



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Environment and Sustainable Development

EVIDENCE

NUMBER 085

Tuesday, November 21, 2023

Chair: Mr. Francis Scarpaleggia



Standing Committee on Environment and Sustainable Development

Tuesday, November 21, 2023

• (1100)

[*Translation*]

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

Welcome, Ms. Vien. I hope you are going to like the Standing Committee on Environment and Sustainable Development. Our work is very interesting, as you will see.

We are starting a study on federal freshwater policy. Today we have two panels of witnesses. I would first like to point out, for Ms. Pauzé in particular, that all witnesses in the first group who are with us virtually have passed the sound quality tests.

We have with us in person Alexandre Lillo, who is a law professor at the Université du Québec à Montréal.

Mr. Lillo, thank you for being here. We are very happy to have you.

[*English*]

We also have with us, online, from the B.C. Wildlife Federation, executive director Jesse Zeman; the founder of The EcoAmbassador—non-profit, I assume—Ms. Luxmy Begum; and from Wildsight, which is another NGO, Wyatt Petryshen, science policy adviser.

Each witness will have a five-minute opening statement. Then we'll proceed to a couple of rounds of questioning. I hope we can get in two rounds. Actually, I guess it's going to be one round.

[*Translation*]

We are going to start with Professor Lillo.

[*English*]

I have Mr. Bachrach.

Mr. Taylor Bachrach (Skeena—Bulkley Valley, NDP): Before we begin the testimony, I wonder if we could just briefly discuss the committee business that's set for the end of the meeting. I think we're set to go to 1:30 and I believe some members have other commitments at one o'clock. I wonder if we could break 10 minutes earlier for committee business at 12:50 and have a very short committee business session so that we can still get out of here at one o'clock, or if we could postpone the committee business to another meeting.

• (1105)

The Chair: It's up to the committee to decide. Why don't you table a motion?

What's your motion?

Mr. Taylor Bachrach: I move that we adjourn to committee business at 12:50. It reduces our meeting....

The Chair: Put up your hand if you agree.

Who doesn't agree?

[*Translation*]

(Motion adopted)

The Chair: So we will do what was proposed.

In the circumstances, since we are losing time, I think—

[*English*]

Mr. Dan Mazier (Dauphin—Swan River—Neepawa, CPC): Are we breaking at 12:50, then?

The Chair: Yes, at 12:50 to do future business, but we're losing time on the study. We're going to try to make it up somehow.

Mr. Dan Mazier: Mr. Chair, what are we doing with the first...? Are there two rounds on the first round?

The Chair: We'll see how it goes. I doubt that there will be two rounds, because we have opening statements.

Mr. Dan Mazier: Okay.

The Chair: We'll start with Professor Lillo for five minutes, please.

[*Translation*]

Mr. Alexandre Lillo (Law Professor, Université du Québec à Montréal, As an Individual): Mr. Chair, members of the committee, thank you for inviting me to testify today.

My name is Alexandre Lillo and I am a professor in the law department of the Université du Québec à Montréal. My specific expertise is in legal and water governance issues, which I have been working on for 10 years now. I actually did my doctorate and my postdoctoral studies at the University of Ottawa, so it is a pleasure to be back in the region. I do not know whether there are any Pokémon fans here, but I feel like a Squirtl who has come back to Kanto.

Members of the committee, joking aside, we are at a crossroads. Water-related problems have never been as frequent, intense and complex. This is a fact. While water governance tools have not yet been adapted to grasp the implications of these problems, we are living in a time of political and legal transformation that has not been seen in Canada for almost 50 years. The creation of the Canada Water Agency, the implementation of the freshwater action plan, and the modernization of the Canada Water Act are all initiatives that may make it possible to remodel the legal and political water governance landscape.

There is no guarantee that we will win this battle, however, and it will be crucial that we leave the beaten path. Today, I want to draw your attention not only to the importance of a coordinated approach as between the orders of government, but also to the role of the federal government within that approach.

From the beginning of your freshwater study, you have observed the full range of the issues and actors involved with water. The difficulty, you will agree, is that we are dealing with a situation with thoroughgoing transboundary, intersectoral and interagency aspects. For those reasons, coordinated intergovernment action is unavoidable if we want to fully understand these mounting challenges. On that point, a Canada-wide effort would be particularly desirable if we want to be equipped, collectively, to manage water everywhere in the country in a spirit of cooperative federalism.

In addition, I believe that intergovernment cooperation in respect of water should be a reflection of several transformative considerations. First, it should allow for decisions made by non-governmental actors present on the ground to be implemented. This cooperation should also enable us to imagine the possibility of a representation of water as an autonomous entity, as a fully-fledged actor in itself: water influences our ways of life and our ways of doing things, just as we influence its nature and composition. And this cooperation should enable us to seize the opportunity to take a step forward in the process of reconciliation with the first nations, both by incorporating an indigenous representation and by applying their governance modes.

It is from this perspective that the federal government plays an essential role. Of course, the federal government does not have exclusive jurisdiction over a subject matter as vast as water, although water does have a significant intergovernmental dimension. On the other hand, the federal government is the only order of government capable of catalyzing a dynamic of intergovernment cooperation everywhere in Canada, an undertaking that the provinces alone could not accomplish. Its role is therefore to initiate action in this area, but also to facilitate the adoption of a common approach and coordinate the implementation of that approach.

