ms. Laurel Collins: Thank you.

The Chair: Mr. Aitchison, you have five minutes.

Mr. Scott Aitchison (Parry Sound—Muskoka, CPC): I have a couple of questions that will stem from this first question.

Is there a sunset clause on approval by the assessment agency? Once you've received approval, if a project doesn't proceed imminently, how long is the approval good for?

Mr. Terence Hubbard: Under the Canadian Environmental Assessment Act, 2012, we didn't have the ability to put sunset clauses into our conditions and our decision statements. Under the new legislative framework we have the ability to do so; we just haven't gotten to the point of any projects reaching that point in the process so as to have any decision statements in place under the new framework.

Mr. Scott Aitchison: Specifically we've been talking a lot about Teck today. Does the Teck Frontier project, for example, have a sunset clause upon its approval?

Mr. Terence Hubbard: Speaking specifically to Teck Frontier, the proponents wrote to the Minister of the Environment to withdraw their application before it got to the point in the process of a final decision that would have issued a decision statement and any conditions that would have been associated with it. It didn't get to that point in the process.

• (0950)

Mr. Scott Aitchison: Okay. Would they have to reapply and go through the impact assessment from the very beginning, if they, let's say a few years down the road, decided to start up again and you somehow found some balance and stability within the effort to balance environmental protection and economic development and they felt it was worth trying again? Would they have to start again at the very beginning of the process?

Mr. Terence Hubbard: If a project is withdrawn from the old framework, it would need to apply under the provisions of the new framework, going forward.

That said, the agency can take into consideration information and studies that have already been prepared and that are in existence. Thus, as the agency prepared its guidelines, in terms of the requirements, it would consider information and studies that have already been done and completed, including any regional studies that might have been done.

Mr. Scott Aitchison: Would the consideration of those previous studies accelerate the timelines?

Mr. Terence Hubbard: It certainly could facilitate and reduce the amount of new information that any proponent would need to collect.

Mr. Scott Aitchison: Okay.

I don't really have much more.

The Chair: Do you want to share your time with anybody else?

Mr. Scott Aitchison: I'm happy to share it with somebody else, if somebody has more they'd like to ask about it.

The Chair: Madam Findlay.

Hon. Kerry-Lynne Findlay: Thank you.

You were talking about sometimes using external technical reviews and expertise—particularly, you mentioned, when there was uncertainty on scientific grounds.

Can you give me an example of a project in which you felt there was uncertainty about the science and you therefore went to expert third parties? And who would those experts be?

Mr. Brent Parker: In most cases, we have in-house expertise within the federal public service, just because of all the various departments we're able to rely upon. As I mentioned, however, there are cases in which we might have uncertainty or conflicting views around science. That typically happens when there's emerging science either within the field or within the process itself, as when information is brought into the process late.

One example in recent history is that of the Pacific Northwest LNG facility, on which a lot of conflicting scientific views and material came in around fish spawning beds. This was a key issue in that review and was of critical importance to local communities and indigenous communities.

In that case, many different science avenues were pursued, both within government and also by external technical experts. We try to bring the best science to bear in the process.

The Chair: You have 30 seconds.

Hon. Kerry-Lynne Findlay: In the example you've given, to whom would you have reached out?

Mr. Brent Parker: I'd have to check, as to the actual individuals, but it would have been to academics who were—

Hon. Kerry-Lynne Findlay: Could you provide that information to us, then? We're out of time here.

Mr. Brent Parker: Yes, certainly.

Hon. Kerry-Lynne Findlay: I'd be interested in that specific example.

Thank you.

The Chair: Mr. Longfield, you have five minutes.

Mr. Lloyd Longfield: Thank you for the detailed discussion we're having; I really appreciate it. My constituents have been asking questions about Teck. That project seems to be a theme today. The proponent pulled out of it.

One issue regarding the predictability of projects is that this project was being reviewed under the previous legislation from 2012. The fact that when we change legislation you don't have to go back to the start for every project that's in the hopper gives some consistency and predictability to the process.

How many projects are in the hopper? Are there other projects that could be affected by the new legislation which were being reviewed under the previous legislation?

Mr. Terence Hubbard: Currently, the lion's share of the agency's activities relates to reviews that are currently under way under the Canadian Environmental Assessment Act, 2012. We have about 68 projects that are still active, moving their way through the previous legislative process, and we have five new projects that have come into the new framework under the Impact Assessment Act.

In each of the 68 projects that are under the current framework, the proponents have had an opportunity, if they wished, to opt into the new framework, but all chose to continue with the process they

were under way with. They will continue throughout with the previous legislative framework.

