



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

43rd PARLIAMENT, 2nd SESSION

Standing Committee on Environment and Sustainable Development

EVIDENCE

NUMBER 040

PUBLIC PART ONLY - PARTIE PUBLIQUE SEULEMENT

Wednesday, June 16, 2021



Chair: Mr. Francis Scarpaleggia

Standing Committee on Environment and Sustainable Development

Wednesday, June 16, 2021

• (1615)

[*Translation*]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Welcome everyone.

We will not be proceeding to clause-by-clause consideration today. We are here to listen to and learn from expert witnesses on Bill C-230, a private member's bill sponsored by Ms. Zann.

We have with us Sylvain Gaudreault, the member of the National Assembly of Québec for Jonquière, and Lynn Jones, who has compiled extensive information on the subject. Both are appearing as individuals. We also have Lisa Gue, manager of national policy at the David Suzuki Foundation, and Elaine MacDonald, program director of healthy communities at Ecojustice Canada.

I know some of you have appeared before the committee in the past. The rules are pretty straightforward. Please keep your microphone on mute when you are not speaking. I would also ask you to address comments to committee members through the chair.

You will each have five minutes for your opening statement. After that, we expect to have time for two and a half rounds of questions. We have set aside the last half-hour to meet in camera, to finalize a draft report on the enforcement of the Canadian Environmental Protection Act.

It is now 4:15 p.m. The meeting will last two hours and end at 6:15 p.m.

Mr. Gaudreault, You may go ahead. You have five minutes.

Mr. Sylvain Gaudreault (Member of the National Assembly of Québec for Jonquière, As an Individual): Good afternoon. I am delighted to be appearing before a parliamentary committee in another legislature, the Parliament of Canada. This is a first for me. I want to send my regards to my counterparts in the House of Commons. I recognize a few faces, mainly people I've met on parliamentary missions.

I'll start by telling you a bit about myself. I have been the member for Jonquière since 2007. Under the Parti Québécois government, I was the Minister of Transport and the Minister of Municipal Affairs, Regions and Land Occupancy. I am currently the third opposition group critic both for the environment and the fight against climate change, and for energy. As you can appreciate, I was very interested in Bill C-230, the legislation brought forward by Ms. Zann. Why? Because I am realizing that, in Quebec, as well as in the rest of Canada, environmental discrimination based on social

inequality is prevalent. In some cases, those environmental issues even reinforce social inequalities.

Here are a few examples. In Rouyn-Noranda, the Horne smelter produces copper and emits a staggering amount of arsenic into the adjacent neighbourhood, Notre-Dame, which is home to people with lower incomes. Historically, it's a poorer neighbourhood, a working-class community.

Another example is the east end of Montreal, where many parcels of land are contaminated. Similarly, it is a poorer part of the city than, say, the west end.

The situation is the same next door in the historic Hochelaga-Maisonneuve neighbourhood, where air quality is poor because of the Port of Montreal.

In central Quebec, asbestos mines have led to significant health issues for minors.

It is unacceptable that, to this day, many remote indigenous communities all over Canada do not have access to clean drinking water.

Those examples illustrate how environmental issues tied to social inequality affect communities everywhere. I recognize the disparity in the environmental impacts affecting poor versus wealthy populations. That is why we need to act to remove social inequalities or inequities. We must never stop fighting socially motivated environmental inequalities.

However, Bill C-230 does not fix the problem, as far as I'm concerned.

First, clause 2 does not contain a definition of "environmental racism".

Second, social inequalities involve a wide range of areas, from education and health care to economic development and natural resource development. Historically and under the Constitution, all of those areas fall exclusively within provincial jurisdiction. To overcome social inequalities, action must be taken in education, health care, economic development and, of course, natural resource development.

The main problem lies in paragraph 3(3)(d), which reads as follows: “assess the administration and enforcement of environmental laws in each province”. That could be a very far-reaching undertaking, something that is unacceptable to Quebec. Even the premier, François Legault, has previously asked the federal government for full jurisdiction over the environment. Quebec alone should determine which environmental projects are carried out within its borders. Paragraph (d) of subclause 3(3) could leave the door wide open to infringement of Quebec’s environmental jurisdiction.

Twice, in both the former and current legislatures of the National Assembly of Québec, I brought forward Bill 391, An Act to amend the Environment Quality Act in order to assert the primacy of Québec’s jurisdiction in this area. Introduced on May 30, 2019, the bill is entirely in keeping with Bill C-225, the legislation introduced by the other member for Jonquière, the one who sits in your Parliament.

• (1620)

In conclusion, I believe Bill C-230 should be defeated, ideally, or substantially amended. I urge you to take into account the fact that the provinces have jurisdiction over the environment.

The Chair: Thank you, Mr. Gaudreault.

[*English*]

We go now to Dr. Lynn Jones, community activist and archivist.

Dr. Jones, Ms. Zann has spoken to me so highly of you. I really look forward to your five-minute presentation and then the question and answer period that follows.

Go ahead, please.

Dr. Lynn Jones (Community Activist and Archivist, As an Individual): This is an exciting day for me. Thank you so much for allowing me to speak today. I feel quite humbled. I have never spoken in this environment before. I’m a retiree. I didn’t know what to put in terms of what I do. I’m a long-term activist.

[*Translation*]

Ms. Monique Pauzé (Repentigny, BQ): I’m sorry to interrupt, Mr. Chair, but the interpreters can’t do their job. It seems Ms. Jones’s microphone is too far from her mouth.

[*English*]

The Chair: Dr. Jones, we’re having trouble with the sound. If you would move your mike closer, that might make it a bit better.

Let’s try again. We will start the clock again.

Go ahead.

Dr. Lynn Jones: Thank you so much. I was saying that I’m now retired—or they say I’m retired, but I’m not really, because my activism continues.

Speaking today on this bill, I guess I have a bit of sadness. My sadness lies in the fact that, as activists, we’ve been trying for so long to bring the issues of our communities to the forefront. Here we are again, but this is exciting. I’m happy now that we’ve made it to the national level. I’m hoping for success.

I was looking at this bill and at the word “redress”. We have a saying in our community, “If it ain’t broke, don’t fix it”, but using “redress” means there’s something broken and we’ve come to you to help us fix it.

I come from the African-Nova Scotian community. It’s long term in Nova Scotia and we are the original African people of Canada. Right now, I’m sitting in my family homestead. I don’t know if many of you know Truro, Nova Scotia. I thought the best way to talk about environmental racism would be to look out my window and try to tell you the story of this little community in which I sit.

I know some of you have a hard time getting your heads around why we need this special environmental racism bill for these communities. It’s because of the word “disproportionate”, which is in Bill C-230. It doesn’t mean to say that environmental degradation doesn’t happen in all different communities, but it is happening disproportionately in our community.

This little community of Truro has three traditional Black communities and they’re nicknamed “the Island”, “the Marsh” and “the Hill”. The Island had a dump that began many, many years ago, even before my time. The Black community had to deal with all the atrocities that went along with that. The white community started to move in closer to our traditional communities, and they said, “This dump has to go. We’re not having it in our backyard.” Imagine where they decided to move the dump. They moved it to another Black area of the town, the Hill. There was never a cleanup of the original dump site. There was never any encasement. Today, our children’s playground sits on that dump. It’s never been dealt with.