• (0955)

Mr. Lloyd Longfield: Thank you.

As we look at new legislation coming into effect, my question is this. If there is a Supreme Court challenge on a project, the Supreme Court would be evaluating it based on current legislation. Some of the terms of the new legislation might not have been considered under the previous legislation.

We saw with the TMX that we hadn't done enough consultation with indigenous peoples and had to go back and redo it. The redoing part of it adds some uncertainty to the process.

When we're doing the project evaluation, anticipating that there could be a Supreme Court challenge, would this be a risk that could be negotiated with the proponent of the project, allowing you to say, "You don't need to follow this, but in the case of a court challenge, you're probably going to need to do it anyway"?

Mr. Terence Hubbard: There are a couple of different factors there. They must comply with the requirements under the framework they're being evaluated under. A court would need to look at the criteria under that framework; they wouldn't be able to utilize a new, different test.

Mr. Lloyd Longfield: Okay.

Mr. Terence Hubbard: Often, the litigation we see relates to our duty to consult. It has been an evolving area of jurisprudence. While we have taken significant new steps within the new framework to integrate new activities within the legislative framework, even with projects currently undergoing the requirements of the existing framework we have been adaptive and learning as we go.

As we've learned from previous experiences, we integrate the lessons learned in each individual assessment so that we don't run into the same issues and challenges that we've experienced in previous cases.

Mr. Lloyd Longfield: Thank you.

This looks like the flare-up we've seen in the last few weeks—on the duty to consult with all hereditary chiefs. Some chiefs might agree with the process; some might disagree with it. They don't have a mechanism to come to a consensus amongst themselves at this point. We're hoping there will be more discussion among hereditary chiefs to see whether consensus could be built.

Going forward, you can't consult 37 million people in Canada on every project, but we need to have some mechanism to know at what point we have enough agreement to go forward.

Is that fair?

Mr. Terence Hubbard: It's not necessarily reaching agreement to move forward. We strive and aim to achieve consent, but it's not a prerequisite for moving forward. We don't have a predefined notion of how we're going to consult with any individual community. Each community is different. We start out our consultations with those communities with an open mind and open perspective, wanting to learn from them how they wish to be consulted and what their governance mechanisms are. When there are clear splits, as in that example, we would want to hear various perspectives so that they can be considered.

It's not a rights recognition process that we're doing. We want to hear what the issues and concerns and perspectives are, even if they vary across the membership of the community, so that we can consider them and, if reasonable, work with the proponent and our regulators and through our enforceable conditions to address those impacts.

Mr. Lloyd Longfield: Thank you.

The Chair: Madam Findlay, you have five minutes.

Hon. Kerry-Lynne Findlay: In looking at the new process, from what I can see, there are at least three occasions when the minister can extend the timeline by up to 90 days: in the planning phase, in the preparation of the final report, and when referring it or not to cabinet.

It seems that on each of these occasions, the minister can seek cabinet approval to extend further, but I don't see any time limit to these extensions.

The minister may also extend the time it takes to refer a project to a panel. I don't know whether there's a specified time limit on that.

I have several questions coming out of this analysis. What ability does the minister have to extend timelines in the new process? Are there limitations on his or her power to extend them? What is the maximum time that the assessment process can be extended as a result of ministerial discretion? Then ultimately, when does cabinet have the power to extend timelines, and what is the maximum length by which cabinet can extend the time to complete the assessment process?

I think you get my meaning here. I'm trying to understand how timelines can be extended, either by the minister or by cabinet, at what stages, and what that situation looks like.

• (1000)

Mr. Brent Parker: There are provisions that allow the minister to extend the timeline for up to 90 days in the various stages of assessment that you referred to.

In addition, if after having extended it for 90 days there were a desire for additional time for the review, the question would have to go to cabinet for decision. Such an extension of the timeline doesn't have a set number of days associated with it. They would identify what time frame was needed.

In terms of the specifics related to your question around the overall length of time of the review, the new timelines under the Impact Assessment Act are shorter than those under CEAA 2012. There's a takeaway presentation, which we have provided, that lays out the

details of this, but *grosso modo*, there's the early planning phase, which is 180 days; then the review process itself under CEAA 2012 was 365 days. Under the new act it has now been amended to be 300 days. Similarly, the time for a review panel, which was 720 days, is now 600 days. Then the final decision step by the minister is either 30 days or, in the case of cabinet, 90 days.

In addition to those time frames, there are the potential extensions that you noted of 90 days, by the minister or by cabinet.

Hon. Kerry-Lynne Findlay: Is it 90 days at each of those stages, and then cabinet could extend further upon request?

Mr. Brent Parker: That's correct.

Hon. Kerry-Lynne Findlay: Thank you.

Also, can the minister request that the proponent provide additional information on the project even after the panel or agency has submitted its final report to the minister? If so, are there any limitations to what can be requested by the minister?

Mr. Brent Parker: Section 52 allows the minister to request subsequent information in cases in which there's not sufficient information to take a decision. This is a discretionary power that is there in cases of need.

The whole intent of the legislation, however, is built around getting the information early through a planning phase and then articulating it through the information statement guidelines I noted, so that all of the information that is ultimately needed is included in the assessment report at the end of the process.

Hon. Kerry-Lynne Findlay: My interest is not so much in what's likely to happen as in what could happen. Can the minister at that stage, after the recommendation, ask for information that had not been previously considered, for instance?

Mr. Brent Parker: There is the potential for that through this provision, if it were needed to support the actual decision-making.

Hon. Kerry-Lynne Findlay: In such a case, how are timelines taken into account? Could doing so extend the process by months—or even years, if one had to go into a whole new analysis?

Mr. Brent Parker: The only provisions to extend the timelines are those I mentioned, in which the minister would have the ability for a 90-day period. Beyond that, because of the section 52 provisions, it's not something that could actually be adjusted.

The Chair: Mr. Saini, I understand you are splitting your time with Mr. Longfield.

Mr. Raj Saini: Yes, I am.

I want to follow up on my last question. If a project in Canada is deemed to go forward, there may be impacts, for example, on the U.S.A. Does trigger a necessity of informing the U.S.A. that this project would have an environmental impact and making sure they are aware of it and are included in the impact assessment; or, because they have not ratified the treaty, would you not consult with them?

• (1005)

Mr. Terence Hubbard: Because they haven't ratified the treaty, we would not have a specific obligation under the Espoo Convention, but we have bilateral relations that we have established with the U.S.A. over the years. Many times we have a project that has potential trans-boundary effects. Through those conventions, we notify them and collaborate with them as necessary throughout the process.

It wouldn't be a specific requirement under the treaty, but by convention.

Mr. Raj Saini: Just by virtue of good neighbourly relations, then, you would inform them. Do they do the same thing for us in that regard?

Mr. Terence Hubbard: Similarly, through Global Affairs and through the State Department, we have bilateral arrangements to inform each other of projects when there are potential trans-boundary effects.

Mr. Raj Saini: Okay. Thank you.

Mr. Lloyd Longfield: Between TMX, CGL and Teck, which were three really important projects that are very instructive, I think, for the Canadian public....

Concerning the Teck piece, first of all, with Teck's withdrawing their application and citing that there isn't a solid climate change framework, I read that to be a provincial framework, as there is still no regulatory system for hitting a cap of 100 megatonnes in Alberta. When you are looking at the risks in a project due to provincial regulations or legislation, does it come into our impact assessment to say that there is a risk to the project because of its not having approvals that could be regulated through the province?

Mr. Terence Hubbard: Certainly, to the extent that provincial governments have regulatory mechanisms or tools in place to mitigate project-specific impacts, they are something we would consider. Any time we see a potential for impacts in federal jurisdiction, we have an obligation to look at measures to mitigate them. The stronger the mechanisms that are in place, the easier it is for us to rely on those mechanisms rather than look at other ways in which to mitigate the impacts.

Mr. Lloyd Longfield: Looking north at that project on the Mackenzie River and the impact of that project upon the river, and questioning whether the territory had enough monitoring of water levels and how they might impact the watershed of the Mackenzie.... Is that also something we look at, or is it strictly up to the territory to look at it?

Mr. Terence Hubbard: Impacts on water and water levels were looked at through the review panel process. There are also mechanisms in place to look at the cumulative impacts of various provincial agreements between Alberta and B.C., looking at impacts on water flows on the Peace-Athabasca delta.

Various reports and assessments have been done by our colleagues in other federal departments as well. Transport Canada recently released a report on water flows in the region.

Mr. Lloyd Longfield: With only a minute left, maybe I will stick with Teck, because I think it is instructive in terms of how we

do our process and create predictable processes for businesses in the assessments.

How would we pull together any relevant provinces or territories on a project that may have provincial jurisdiction overlapping with federal jurisdiction? Do we have joint meetings with the proponent, the provinces and territories and the federal government? Is that typically how the process unfolds?

The Chair: That's your time, sir.

Mr. Terence Hubbard: As Jennifer mentioned earlier, through the new process we have an obligation to put in place a collaboration agreement for every review process. We would sit down with each province to look at how we can collaborate to address the interests of each jurisdiction.

Mr. Lloyd Longfield: But it was not necessary under the old agreement.