My community on the Marsh was a traditional Black community, which is now gentrified. There are only three Black families left in this community, where we were forced to live because of the racism of the day. Part of that has to do with the effect of the flooding that took place in this community. With the flooding and the lack of adequate housing and resources, the Black community has all but disappeared. Like I said, there are only three families left, because new people coming into the community—who were not from our community—had access to all the resources that go along with building and flood-proofing and not having to deal with all the degradation that the Black community has.

This bill asks only that you collaborate and develop a strategy to deal with this disproportionate impact, which is still affecting our Black and indigenous communities today. We're asking for redress. I'm also a former trade union activist. I am proud to say that I can remember, many years ago, on the Canadian Labour Congress, introducing environmental racism to what was called the "national anti-racism task force report".

• (1625)

The Canadian Labour Congress, also had trouble getting its head around it. What is this thing, environmental racism, and why should you have special or distinct clauses that go along with it?

The Chair: In fact, the work you've done.... You're right. The term is new to many people. It has begun to get some attention because of your work, and it has inspired Bill C-230.

Unfortunately, Dr. Jones, we're over our time for this particular portion of the meeting, but I'm sure you will have many questions and opportunities to add to your comments.

Dr. Lynn Jones: Thank you so much.

The Chair: The story you told really brings the issue into high relief.

We'll go now to the David Suzuki Foundation and Lisa Gue, manager, national policy.

You have five minutes, please.

Ms. Lisa Gue (Manager, National Policy, David Suzuki Foundation): Thank you, Mr. Chair, and thank you for the invitation to join you today.

I am joining you from Ottawa on the unceded territory of the Algonquin Anishinabe people. I want to begin by acknowledging horrific events in recent weeks that have put a spotlight on racism in Canada, past and present: the discovery of the unmarked burial sites of 215 children on the grounds of the Kamloops Indian Residential School, and the murder of a Muslim family in London, Ontario, targeted because of their faith.

Bill C-230 is a starting point to address the environmental dimension of systemic racism in Canada. This is both timely and long overdue. We appreciate the committee's resuming its consideration of Bill C-230 this week, and urge you to favourably report the bill before the summer recess.

I'm grateful for the insights Dr. Jones just shared, but I would also refer you back to Dr. Ingrid Waldron's presentation to the committee on April 14. Dr. Waldron's research into environmental racism in Canada and the conceptual framework she presented to you informs the David Suzuki Foundation's perspectives on Bill C-230.

Mr. Chair, you noted that "environmental racism" is new to many people, and this may, in fact, be the first time this committee has considered legislation on environmental racism, although I can't be sure. However, it's worth noting that many of the measures prescribed by Bill C-230 mirror legal requirements in the U.S. that have been in place for a quarter century.

I will give a brief overview of the U.S. requirements, because it highlights the gap in Canadian environmental law and governance, a gap that Bill C-230 would start to fill.

The U.S. executive order on federal actions to address environmental justice in minority populations and low-income populations dates back to 1994. It was issued by President Clinton, and has been upheld, to varying degrees, by successive Republican and Democratic administrations. The order directs every federal agency to "make achieving environmental justice part of its mission", and develop and report on environmental justice strategies.

These strategies must identify and address any disproportionate adverse health or environmental effects of government programs, policies and activities on minority populations and low-income populations. The order also mandates collection of information on health and environmental risks based on race, origin and income.

Broadly speaking, Bill C-230 would establish parallel requirements in Canada for the first time with respect to the key provisions in this bill, namely, the development of a national strategy on environmental racism, and mandatory requirements for that strategy to include an examination of the link between race, socio-economic status and environmental risk; collection of information relating to the location of environmental hazards; possible amendments to federal laws, policies and programs; and the involvement of community groups in environmental policy-making.

The U.S. executive order goes further, though, establishing a high-level inter-agency working group on environmental justice, comprising the heads of 11 federal agencies, as well as the White House, to support a whole-of-government approach. The Canadian equivalent might be a permanent cabinet committee or inter-ministerial working group.

Within the U.S. EPA, the equivalent to Environment and Climate Change Canada, the Office of Environmental Justice provides functional capacity to deliver the agency's environmental justice strategy.

The Office of Environmental Justice also offers technical and financial assistance to communities, as well as environmental justice-related policy guidance, tools and training for EPA officials. The office supports data collection and an integrated research agenda. It's a focal point for collaboration with researchers, community organizations, and state and local governments.

Recently President Biden put environmental justice at the centre of his environmental agenda. In March, the White House appointed a new National Environmental Justice Advisory Council to provide advice on updating the 1994 executive order to address current and historic environmental injustices.

Bill C-230 offers an opportunity for alignment with the U.S. at a time of renewed commitment to bilateral environmental action. The David Suzuki Foundation urges all parties to support Bill C-230, and to work to buttress it with supporting governance structures and investments.

• (1630)

In this regard, I would draw to the committee's attention the brief submitted by the Green Budget Coalition, of which the David Suzuki Foundation is a member, recommending investments to establish a Canadian office of environmental justice and equity, with funding to develop a strategy on environmental racism as an early deliverable.

In closing, the David Suzuki Foundation has long advocated for legal recognition of the right to a healthy environment and the integration of human rights and equity considerations in environmental decision-making. Bill C-230 is an important step in this direction.

• (1635)

The Chair: Thank you, Ms. Gue.

We'll go now to Dr. MacDonald for five minutes.

Dr. Elaine MacDonald (Program Director, Healthy Communities, Ecojustice Canada): Thank you, Chair, and thank you for the invitation to appear today to speak to this critically important bill to develop a national strategy to address environmental racism. As Lisa already said, the horrific occurrences of the last few weeks have made it even more apparent how desperately we as a society need to address all forms of systemic racism within our country.

I'm joining you from the traditional territories of several first nations, including the Huron-Wendat, the Anishinabe, the Haudenosaunee, the Chippewas and the Mississaugas of the Credit First Nation.

Ecojustice is Canada's largest environmental law charity. We work with and on behalf of individuals, communities and first nations, and other non-governmental organizations to advocate for stronger environmental laws in Canada. Ecojustice is committed to the Truth and Reconciliation Commission's calls to action towards reconciliation with all indigenous communities, and we are embedding a focus on justice, equity, diversity and inclusion in all aspects of our organization.

I will start by building on Mrs. Gue's remarks about the U.S. executive order on environmental justice. Following the executive order, the U.S. EPA developed an environmental justice screening and mapping tool, or EJSCREEN. Similar to the analysis mandated in Bill C-230, EJSCREEN exposes the substantive inequalities of environmental hazards and risk impacting racialized communities across the United States. EJSCREEN combines demographics with environmental data to calculate environmental justice indices at the census block level. Data such as concentrations of air pollutants, proximity to hazardous waste sites, proximity to waste-water pollution discharges, cancer risk from exposure to hazardous air pollutants and more are mapped and available to anyone with an Internet connection.