Mr. Terence Hubbard: It was not necessary, but advisable.

Mr. Lloyd Longfield: Yes.

The Chair: Thank you.

Madam Pauzé, you have two and a half minutes.

[*Translation*]

Ms. Monique Pauzé: Thank you, Madam Chair.

You said earlier that certain projects were subject to the old act and that you can now choose which act you are subject to. How long will that choice last? For example, if Teck Resources reintroduces its Frontier project, will it be subject to the old act or the new act? When does it end?

• (1010)

Mr. Terence Hubbard: After the old process is over, the projects will be subject to the new act.

Ms. Monique Pauzé: What about new projects? You said that, at the present time, you could decide whether your project would be subject to the old process or to the new one. When will that choice stop?

Ms. Jennifer Saxe: Anyone whose projects were subject to the old act had 90 days to subscribe to the new process. That period has now expired, and all of those projects will continue to be subject to the 2012 act.

Ms. Monique Pauzé: Okay, thank you.

Earlier, we talked about casting a wide net—forests, diversity, water, international obligations, social stuff—but there is less time. The time for studying projects is shorter. You're getting there, but I find it a bit odd that there are more criteria, but less time for studying projects.

Mr. Terence Hubbard: Yes, that's right. Under the new process, the agency, the proponents, and our federal partners have more obligations, and we need to get involved earlier in the process. We have received additional resources on a project-by-project basis to manage these new responsibilities.

Ms. Monique Pauzé: I have another question.

In the impact assessments, are you going to consider what is called the life cycle assessment? Do you calculate the construction, the operation, and the exports, so that environmental impacts are not constantly postponed until the next stage?

Ms. Jennifer Saxe: In the assessments, we ask for information and studies for every stage of a project. It starts with construction, followed by the operation phase, all the way to decommissioning. The analysis takes into account the entire life cycle.

[*English*]

The Chair: Thank you.

Madam Collins, you have two and a half minutes.

Ms. Laurel Collins: I want to follow up one of the questions by Mr. Aitchison about the sunset clauses. It sounded like the new assessment process allows for sunset clauses, but I'm not clear on what the process would be for deciding when to put in a sunset clause and what the timeline for that would be.

Mr. Terence Hubbard: It would be something that would be considered throughout the evaluation process. As we look to determine whether a project is in the public interest and look at the potential mitigation measures, we would need to assess the environment.

Ms. Laurel Collins: Can you give me some examples of what would trigger a sunset clause?

Mr. Terence Hubbard: I think we would want to look at including a sunset clause in most, if not all, of the projects as we move forward, just because the environment does change and projects do change. We would want to be sure that any mitigation measures that we were to look to put in place would remain relevant. Hopefully it will be something that we'll be considering for every project.

Ms. Laurel Collins: Great.

Many of the oil sands projects that have gone through this old process haven't actually been started or built or constructed. I'm just curious: To what extent, when we're thinking about how a project that's now going through the assessment process impacts our ability to meet our climate commitments, are we taking into account all of those unbuild approved projects under the umbrella of what our potential climate situation is?

Mr. Terence Hubbard: Certainly, as we look at potential mitigation measures and the climate plans that are in place in individual jurisdictions, we want to, as we go forward, ensure that climate plans are consistent with our overall obligations. We would be looking at each individual project and the merits of each individual project they'd be making.

Ms. Laurel Collins: Are you looking at the merits of each individual project in the context of our ability to meet our climate commitments and the context of how close to or far we are from meeting those climate commitments?

Mr. Terence Hubbard: It would be a consideration, but so would cumulative impacts—looking at the broader cumulative impacts of development in the region.

• (1015)

The Chair: Thank you.

Two and a half minutes is—

Ms. Laurel Collins: —so quick.

The Chair: I'd like to thank the witnesses for being here. If you have any additional information that you were not able to share with the committee, please provide it. Some requests have been made by committee members that the clerk will be sending.

I'll suspend the meeting for a few minutes. Then we'll come back to committee and continue in public.

• (1015)

(Pause)

• (1015)

The Chair: Committee members, we are in public. As you see, the analysts from the Library of Parliament have decided to submit to you the paper that you see before you, especially for the sake of new members.

They were asking whether the committee would like them to speak for two minutes. If the committee agrees, then I will allow them to speak for two minutes.

Is that okay?

Some hon. members: Agreed.

The Chair: Analysts, you have two minutes.

[*Translation*]

Ms. Alison Clegg (Committee Researcher): Good morning, my name is Alison Clegg, I'm an analyst with the Library of Parliament. I have worked with this committee for the last two years.