Communities, industries and regulators all use EJSCREEN for various purposes. For example, regulators use it to assess environ-

mental and human health impacts at the community level; and communities access the analysis to redress environmental racism, to push back against environmental racism.

To demonstrate this point, I've pulled some information from EJSCREEN on an area near New Orleans that is infamously known as "Cancer Alley", near a cluster of refineries and chemical plants. EJSCREEN shows that this community is almost entirely low-income people of colour. They are at the 99th percentile, among the highest in the U.S., for cancer risk from inhalation of air toxins, and similarly high for proximity of waste-water pollution discharges. That is just some of the information compiled and analyzed on the risk and hazards from pollution and toxic substances. Other hazards, such as coastal flooding from climate change, are also available through EJSCREEN.

Finding similar information on impacted communities in Canada is nearly impossible. For example, in the area known as "Chemical Valley" near Sarnia, Ontario, a cluster of refineries and petrochemical plants surround the Aamjiwnaang First Nation Reserve. While visiting homes within the Aamjiwnaang First Nation, I have seen how close industry is. I have smelled, tasted and felt the pollution in my throat and in my eyes. I recognized my privilege when I returned to my home in Toronto.

The only federal environmental database on pollution in Canada is the very limited national pollutant release inventory, or NPRI. As the title indicates, all the NPRI provides is information on pollution releases from industrial sources and other facilities. There is no demographic information and no assessment of impacts on communities. Therefore, in its present form, it is not a tool that can be used to assess and work towards substantive equality.

The data analysis mandated by Bill C-230, particularly in paragraphs 3(3)(a) and 3(3)(b), could start to fill this urgent need in Canada. That is why Ecojustice fully supports the bill and recommends that it be passed by all parties and that the data analysis be publicly available so that everyone, including other governments, may use it to inform decisions that impact racialized and indigenous peoples.

However, if there is an interest in strengthening the bill, Ecojustice has some recommendations for additional provisions. We recommend an amendment to set out an obligation for the Government of Canada to take all necessary measures to ensure that environmental assessments and risk assessments under federal laws identify potential impacts on indigenous and racialized peoples and ensure that approvals, permits, licences and other federal decisions do not perpetuate, intensify or exacerbate environmental racism. In addition, we recommend that the bill include a low-risk, low-barrier legal mechanism for individuals and communities to enforce an alleged failure of that obligation.

The last point I want to make is that I'm very familiar with Bill C-28 to amend CEPA, and I can reassure the committee members that Bill C-230 is entirely complementary to Bill C-28. Bill C-28 lays out the foundations for recognizing the right to a healthy environment in the administration of CEPA and requires consideration of vulnerable populations, but it does not mandate the collection and analysis of data on environmental racism as prescribed by Bill C-230, nor does Bill C-28 contain a specific focus on environmental racism. Both bills are needed and are long overdue.

• (1640)

I wish to thank the committee for its time. I'm happy to try to answer any questions you may have.

The Chair: Thank you, Dr. MacDonald.

We have three rounds of questioning. The third one will be a bit truncated because of the work we have to do in the final half hour.

This is the six-minute round.

We'll start with Mrs. McLeod.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Thank you to all the witnesses. We've certainly had very important testimony on this private member's bill. I want to start by doing a quick check-in.

There is no one presenting today who would say this bill would not impact indigenous peoples. Is that accurate, that this is a bill that would...? Is that an accurate statement?

I'm not seeing anyone saying it's not accurate, so we do know that this is a bill that would have impact on indigenous peoples and indigenous communities.

Where I struggle right now is that this government and many of the members here are committed to the UN Declaration on the Rights of Indigenous Peoples. I want to read an article from it. Article 19 of the UN declaration reads:

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

As I look at this private member's bill, and I know there is a commitment by the current government to implement the UN declaration, how can we move forward with this when clearly they have not lived up to that standard in article 19 of the UN declaration?

Perhaps I could start with Ms. Gue.

Ms. Lisa Gue: I'm not sure if I fully understand the question. Perhaps one way to speak to the issue is to highlight the requirement in the bill itself for consultation with indigenous communities. I would agree that it's a very important provision.

Mrs. Cathy McLeod: Maybe I could clarify. I'm sorry.

When a government or an individual wants to table legislation, before it's tabled, they need to have had good-faith conversations with indigenous peoples and their representative organizations. To my awareness, that has not happened with this bill, so it would certainly be completely inconsistent with the UN declaration and what this House committed to. Perhaps that clarifies to some degree.

We have bills being tabled every day in the House where the government symbolically has said it is going to move forward with implementing the UN declaration, but it is not living up to the articles that are within the UN declaration.

The Chair: I should mention that this is a private member's bill.

Mrs. Cathy McLeod: Yes, it is. I appreciate that, but—

The Chair: It's not a government bill. Anyway, you've made your point.

Who are you addressing this to?

Mrs. Cathy McLeod: I think it's for Ms. Gue. I was trying to clarify what my concerns were and then I can open it up.

The Chair: Okay.

Mrs. Cathy McLeod: The lack of having any sort of process, whether it's a private member's bill or government bill, is not consistent with the UN declaration.

Ms. Lisa Gue: Let me say from the outset that the David Suzuki Foundation calls for full implementation of UNDRIP. Unfortunately, I can't provide any insights on consultations that the member moving this bill or the government may have had prior to bringing it forward to committee. Perhaps it's a question better posed to Ms. Zann.

Mrs. Cathy McLeod: Does anyone else have any comments on that particular concern? Clearly, we have a bill that is very impactful.

Are there no other comments?

• (1645)

Dr. Lynn Jones: I'm not sure, and I can't answer your question directly, but I can answer from having gone through the environmental racism bill that Ms. Zann presented at the provincial level. An example is the ENRICH project. There are many people from the first nations community that are part of the development, and even within Ingrid Waldron's book you can see all the consultations, so I have no reason to expect that consultation hasn't taken place, because it takes place all the time.

I just wanted to add that there is direct consultation at all times, and the community is part of the organizations.

Mrs. Cathy McLeod: I guess, really, we are looking at a bill that's dealing with a very critical issue, and we also have a declaration that is very critical. As you may be aware, the actual "how a government will implement its commitments" becomes very aligned and meshed, so that certainly speaks to concerns that we have when the government makes a commitment and then perhaps moves forward with legislation. We can look at a number of environmental legislation pieces where we have government officials announcing or saying they haven't consulted.

I guess I'm just trying to align those concepts as we try to deal with an issue.

Thank you.

The Chair: Thank you for that comment.

Mr. Saini, you have six minutes.

Mr. Raj Saini (Kitchener Centre, Lib.): Thank you, Mr. Chair.

Thank you to all the witnesses for taking the time today to make us a better-informed committee.

Ms. Gue, I'd like to start with you. Could you explain for the committee's interest the difference between the concepts of environmental justice and environmental racism, and how they're linked?