[*English*]

As your committee's analysts, Sarah Jakobowski and I can support members and the committee with research and analysis of all kinds. We've distributed a list of some of the services provided by the Library and we encourage members and their staff to contact us if there are any research needs that you have or if you have any questions about the services of the Library of Parliament. We are here to support the committee and the members and staff.

The Chair: Thank you very much.

I'd just like to clarify something that Ms. Findlay brought up.

In the last meeting, I said “Thank you very much to the witnesses. I know I cut some of you off when you were doing your presentations. The committee has asked if you could share your notes where applicable, and the clerk will also send you an email for follow-ups. As the committee knows, we have a meeting on Tuesday, and we will allocate 20 minutes for committee business where we will look at all the follow-ups of NRCan, etc., and we'll discuss moving forward our agenda.”

I did not say whether the meeting would be public or private. To be clear, I never mentioned whether we were going to be in camera or in public.

Having said that, we have received eight motions, and I guess the first one we received was from...you, Mr. Redekopp?

• (1020)

Hon. Kerry-Lynne Findlay: I'm sorry, I have another point of order, Madam Chair.

The Chair: Yes?

Hon. Kerry-Lynne Findlay: I'm not exactly sure where to bring this up, so I'll bring it up now.

We have received the supplementary estimates in Parliament, and I'm wondering whether there is consensus that we ask the minister to come to committee before March 12 to discuss them.

The Chair: Thank you for bringing it up. That is why I suggested that, with the eight motions we have and the supplementary estimates (B) plus the main estimates, we have a whole calendar that we need to discuss. It is important that we not take up the committee's time, but go into a steering committee, where we would absolutely not curtail the committee's discussion time.

With that, I would suggest that the motions be brought forward here and that we discuss all the issues and prepare a timetable at the steering committee with the chairs and the vice-chairs and people appointed to the steering committee. I'd like to proceed with that; it is more effective and efficient.

Hon. Kerry-Lynne Findlay: I'm sorry, Madam Chair, but I don't quite understand what you're saying.

The Chair: What I'm saying is that all of the motions we have received will need to be presented so that these are noted in the minutes and in the blues. Then we will take all of these motions as a steering committee or a subcommittee and discuss how we schedule them within the timetable we have, including the supplementary estimates, the minister's appearance—which we could ask for—and the main estimates that will come.

We have a deadline for the supplementary estimates of March 26.

Hon. Kerry-Lynne Findlay: I understand that this is your preference, but it is our preference and our motion before this committee that those discussions on which motions will go forward and how we arrange that be discussed within the committee as a whole, rather than—

The Chair: Sorry.

Have you received a motion from the Conservatives?

The Clerk of the Committee (Mr. Alexandre Roger): All the motions are here—

The Chair: But is that motion there that the discussions not be...?

Hon. Kerry-Lynne Findlay: This is something that I gave notice of when we had our discussions last week. I told you, Madam Chair, which I thought was the appropriate way to go—

The Chair: It's not a motion. I can take it, but I have to be neutral, so I have to get a motion from you to suggest that, and then it can be debated on the floor here.

Hon. Kerry-Lynne Findlay: You're saying that I cannot make a motion here from the floor to this effect, as to where we discuss the motions?

The Chair: Let me look at the legality of it. If he says it's in order, then we can look at your motion.

Hon. Kerry-Lynne Findlay: Thank you. It's my understanding that since we're in committee business, I don't need to give notice of this motion.

The Chair: It's debatable, but because we are in committee business and you have brought an issue forward, I would like to have a discussion on the matter.

Would you like to speak to why you do not want the steering committee to prepare a schedule?

Hon. Kerry-Lynne Findlay: Yes. Thank you, Madam Chair.

Essentially, we are just looking for as much transparency as possible. We think it is appropriate to have these discussions as to which motion should go forward—which has merit and which does not—in open committee. This isn't that large a committee; we're not dealing with a couple of dozen people. In the interest of being as open as possible in our discussions, we would like to see this dealt with in the committee as a whole.

With respect to the steering committee, obviously the steering committee will be dealing over time with witnesses and scheduling of witnesses and that sort of thing, but with respect to discussing what we are going to discuss over the coming months, we think it should be in full committee.

The Chair: Okay.

Mr. Scarpaleggia.

Mr. Francis Scarpaleggia: My understanding, Madam Chair, is that the steering committee doesn't make binding decisions. It can prioritize, following discussion among the members of the steering committee. That's where we can try to make everything fit.

Notwithstanding that fact, if someone is in disagreement with the recommendation of the steering committee, they can table the motion and debate the motion in full committee. The full committee is always the final arbiter of what the committee's agenda is going to be, but the steering committee offers the opportunity to work out the wrinkles and, at the same time, save the committee's time.