Ms. Lisa Gue: I would refer you back to the testimony provided by Dr. Ingrid Waldron on the link to environmental justice or, really, on the definition of environmental racism. Certainly, these are embedded concepts.

You'll notice in my presentation of the U.S. government structure and legal requirements flowing from the order on environmental justice that that's the term employed in the U.S. However, we also see that the functional definition of "environmental justice" that the U.S. EPA uses specifically names discrimination based on race with respect to environmental harms as one of its focus areas. I would say that it's broadly accepted that environmental racism is one aspect within the broader concept of environmental justice.

One other thing I might add is that my understanding of the environmental justice movement in the United States, which has a much longer history—at least in terms of its legal, legislative manifestations—than here in Canada, is that it has really been driven by the African-American communities that have been affected by environmental pollution and degradation. Certainly, it's at the core of the concept.

Mr. Raj Saini: I'll just follow up on that. Maybe I'll get your comment, and I can ask Dr. MacDonald for her comment.

This is still staying on the environmental justice and environmental racism piece. Do you think that addressing the broader inequalities that are encompassed by the concept of environmental justice can play an important role in addressing environmental racism specifically?

Ms. Lisa Gue: I'm conscious of this bill's specific focus on environmental racism. I think it's appropriate to profile it in that way. Does the Government of Canada need to take broader action on environmental justice? Absolutely. It would really be a tragedy if this became an either-or conversation. I would encourage the Government of Canada and the committee to move forward boldly with a specific attention to environmental racism, as well as with broader measures to bring better governance around environmental justice in Canada.

• (1650)

Mr. Raj Saini: Dr. MacDonald, do you want to make a comment?

Dr. Elaine MacDonald: I would agree with Ms. Gue's comment in that respect. I would want to honour the focus that the drafters of this bill placed on environmental racism. I wouldn't want to see it diluted—I don't know if that is the right word—or broadened to cover all the aspects of environmental justice.

Certainly, work on environmental justice is needed. My hope is that maybe some of the amendments coming forward in CEPA one day might help with that as well. However, this bill, I really believe, should stay focused on environmental racism.

Mr. Raj Saini: Okay, just going with that.... One of the things is that presumably there will be a strategy to address environmental justice and racism, and it will need to both address the acts of racism that have already occurred and prevent it from continuing to occur in nature. What sorts of measures should a strategy contain to heal the wounds of environmental racism that has already occurred, and how should it prevent further actions from furthering environmental inequality?

Ms. Gue, you can start.

Ms. Lisa Gue: I think this is why this bill is an important starting point. There is some strategic thinking needed to really determine where to start, and to take a broad look at the gaps that exist in the way we currently do business in Canada with respect to environmental laws and governance.

I maybe would invite Dr. MacDonald as well, to speak more to the suggestions that she offered around strengthening the enforcement provisions, because I agree that providing citizen access to justice would be an important way to improve accountability for the commitments being made under this bill.

Mr. Raj Saini: Would you like to comment?

Dr. Elaine MacDonald: Yes. I can certainly talk a bit about what I said in my five minutes. We suggested an additional provision that would actually put an obligation on the federal government not to perpetuate environmental racism through its own decision-making, whether it be through environmental assessments, risk assessments under legislation like CEPA, or any kind of decision that may come out of the federal bucket of laws that could contribute to environmental racism. There should be a mandatory obligation that each decision is screened for its impacts on racialized and indigenous communities, and that decisions do not perpetuate or further environmental racism.

That's kind of a forward-looking piece. I also suggested, with respect to upholding that obligation, that there be a citizens' enforcement tool whereby citizens could have a low-risk, low-barrier way to hold the government accountable to that obligation.

The Chair: One last point, please, and then we have to move on.

Dr. Elaine MacDonald: In terms of the redress, the backward-looking aspect, that's a little harder. The bill speaks to compensation within the strategy, and I think that is one aspect that could help with the redress.

Mr. Raj Saini: Thank you very much.

The Chair: Madame Pauzé.

[*Translation*]

Ms. Monique Pauzé: Thank you, Mr. Chair.

Thank you to all the witnesses for being here today.

My question is for Mr. Gaudreault, who is well known for his involvement in environmental issues.

Mr. Gaudreault, you said in your opening statement that health care, education and natural resources, which are under the jurisdiction of Quebec and the provinces, are crucial in fostering greater social equality.

In fact, Quebec has recognized the right to live in a healthful environment in which biodiversity is preserved since 2006, in its Charter of Human Rights and Freedoms. Being a quasi-constitutional right, it protects every Quebecker. Why, then, include in the legislation provisions that have the same purpose but carry less legal force?

Do you not get the sense that, because of the exception in Quebec's case, the provisions in Bill C-230 are of less value to Quebec than they are to the rest of Canada?

Mr. Sylvain Gaudreault: Thank you for your question.

That is precisely what I was trying to convey in my opening statement. Although the right to a healthful environment is recognized as a value in Quebec's Charter of Human Rights and Freedoms, it's important to go a step further. Entrenching the right in the charter is a step forward, but it has to be recognized as grounds for discrimination; that recognition does not currently exist.

I agree with you, but I would add something. If we want to fight social inequalities, which are caused and reinforced by environmental issues, we have to act on all fronts. In other words, actions have to target health care, education, social policy and natural resource development. All of those areas fall under provincial juris-

dition. We need to focus more on that dimension, as far as provincial jurisdiction goes.

• (1655)

Ms. Monique Pauzé: Thank you.

In a previous Parliament, I brought forward a bill on environmental sovereignty. The honourable member for Jonquière, Mario Simard, whom you know well, introduced similar legislation. This position is not exclusive to the Bloc Québécois. Rather, it is a position historically and consensually held by the Quebec government. Basically, we believe that Quebec's laws protect Quebec's environment and that those laws take precedence over Canada's laws, because the territory of Quebec belongs to us and the federal government should not interfere in Quebec's jurisdiction over the environment. As I said earlier, that belief is not exclusive to the Bloc Québécois and is among Quebec's historically held positions.

Mr. Sylvain Gaudreault: Yes, absolutely. That actually explains why paragraph (d) of subclause 3(3) of Bill C-230 is completely unacceptable.

I would point out that, leading up to the 2019 election, Premier François Legault sent the leader of each federal party a letter, on September 17, calling on the federal government to give Quebec full jurisdiction over the environment. Obviously, the Fathers of Confederation could not foresee in 1867 the climate crisis facing us now and into the future.

Natural resources and economic development fall within the domain of the provinces. Accordingly, we believe Quebec and the provinces should have exclusive jurisdiction over environmental matters, especially considering that, in many respects, Quebec's Environment Quality Act provides better protection for the environment and goes further than the federal legislation.

Unfortunately, Quebec's act does not cover infrastructure under federal jurisdiction, such as ports and gas or interprovincial pipelines. That infrastructure nevertheless has very significant impacts on indigenous communities in Quebec, on communities that are already devalued or struggling, and on communities that are home to low-income families. Quebec's jurisdiction and Environment Quality Act—which goes further than the federal legislation and controls, for instance, noise and air pollutants—should have primacy.

Ms. Monique Pauzé: Thank you, Mr. Gaudreault.

My other question is for Ms. Jones. You've just heard what Mr. Gaudreault said about Quebec's jurisdiction over environmental matters. Considering that and considering the realities facing a number of communities in their relationship with the environment, don't you think it's up to the provinces in question to assume their responsibilities, and strengthen their environmental legislation and social safety nets?

[English]

Dr. Lynn Jones: You've asked the wrong person this question. I say that because of having dealt for a very long time with issues of racism and anti-racism. I'll go back to the previous question, which talked about justice: environmental justice, including racism.

I'm old, right? I'm growing old, but I've been around during the environmental "justice" movement, and during that time, I never saw issues in my community addressed—or in any marginalized, racialized communities, such as indigenous communities. Black communities, indigenous communities.... They didn't talk about us, and our concerns weren't on the table when we talked about environmental justice, even though you would think they would be, because it's justice for everybody. We weren't included, and that's why it's so important that, number one, we talk about racism, because then we get included.

Whenever you say the word "racism", somehow or other you hit that brick wall, and I don't think that when it comes to provinces and national concerns it's any different. My personal feeling, because you've asked me, is that unless we look at this bill in terms of national incentives, we will not have uniformity in the country in terms of dealing with racism and, in this case, environmental racism—

• (1700)

[Translation]

Ms. Monique Pauzé: I'm going to stop you there, Ms. Jones.

Do I have any time left, Mr. Chair?

The Chair: You're out of time for this round, unfortunately, but you'll have another turn.

[English]

Mr. Bachrach.

Mr. Taylor Bachrach (Skeena—Bulkley Valley, NDP): Thank you, Mr. Chair.

Thank you to all of our witnesses for their thoughts on this very important topic.

Dr. Jones, I want to offer you an opportunity to finish your thought, because it felt like you got cut off there. Then I can dive into my other questions.

Dr. Lynn Jones: Like I said, my thoughts got kind of broken up there.

I wanted to say that what is really great about this bill is that it is national. We tried to address environmental racism, for example, at the provincial level. Although we made headway, we didn't make it through, because there needed to be.... The concerns happened not only, for example, in Quebec, but the racism is the same across the country.

If we're going to deal with environmental racism, I think it's imperative that it be from a national perspective. The provinces will still have an opportunity to do all these great things that we're talking about within their province. We're not taking that part of the bill away.

I'll just leave it at that. I could go on and on about the trickle-down effects and all that kind of thing, but I'll leave that for another day.

Thank you.

Mr. Taylor Bachrach: Thank you, Dr. Jones.

I'll turn next, perhaps, to Ms. Gue or Dr. MacDonald.

At the beginning, Ms. McLeod mentioned the UN declaration. Given the impact of environmental racism on indigenous people, and given where we are in the conversation about indigenous rights and the need to include indigenous people in decision-making, do you think that adding an explicit reference to the UN declaration in this bill would strengthen it? How do you think that would best be handled in the context of the legislation?

I'm sorry. I know when a question is posed to a whole group of witnesses, it just confuses things. I'll try to be more specific. We'll start with Dr. MacDonald and then, Ms. Gue, you can add your thoughts.

Dr. Elaine MacDonald: I'm not sure I could advise on how it would best be handled, but absolutely, it would strengthen the bill to have a reference to UNDRIP in the bill. Whether it's in the preamble or written into the actual content of the bill I can't really speak to, but certainly I would support such an amendment.

Just to comment on the issue around the consultation with indigenous people too, most of my experiences have been working with the Aamjiwnaang First Nation. Certainly they call their situation environmental racism, so it is hard to imagine that they would not support a bill that is targeted at addressing environmental racism. They don't shy away from using that term at all when they talk about their situation.

If that is at all helpful to the committee, that is one piece of information I can pass along.

Mr. Taylor Bachrach: That's very helpful, thank you.

Ms. Gue, do you want to chime in on that topic?

Ms. Lisa Gue: I don't have too much to add. I agree with Elaine that, in principle, a reference to incorporating an explicit reference to UNDRIP in the legislation would seem to be quite consistent with its intent and it's always best to have these intents explicitly stated and woven into the legislation.

• (1705)

Mr. Taylor Bachrach: Ms. Gue, as you know, the NDP has long fought for environmental rights to be recognized in legislation, and we're very pleased to see a reference to the right to a healthy environment embedded in Bill C-28. Unfortunately, that bill has been stalled. It hasn't been debated in the House yet and we're disappointed that it hasn't moved along any further.

How does this bill that we're talking about today, Bill C-230, relate to the concept of environmental rights?

Ms. Lisa Gue: Mr. Bachrach, thanks for your long history of advocacy on environmental rights at the municipal level, as well as in Parliament.

We too are encouraged that the government has introduced Bill C-28, and at the same time, we are discouraged that it has yet to be debated. I hope to have the opportunity in the not-too-distant future to return to your committee to discuss those important measures related to environmental rights and other really critical updates to CEPA that are an important complement to Bill C-230.

In terms of your specific question about how the two relate, as Elaine already said, they are complementary. I would note that, of course, Bill C-28 is primarily amending the Canadian Environmental Protection Act and the provisions related to environmental rights and environmental justice that are specific to the authorities of CEPA, whereas Bill C-230 takes a broader view of federal actions.

There are other legislative authorities relating, for example, to the management of nuclear power, nuclear waste, federal environmental assessment and pesticide regulation, just to name a few that could have implications. I think it's a strength of Bill C-230 and, again, an important complement to what's being proposed in Bill C-28, that the proposed national strategy would take a holistic, whole-of-government view to redressing environmental racism.

[*Translation*]

The Chair: Thank you. That's just about all the time we have for the first round.

We will now begin the second round; each member will have five minutes.

Go ahead, Mr. Albas.

[*English*]

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): Thank you, Mr. Chair.

I'd like to offer my thanks to all of our witnesses for coming today to share their expertise. It is most welcome.

I'm going to start off with Dr. MacDonald from Ecojustice.

Doctor, you did mention in your initial statement some concerns around the transparency and reporting process. It was a very minor reference. I would just like to hear a bit of a broader explanation of what you meant by this bill creating a consultation process. How would you like to see the reporting done?

Dr. Elaine MacDonald: I'm an engineer, so I love to dive into stuff about data. I was referring to the comparison between what the United States has—something called EJSCREEN, which stands for environmental justice screen—versus the paucity of what we have in Canada. The closest thing I can point to is the national pollutant release inventory, which has no information at all on demographics. All it does it provide pollutant discharge information on a facility basis across the country. If you were to look at the website for the NPRI, you wouldn't even get close to being able to find out the type of information you can from the U.S. EPA's EJSCREEN, which is a system that was set up after the executive order. You can zoom in on a community. You can see exactly what the demographics of that community are and what the exposures are.

I was really contrasting the gap that exists between the U.S. and Canada, and how much we need to catch up to make this information transparent. Collect it, analyze it, put it on the web, make it

transparent, and then everyone start using it when they're making decisions that could impact racialized or indigenous communities.