• (1025)

The Chair: Mr. Saini.

Mr. Raj Saini: If I could use a personal example, in the last Parliament I was on the two steering committees of the two full committees I sat on. I found the steering committee to be useful in the sense that not only was priority given to prioritizing the motions, but there was also a certain sense of efficiency, because it was all done in a collaborative nature. All of the motions were brought forward. All of the issues were brought forward. It was itemized in a way that ensured that people had the opportunity to speak not only to their motions but also to the motions of their colleagues.

There was a certain efficiency that occurred, because depending on how the schedule worked and depending on how committee hearings were required per motion or per study, it was done in a very logical fashion, and in that way prepared everybody. Those discussions then were brought to the main committee because there's a representative from every party there. In my own experience, it was very efficient. It worked very logically. It was done in a very collaborative nature. Everybody had their opportunity to speak, and a lot of motions were accepted.

I think we should follow the same practice. I think that taking time away from committee meetings to do things that could be done somewhere else, especially when there's a premium on witness time.... I think it would just be more efficient if the bulk of that work were done in the steering committee. Like my colleague said, it's not binding in any way. It doesn't imprison us in terms of going in another direction, but it takes something that's more administrative away from the committee and allows us to hear more focus on the testimony of the witnesses and actually get to the heart of the matter for every study.

The Chair: Mr. Redekopp.

Mr. Brad Redekopp: I fully agree with the need for efficiency, and I don't think we're opposed to doing the detailed stuff at the committee level, but I think Mr. Scarpaleggia said it well, in that if there's a disagreement, or if somebody wants an opinion on something, it can come back to the committee. I would suggest that on the issue of which studies we undertake, we would all have a say in that—and a lot to say.

In the interest of efficiency, rather than going to the committee, coming up with a schedule and then coming back here to have a bunch of discussions about which studies to do, I think it would be very beneficial to have that discussion first. That would be to advise and to inform the committee of the perspective of our whole committee on which studies would be important. I think that's why we feel that it would be very efficient to actually have the discussion here, with all of us, in public, and then that would inform the smaller committee in doing the details of the scheduling and so on.

The Chair: Madam Findlay.

Hon. Kerry-Lynne Findlay: Again, as I said at the outset, on the scheduling of witnesses and that kind of detail, we are happy to have that done in the steering committee, but on which studies go forward and what we're going to look at, we have an interest as a whole committee in discussing it. We feel that that should be done in public, with transparency, so that the Canadian people know what we're studying and why we're doing it. Then, of course, in the steering committee, the details of the scheduling, the scheduling of witnesses and the time these things are going to take can all be worked out in the smaller group.

The Chair: Mr. Longfield.

Mr. Lloyd Longfield: To go back to the item of efficiency, from my experience in the last Parliament, it worked very well to have future business in camera with a smaller group. We have a calendar in front of us to take us to the end of June in the short term, and then throughout the rest of 2020, when we will have things like supplementaries and mains that will be coming forward. We have some predictability about when those things could happen. There will be deadlines attached to them. As a committee member, I'd like

to see the subcommittee come up with a tentative calendar that we could then discuss as a committee, to see whether everybody is in agreement.

If we have eight motions.... Two of those motions are mine and I'd love to see how those could be put into the priorities. One of them includes the circular economy, which is something that I'm very interested in because of my community work. Also, I have another motion to wrap up some of the unfinished work from the last Parliament around the pan-Canadian framework. There were some sections on electricity, transportation and industry that weren't studied in the pan-Canadian framework by the last committee. I'd like to see us try to finish them so that we'd have a complete analysis of the pan-Canadian framework.

I think what we're doing right now shows why it's important to be in subcommittee, because we could be talking about all of these things for the rest of this meeting and then some and not come to a consensus or an agreement. The supplementaries and the mains are two pieces of particular interest that I think we'd like to see. Do they get combined because of the timing of this Parliament? As well, what is the timing for the mains coming forward?

I think the subcommittee could address these things and come back with a calendar so that we can make some sense of the calendar as proposed and in terms of input from the clerk as well. Then we'd know how many blocks of time we have available to us and how we get the witnesses in, and then, yes, the subcommittee can help with witnesses and things like that. I would like to see the subcommittee do some work, give us a proposal and give us a calendar at least to the end of June, so that we have something we can agree on.

• (1030)

The Chair: Mr. Schiefke.