Mr. Dan Albas: Obviously, Canadians have long known that parliamentarians have had ongoing discussions and journalists have had ongoing discussions about transparency regimes between Canada and the U.S., where the U.S. model seems to be more open by default.

It says here that the government will then do consultations with provinces, first nations and other communities. The issue I would have is just that, obviously, when a government reaches out to a provincial government, that information is shielded in access to information requests because it's between governments. I'm not sure about other communities, like municipal discussions, first nations or other groups, as Dr. Jones has said, because there are other elements where these discussions could apply.

Do you have any concerns about a lack of transparency or a lack of equity in terms of access to information?

• (1710)

Dr. Elaine MacDonald: I would say yes, I do. In my own work, I am often jealous of the excess of information and data available in the U.S. compared to Canada. That's not just at the federal level. I would say it's at the provincial level, too.

With respect to your point about collecting data for provinces and making sure that data is held as private, I think much of the information that is held on the U.S. EPA website, EJSCREEN, could be collected from the federal government. I don't think that they would need to necessarily go and collect that from provinces. We have StatCan, which collects demographic data. Air monitoring data that is collected by the federal government across the country could be put into such a website.

I can think of lots of sources. It's just a matter of putting it together, analyzing it and making it publicly available so people can use it. I don't see that as a barrier as much.

Mr. Dan Albas: I appreciate your saying that.

I'm going to go over to Ms. Gue.

Ms. Gue, thank you for presenting DSF's opinion on the bill and some concerns. Again, I've always raised concerns—I've done this publicly in the House of Commons on this bill—about where you may talk to one silo over here and then another silo that has responsibility for that piece of legislation. That often doesn't result in a whole-of-government response. Talking to one department doesn't give you action in another.

You've mentioned how the U.S. has done it differently. Maybe you can elaborate on how that could be done more effectively within the Canadian model.

The Chair: Answer very briefly, please. We have about 30 seconds.

Ms. Lisa Gue: The national strategy that this bill calls for is a really important start. Particularly important is the requirement that it be tabled in Parliament and for regular reporting.

Yes, there are opportunities to build on what this bill offers through some new governance structures in Canada that could take inspiration, perhaps, from what has worked in the U.S. and build on it.

Mr. Dan Albas: Thank you.

The Chair: Thanks very much.

Mr. Baker.

Mr. Yvan Baker (Etobicoke Centre, Lib.): Thanks very much, Chair

Thank you to all our witnesses for being here today.

I'd like to start with Dr. Jones.

Dr. Jones, you spoke a bit at the outset about your community and some of the impacts on your community. For those folks who maybe are new to the concept of environmental racism, can you help explain why you think environmental racism exists?

Dr. Lynn Jones: Environmental racism cannot be separated from the history of our country.

I also chair the Nova Scotia chapter of the Global Afrikan Congress, which addresses the atrocities of what happened as a result of the transatlantic slave trade that we don't like to talk about in Canada.

From the perspective of African people in Canada, we've been dealing with racism for well over 400 years, since we came to the Americas. It only stands to reason that it touches every aspect of who we are, and our being. We cannot divorce it from how we live and the environment in which we live, and what happens to us as a result of coming to this country.

For other racialized groups, they come at different stages, but that racism, beginning with First Nations people in this country, permeates to the core of what we do. Therefore, when you ask about the definition or how environmental racism begins, it begins from the minute that colonizers set foot in this country, and also what we, as settlers, and also people who came as slaves, faced when we got here.

We haven't wanted to talk about it and we haven't wanted to face it, but it's for real.

At some point, I hope somebody asks me a little about this data collection from a community perspective, because I have an opinion on that.

Thank you.

• (1715)

Mr. Yvan Baker: Dr. Jones, I'd love to ask you about data collection, so go ahead and tell us about that.

Dr. Lynn Jones: With the whole thing around the COVID, I've never heard so much about data collection since we've been dealing with this pandemic. It's so real, and the effect on.... I'm, of course, most familiar with the African-Canadian community. In my community too, we were black and indigenous who lived in my community. On the need for desegregated data, we're hearing also about health data, and you can't talk about the environment unless you talk about health.

In this bill, we will have an opportunity...as other areas, for example, in the health field, in the policing system, all now recognize that the pandemic has had a terrible effect on our communities, and we don't have the data to go along with it.

This bill will allow us also to collect this kind of desegregated data to help us do better. It's not just for the sake of doing it, but because we want a better environment and better health in these communities. We want to address these issues.

I'm no expert in a mathematical or engineering field, but I certainly can speak to community and community needs.

Thank you.

Mr. Yvan Baker: Okay.

[*Translation*]

The Chair: You have 20 seconds, Mr. Baker.

[*English*]

Mr. Yvan Baker: We have 20 seconds left, Dr. Jones.

Is there anything else you wish I'd asked you about?

Dr. Lynn Jones: I know that not everybody is completely in tune with this bill, but we need to pass it. Canada needs it. Once we do that, we can work out all the arms and all the nuances, and all the provincial and what have you. At some point in time, we have to move forward.

Mr. Yvan Baker: Thank you.

[*Translation*]

The Chair: Go ahead, Ms. Pauzé. You have two and a half minutes.

Ms. Monique Pauzé: Thank you.

My question is for Mr. Gaudreault.

We heard about disasters that have happened elsewhere. Can you tell us about any that have affected Quebec?

Mr. Sylvain Gaudreault: Absolutely.

I recognize that those who live in poor communities, immigrant communities, disadvantaged neighbourhoods and racialized communities are hit very hard by environmental impacts.

The Notre-Dame neighbourhood in Rouyn-Noranda is a striking example. You only have to go there once to see just how close residents are to the copper smelting plant. It's practically on top of them. Research shows that both children and adults living there have concentrations of arsenic four times higher than those in a control group of residents of Amos, in Abitibi, the same region. The ethnocultural makeup of the neighbourhood is fairly uniform; the people there have worked at the Horne smelter for generations. Think about it. The presence of arsenic in those people's systems is four times higher than the arsenic levels found in a comparable group of Amos residents.

That is unacceptable. Something has to be done. That is what is referred to as environmental justice. I have no doubt that achieving greater environmental justice hinges on providing a broad range of services in a number of areas, including education.

For instance, in Quebec—

• (1720)

Ms. Monique Pauzé: Can you give examples of the social safety net that exists in Quebec, which Ms. Zann actually recognized?

Mr. Sylvain Gaudreault: Yes, of course.

For instance, focusing—

The Chair: You have 30 seconds to answer, Mr. Gaudreault.

Mr. Sylvain Gaudreault: Focusing on early childhood by establishing affordable day care through early childhood centres is one solution. Setting lower tuition fees allows families whose members have never gone to university to have a university graduate for the first time. Establishing electricity rates that are much more affordable than in the rest of Canada ensures people can heat their homes.

Those are the types of measures that can be taken proactively to reduce environmental impacts and achieve greater environmental justice for all affected communities.

The Chair: Thank you, Mr. Gaudreault.

Mr. Bachrach, you may go ahead.

[English]

Mr. Taylor Bachrach: Thank you, Mr. Chair.

I have a question for Dr. MacDonald regarding enforcement. We've just been completing a study on the enforcement of the Canadian Environmental Protection Act. Through that study, we have discussed some really concerning barriers that citizens and groups face in pursuing enforcement of the act.

Could you speak to enforcement, in the context of the bill we're discussing today? How could it potentially be strengthened to give citizens or communities better access to redress?

Dr. Elaine MacDonald: The biggest barrier is probably the cost issue, the risk of adverse costs, even the cost of hiring a lawyer to access the courts. Certainly, in our experience at Ecojustice Canada, we do many litigations, and in Canada it's the cost risk.

It's not as bad, I must say, in Federal Court as it is in some provincial courts, but the cost risk is certainly an issue for many individuals and small communities that just don't have the funds. It's absolutely the biggest barrier to bringing something before the

courts. That's why we suggested a kind of easy, low-risk tool that would waive costs unless the case was vexatious, for example.

There is an environmental protection action provision in the Environmental Protection Act, which we've looked at, and we have some concerns with that. It's never been used, because it creates many barriers when it's used. For example, it requires a person to request an investigation of government first, and then get a response from the minister, who's unresponsive, or no response at all. They can then move into taking this on, but once again the cost risk is really the major barrier that I see there in terms of taking that on.

The Chair: Mr. Bachrach, you have time for a quick comment, or a short question and answer.

Mr. Taylor Bachrach: I think the follow-up would be that, in looking at the contents of this bill, does this concept of enforcement have any real bearing in this legislation in the same way that it does in CEPA, for instance, or is the main thrust of this bill not in a direction that would allow citizens to really seek that redress through the courts?

Dr. Elaine MacDonald: Our recommendation in terms of enforcement went with the recommendation with respect to a federal obligation to ensure the government doesn't perpetuate environmental racism. Should the federal government fail to meet that obligation, it would give citizens a tool in order to enforce that obligation on the government. The two would go together, hand in hand.

The Chair: Thank you, Mr. Bachrach.

We'll go back to you, Mr. Albas.

Mr. Dan Albas: Thanks again, Mr. Chair.

I'm going to start with you, Mr. Gaudreault. Thank you for your service in the National Assembly.

I agree with your arguments that provinces are uniquely situated. They're local and they often have the enforcement capacity to immediately jump on cases of a violation of environmental laws. I agree with that.

In my former riding, though, on a first nation reserve, it turned out that someone was charged and taken to court for the illegal burning of some wood. I think British Columbia's provincial government was looking to collect \$100,000 in fines. The court found that it was ultra vires: It was actually under federal jurisdiction because it was the Penticton Indian Band reserve, which is under the federal side. Also, by the way, the Indian Act actually says that the penalty would be around \$250.

As much as that argument says to me that provinces should be able to enforce their laws, unfortunately there are just some cases where provincial laws don't align.

How would you address that, sir?

• (1725)

[*Translation*]

Mr. Sylvain Gaudreault: I think the federal Indian Act is completely outdated. The example you just gave is only further proof of that.

Without question, the Indian Act has to be completely overhauled in recognition of the United Nations Declaration on the Rights of Indigenous Peoples. However, the methods of today have to be used, taking into account today's realities. I would add that indigenous communities have to rely on services provided by provincial governments, for instance, hospitals, health care facilities and educational institutions such as universities.

There is much work to be done when it comes to hospitals and health care services provided by the provinces, who need to pay more attention to the needs of communities and tailor services accordingly, if only in terms of language. In addition, more services need to be available within indigenous communities.

In relation to indigenous communities, specifically, the federal Indian Act needs overhauling and the services provided by the provinces to communities need improving.

[*English*]

Mr. Dan Albas: Thank you. I appreciate that.

Again, I'm concerned that because this will go to Environment and Climate Change for them to consult on, it may not necessarily get the profile it needs to actually have the appropriate minister respond.

The First Nations Health Authority in British Columbia is something that the Harper government put in place to ensure first nations had more control over their health care systems. Along with that first nation band, we were able to put in more resources, including a health centre, so I appreciate that.

For my next question, I'm going to start with Dr. Jones and then open it up.

One of the challenges we have is that this is a big, diverse country. We maybe don't have as much history as some places around the world do, like Europe, but we do have a lot of history where some of these things have happened under multiple governments. How do you start? Where do you start if you have a whole mandate where you could start with first nations, where you could start with provinces or where you could start with individual communities, such as the Black community in Truro? How do you pick a priority for consultations to move forward?

Dr. Lynn Jones: You've presupposed that you pick a priority. What I see with the bill is very much a collaborative effort. The bill clearly states that. I don't think that it has to operate in silos. I speak often about how people try to... Often there is this "divide and conquer" kind of attitude rather than that we are all Canadians and we all want the best. We want the best for the environment. There's no reason in the world why we can't all work together to come up with a strategy, a national solution. Some of the best committees in the best community efforts that I've been involved in have been...the fact that we've done that, and I—

The Chair: Thank you. I think that answers the question, but there will be other opportunities.

Dr. Lynn Jones: That's okay. Thank you.

The Chair: We'll go to Ms. Saks for five minutes, please.

Ms. Ya'ara Saks (York Centre, Lib.): Thank you, Mr. Chair.

I think I'm going to pick up where my colleague, Mr. Albas, left off.

Dr. Jones, you've had such a rich life, exploring and advocating. Your historical experience in this is vast. The knowledge we're gaining from you is tremendous with regard to your personal perspective on this.

Taking up where my colleague left off, I'd ask you this: How do we ensure that meaningful engagement occurs with marginalized communities in the development of environmental policy? In your wealth of experience, what are best practices you would recommend that we consider here in this discussion?

• (1730)

Dr. Lynn Jones: Always, for me, it's to consult—because somebody has mentioned this in a different aspect—the communities concerned. They've been dealing with the land and that environment all their lives, and they might not do things the way you normally do things. They have different ways of getting together, different ways of talking and different ways of judging. It's a matter of putting people at a table and having them come up with strategies and ways they want to deal with their communities. Government has this terrible, terrible way—and I worked for government at one point—of thinking that it has all the answers in that it's the government's way or the highway. However, in actual fact, the most success we have had is when we put these communities together and they work through and come up with the best strategies. We could do that with this environmental racism bill.

In fact, as an aside, we're doing it with our Black Lives Matter fund, where the communities themselves are saying what they require and what their needs are. It's the most successful way.

The Chair: Dr. Jones, could you hold the mike closer to your mouth again?

Dr. Lynn Jones: Thank you.

I talk too much, don't I?

Voices: Oh, oh!

The Chair: No, it's not that. It's just for the interpreters. The mike needs to be higher up.

Ms. Ya'ara Saks: We're learning so much from you, Dr. Jones. It's okay.

Dr. Lynn Jones: I'm just excited.

Ms. Ya'ara Saks: I know.