Mr. Peter Schiefke (Vaudreuil—Soulanges, Lib.): I just want to emphasize that I think a lot of great motions have been put forward, and I know that they were drawn up with a good amount of passion behind those issues. Perhaps the member is expressing a desire to speak to that publicly in the committee and share why that motion is being put forward. I don't think anybody here is opposed to that. What we would like to see happen, though, is that following everybody perhaps being given a chance to speak to the motions they're presenting, that work then falls to the subcommittee.

For those who have sat on committees before, you know that this goes by very quickly. We will wake up one morning and we're going to be in June and we're going to wish that we had had more time to do good work in the committee. The more work we can give to the subcommittee and they can take off our plate and the more time we can give to witnesses the better.

If there is a desire to have an opportunity to speak to the motion that a person is presenting, I think that perhaps we can use the time today that we have. We can get that out of the way and then it can go to subcommittee. Or, if the opposition members or even members on our side here are amenable, maybe we actually can put aside time at a future meeting to allow people to present their motion, but knowing that then it will go to the subcommittee to figure out exactly where that's going to fall in the schedule.

The Chair: Madam Findlay.

Hon. Kerry-Lynne Findlay: I have a point of clarification, Madam Chair. Would the steering committee be meeting at the same time as the regular committee or outside of that time?

The Chair: It would be outside of this time.

Hon. Kerry-Lynne Findlay: We wouldn't be taking any time away from the committee in the steering committee business.

The Chair: No.

Hon. Kerry-Lynne Findlay: Mr. Longfield has really spoken to my point. I made a point in my motion of not speaking to the merits of the various motions, and yet he spoke to the merits of why he wanted to see his two motions go ahead. That's exactly what we're talking about.

There are people who propose these motions—every party represented here has put forward motions—and there's a desire to speak to those motions in full committee as to why they think those should have priority. We have eight suggestions for what we should be talking about. With respect, a couple of them are fairly narrow, but the motions put forward by my friends across the table and by us tend to be quite general. Maybe they even could be merged somewhat. If we have a conversation among all those in committee as to why we see these as important, I think it would inform the steering committee as to how to proceed.

The Chair: Madam Findlay, just for clarification purposes, motions can be presented to the committee at large in public, and people who have presented the motion or have proposed a motion have an opportunity in public to defend their motion or say, "You know what, I would like to merge two motions" and it's a collaborative effort. That will not be denied. That will not be done at subcommittee. It will be done here and we have time to do it if someone so wishes. If someone proposes their first motion and says, "you know, I would like to present that motion", there is no issue with that.

However, what we are saying is that once you have presented your motion, we have to take the whole thing back to subcommittee or steering committee. We have only 22 meetings left. If, in those 22 meetings, we take committee time to discuss this, which is going to take a lot of our time, then we are actually wasting the opportunity given to us to do good work, and there are so many good motions. So, if anyone wants to present their motion, we can keep time for that on Thursday. On that day we have Parks Canada coming in. We can set aside maybe half an hour for everybody to discuss their motions, and those motions will go to subcommittee or steering committee and then we can discuss and schedule.

Madam Collins.

• (1035)

Ms. Laurel Collins: Is there an opportunity to have our subcommittee discussion not in camera if we want to have transparency around our discussions about how we're scheduling the different motions and studies that we put forward? Is there an opportunity to meet the needs of efficiency and to use time outside of this committee but also meet the needs of transparency by having those discussions open to the public?

The Chair: We can do both. We can do either public or in camera. Sometimes it is very critical that we do it in camera to protect our own interests actually, because whenever we do it in public and it is either televised or reported, there are things that can be managed properly and things that cannot be managed. So, yes, we can do public and we can do in camera. It is up to us.

Ms. Laurel Collins: It seems like the scheduling of studies is something that doesn't have a lot of risk around privacy or doesn't have to do with contracts. It seems like something that would very easily be done not in camera.

The Chair: It depends.

Madam Pauzé.

[*Translation*]

Ms. Monique Pauzé: Thank you, Madam Chair.

In terms of whether motions can be studied in subcommittee or in committee, my experience with unions, coalitions and the education system is that subcommittees study proposals summarily. The committee's decisions might differ, but the preliminary analysis was more efficient.

I agree that efficiency comes first. The members of the government party and the members of the official opposition sitting on the subcommittee represent their party members to an extent. In that sense, they must have a clear idea of what the people in their party want. For my part, what I have experienced in the past had to do with efficiency. So that's the side I'm going to take.

[*English*]

The Chair: Madam Findlay.

Hon. Kerry-Lynne Findlay: We're content with the idea that on Thursday people will have an opportunity in full committee to speak to their motions and the reasons they would like those motions to be heard or prioritized, and then the scheduling of that can go to steering committee.