I'd like to carry that a little further. I have extensive work in shared society building on another side of the world, in Israel and Palestine. One thing I've learned in this process when you consult with communities is that you learn a lot, but you also learn where the gaps are. We were talking earlier about the data, and I'll open this up to other witnesses who are here, as well. What information or knowledge gaps do we have right now when it comes to environmental justice and environmental racism as we move forward with this?

I may want to ask, Dr. Jones, if some of our other witnesses want to weigh in with you, of course.... Perhaps someone else will pick up.

Dr. Lynn Jones: I could say so much. When we started on environmental racism through the ENRICH project, I still remember.... This is the truth. When I was bringing up the flooding issues in our community and was told that flooding was not an environmental racism issue, that's where we started. That was a gap. Even in the definition, there's this big, packed, long definition of environmental racism. My community wouldn't get their heads around those fancy definitions, but they know what happens when the flood waters come through their homes. They lose homes. They have prepared for generations, so they know all about that. There are so many gaps that, as we work through this—and I work on these concerns—the community's getting involved more, and the community is able to address its own concerns.

I'm concerned about some of the things around Quebec and issues that have been brought forward, but I'll just leave it. I won't go there.

The Chair: You have time for a quick comment, Ms. Saks. We have about 20 seconds left.

Ms. Ya'ara Saks: I see that Mr. Gaudreault wants to weigh in in 30 seconds. I certainly hope one of my colleagues picks it up.

The Chair: Thank you, Ms. Saks.

We're really getting down to the end here. We have time for, I guess, a two-minute round, each party getting essentially one question and one answer.

I don't have any names yet for the Conservative Party. Who would like to ask one question of our witnesses?

Go ahead, Mr. Albas.

• (1735)

Mr. Dan Albas: I'll just continue on, and perhaps Dr. Jones has already responded to it, so I'll just put it in a slightly different way. I would just say that, if you were in charge of doing these consultations.... It is a big country. There is a lot of history, and there are a lot of different communities, municipal governments, indigenous communities and the Black community she mentioned in Truro, for example. Where do you start?

Ms. Gue, if you were in charge, where would you start? To me, if I were working for Environment and Climate Change Canada, that would be the hard one.

Ms. Lisa Gue: Just to come back to this point—and I know we've emphasized it a lot—the data collection requirement in this bill is going to be very important to help inform prioritization, to

the extent that that needs to happen. I agree with Dr. Jones' earlier comments as well, that the purpose of a strategy is to be broad and broadly applicable. I think this bill very well sets out a broad scope and then also provides the tools with the requirement, again, for data collection and assessment to help to define priorities.

The Chair: You have 30 seconds, Mr. Albas, for a statement.

Mr. Dan Albas: I'll just simply thank everyone for their attendance today.

Thank you.

The Chair: Thank you.

Mr. Bittle, you have time for one question.

Mr. Lloyd Longfield (Guelph, Lib.): Mr. Bittle has generously turned over his time to me.

Thank you, Mr. Chair.

The Chair: Mr. Longfield, you have time for one question.

Mr. Lloyd Longfield: This was a delightful meeting.

Dr. Jones, thank you for all you've done, today and previously.

I sit on the public accounts committee, and the Auditor General audits the United Nations sustainability goals. We do gender-based analysis on all of our programming. Is there a standard we should be looking towards for a governance committee to use in terms of auditing against systemic racism?

Dr. Lynn Jones: You have a big job.

Mr. Lloyd Longfield: Yes. We all do.

Dr. Lynn Jones: Notice I said “you”.

Because we haven't done these collections.... I'm seeing that more in the health data because we've been working a lot with the data around health with COVID in the groups I work with.

Also, there are concerns, because data can also be used against communities, not for communities. I can't answer that question quickly, because there are so many parts to it. It has to be informed data, and that is not—

Mr. Lloyd Longfield: I'm thinking that South Africa went through truth and reconciliation. We are going down some of those roads. How do we stop people from relocating other people to garbage dumps?

Dr. Lynn Jones: First of all, we have to admit that we're doing that, and that's a problem we have in this country. We refuse to admit that these things are happening, and we keep trying to point out examples where it's happening on a basis to somebody else when, in fact, this is talking about disproportionate impact. That's the key. Until you accept that and admit it, we're not going anywhere.

Mr. Lloyd Longfield: Thank you so much.

The Chair: Yes, and that's what this bill is aiming for.

[*Translation*]

It's your turn, Ms. Pauzé. Go ahead.

Ms. Monique Pauzé: My question is for Mr. Gaudreault.

You talked a lot about addressing inequalities, so could you define environmental justice for us?

Mr. Sylvain Gaudreault: Against the backdrop of climate change, which is irreparable, the biggest challenge facing populations is definitely environmental justice. All impacts on all populations must be avoided. We have to work to avoid the impacts.

The impacts are experienced on three levels. First are the past impacts on indigenous and working-class populations, which we absolutely have to remedy. Second are the current impacts tied to climate change, ranging from heat islands to public health issues. Third are the future impacts, those associated with the green transition; for example, workers and families will end up having to leave behind the types of jobs they currently hold and adopt new types of employment.

That, too, is a facet of environmental justice for all. It is imperative that the provinces and federal government invest massively in a just transition. The transition must be just for workers and vulnerable populations, whether they are racialized or indigenous, whether they live in historically poor neighbourhoods or whether they have to leave well-paying jobs to do other types of work in the future. That is a just transition.

• (1740)

The Chair: Thank you.

The last turn goes to Mr. Bachrach.

You have two minutes, enough time for one question.

[*English*]

Mr. Taylor Bachrach: Thank you, Mr. Chair.

I have a question for Ms. Gue that I asked a previous panel of witnesses. Often, when we think of environmental racism, the most intuitively understood examples involve contaminated sites near communities, or very site-specific incidents. In the region where I

live and that I represent, northwest B.C., climate change is disproportionately affecting first nations communities, as you well know, and that impacts wild salmon stocks, wildlife and so many other values. It's a fundamentally different kind of impact than a site-specific contamination, because it's linked to global climate change, which is a global problem. Is this bill going to sufficiently address those two very different expressions of environmental racism?

What would that look like in the context of the national strategy, for instance?

Ms. Lisa Gue: That's an important question, and I think good guidance for the committee to give the government in developing the national strategy. Place-based impacts are, as you say, very important and probably what comes to mind first, but certainly climate change has effects that fall in the same category of environmental racism.

There are other examples as well, and I know I don't have too much time, but briefly, for example, recent research looking at air quality in Canada's major cities finds consistently that the worst air quality is in racialized neighbourhoods. I think that is looking at the federal jurisdiction to solve some of these problems. In part, what the systematic collection of data and the strategy have to offer is to bring a focus onto these disproportionate impacts, so that decision-making goes beyond consideration of general population risks and really is able to understand the risks to specific populations that are most affected.

[*Translation*]

The Chair: Thank you.

As I said at the beginning, we will break before moving in camera, but first, I want to thank all the witnesses for sharing with us their views and observations on the important issue of environmental racism. It was a real pleasure to hear your comments and discuss the issue with you.

Thank you again to the witnesses. The committee will reconvene shortly.

The meeting is suspended.

[*Proceedings continue in camera*]

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>