Our main point here is that we would like some open and public discussion, for transparency reasons, on why these motions should be given consideration and prioritized clearly. Mr. Longfield has spoken to two of his motions already and his motions would take up all the time we have for the rest of the year. One of them involves 18 meetings, so we have some concerns about that, particularly when most of us here are new members and therefore what happened in the last Parliament is really of reduced relevance to us when we have the opportunity to get into some new subjects.

The Chair: Thank you.

That's why a steering committee is extremely important. You could put down that you want eight meetings or 16 meetings. A steering committee pares it down. It demands: Who are the witnesses? How many times will we go through this circular motion? It is important that the steering committee takes this administrative burden out of the committee and ensures that the committee works effectively and efficiently for the studies rather than waste time on administrative matters.

There are eight motions in play. If we could give each proponent of the motion at least five minutes maximum so that we do not go over the time limit, it would be appreciated. If that's what we can all agree on as adults, then I'll be fine.

Mr. Scarpaleggia

• (1040)

[*Translation*]

Mr. Francis Scarpaleggia: If I understand correctly, the idea is to devote part of Thursday's meeting to introducing the motions we have here, but there would be no debate. It would just be a presentation. If we debate each motion, it could go until June.

I am entirely in favour of members spending one hour or 45 minutes introducing motions, but I would ask that the subcommittee meet before Thursday, because it may need to make some quick decisions, such as whether to invite the minister or to discuss supplementary estimates, and so on. It would be worthwhile to have a meeting of the subcommittee. That does not tie our hands in any way. On Thursday, we will be able to spend 45 minutes hearing members introduce their motions.

[*English*]

The Chair: Thank you, Mr. Scarpaleggia, for your suggestion, but I think we have.... To come to a consensus, we have agreed that everyone will present their motion and why it needs to be studied. Then we'll take that and probably hold a Monday steering committee meeting, and say, "Here are the pros and cons of that study. Can we as a steering committee make a proposal as to which ones can probably be combined, as there may be things that are overlapping?"

I think that would be easily digestible by all. Correct? Yes—

Mr. Francis Scarpaleggia: But do we know what we're doing the Tuesday when we come back?

The Chair: We will.

Oh, the Tuesday....

Mr. Francis Scarpaleggia: What I'm saying, Madam Chair, is that if we don't have a meeting this week, we won't be able to plan for the Tuesday when we get back. That will be a lost meeting.

The Chair: Perhaps I can make a suggestion.

How many of you know how the estimates work? At the government operations committee we had the guys from Finance or somewhere come to teach us how the estimates process works so that we could ask intelligent questions of the minister and the department. If that's agreeable, we could do that on Tuesday when we come back.

Mr. Francis Scarpaleggia: Yes.

The Chair: Yes, Mr. Redekopp.

Mr. Brad Redekopp: I'm not disagreeing with that. However, the motion I proposed is actually related to that Tuesday, because a

bunch of people from across the country will be here on that particular day. That would be the day when they would want to propose [*Inaudible—Editor*]

The Chair: Therefore, I then have to take Mr. Scarpaleggia's suggestion.

You have three minutes left to present your motion. That's why I wanted you to present your motion today, to say why we should study it. I cannot willy-nilly get everybody's motions and say that we'll study everything. It's the subcommittee that has to do that.

Presumably, this is what we could do. Thursday we have Parks Canada coming in. Then we can set aside time to present motions and why they should be studied. Tuesday we could ask the Department of Finance to come and talk to us about how they prepare estimates so that we are ready for the minister and the department.

Mr. Brad Redekopp: We're not here next week.

The Chair: No, this is the Tuesday when we come back.

Then, since the minister might be available the week we come back, around Thursday, we'll be ready to ask the right questions.

Madam Findlay.

Hon. Kerry-Lynne Findlay: If it's possible to know if the minister will be available on the Thursday, then that would seem reasonable, but I have the same concerns that my colleague across the table does; namely, if we don't meet in steering committee this week, will we be able to give sufficient notice to the minister that we would like him here on the Thursday? I think there's another break week in there, and then we may be out of time.

The Chair: The clerk has already approached him, and he's waiting for an answer.

It's important. I don't mind having a steering committee meeting tomorrow.

The Chair: If everyone is in agreement, we could have a steering committee meeting.

Even though PROC has not made a decision, you're still part of the steering committee because you're a representative of the....

The clerk tells me that he'll send you a notice of the time and place.

We could get the ball rolling. Agreed?

Mr. Lloyd Longfield: I think we should.

• (1045)

Mr. Lloyd Longfield: Good.

The Chair: Thank you very much, everyone.

We ended on time.

The meeting is adjourned.

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