It must be noted that there are legal strategies to support Canada-wide management of water. Examples are administrative interdelegation or bilateral agreements. However, their existence is not sufficient in itself. They must be accompanied by human, financial and material resources and by strong political will, which is an essential element. This will not be an easy task, but Canadian federalism allows us to imagine a cooperation model that is both harmonized and capable of preserving regional diversity and richness. In fact, it is somewhat ironic to say that these considerations are not new in themselves. There were structuring reports on water law and gover-

nance in Canada that were already calling for this over 50 years ago. What is new, however, is the context: a context of urgency in the face of problems that are increasingly acute, but also a context of opportunity in which the profile of the law and governance of water are undergoing rapid change.

Thank you.

• (1110)

The Chair: Thank you, Professor Lillo.

We will now go to Mr. Zeman, who is the executive director of the B.C. Wildlife Federation.

[*English*]

Mr. Jesse Zeman (Executive Director, B.C. Wildlife Federation): Good morning. Thank you for the opportunity to be a witness.

The B.C. Wildlife Federation is British Columbia's leading conservation organization. We're also the largest and oldest conservation organization, with over 41,000 members and 100 clubs across the province.

As it relates to fish, watersheds and wetlands, our clubs and members put hundreds of thousands of volunteer hours and dollars into conducting wetland fish habitat restoration across the province and advocating legislative, regulatory and policy changes for a future that includes healthy watersheds and vibrant fish populations.

Over the past two years, in the world of fish, water and wetlands, the B.C. Wildlife Federation has delivered over 100 projects totalling over \$5.5 million while partnering with over 49 first nations communities. Since 2021, we've delivered over 230 projects and over \$10 million worth of on-the-ground restoration. Our partners include first nations, ENGOS, local communities, private landholders, the Government of Canada and the Province of B.C.

In British Columbia, spring freshet comes earlier and it's happening faster, which means floods, erosion, sedimentation and sometimes even landslides. In the summers we have watersheds with chronic low flows, rivers that are too hot to support native species and, of course, catastrophic wildfires. Wildfires only exacerbate future issues with sustainable watersheds in subsequent years and decades. To make the point, this summer the Province of British Columbia declared a state of emergency, as did a number of its communities across the province, for drought and wildfire. Nearly 80% of B.C.'s water basins were in level four or five drought. It's now November, and we still have communities affected by this summer's drought and at least two communities still in a state of local emergency as of yesterday. Two years ago at this exact same time, we were dealing with the atmospheric river, which was the most costly weather event in B.C.'s history.

As it relates to taking care of our watershed, an ounce of prevention is worth a pound of cure.

Today I'm going to touch on two topics: funding and regulation.

On funding, the environment, including water, is the first thing to get cut during an economic downturn and the last thing to receive a bump when the economy is strong. Our fish and watersheds operate on time scales of years, decades and centuries, not four-year cycles when—

The Chair: Just a moment, please. We'll pause.

[*Translation*]

Ms. Pauzé would like to say something.

Ms. Monique Pauzé (Repentigny, BQ): Mr. Chair, I think there is a problem with the microphone, because the interpreter is no longer able to do their work.

[*English*]

The Chair: I'm wondering if it's the placement of the mike. Should it be higher or lower? Can we find out what the problem is?

[*Translation*]

Ms. Monique Pauzé: The interpreter says the sound is not clear.

[*English*]

The Chair: Could you lower your boom? Can we just test it?

Mr. Jesse Zeman: Is this helpful? Is it a better placement?

• (1115)

The Chair: No, it doesn't seem to be good. It passed the sound test, though.

Maybe we'll go to Dr. Begum, and we'll come back to you, please, Mr. Zeman. I don't know how we'll solve the problem. Maybe the technicians will do another sound test.

We were at 2:28. I'm sorry; I apologize, but we have to protect the health and safety of the interpreters.

Dr. Begum, can we go to you for five minutes?

Dr. Luxmy Begum (Founder, The EcoAmbassador): Thank you, Mr. Chair, and thank you for inviting me to this committee meeting.

I'm Luxmy Begum, and I'm here today as an individual expert to share my knowledge and perspective.

I have more than 20 years of experience in the water, waste water and waste management sectors. I have worked for the federal government, the provincial government and several major consulting engineering firms in Ontario. My experience includes water and waste-water treatment plant updates, technology selection, program development and project delivery.

I'm also the founder of TheEcoAmbassador.com, whose focus is to create environmental protection and prevention awareness. I am also an active member of the Canadian Water and Wastewater Association and the Water Environment Association of Ontario.

The focus of my statement today is different contaminants of emerging concern found in waste water and biosolids. A detailed

brief was submitted to this committee earlier regarding this study, outlining those contaminants along with their available removal technologies. Today I will leave out those technical parts and go directly to the findings and suggestions regarding them.

The different groups of contaminants in waste water and biosolids that are getting recent attention are per- and polyfluoroalkyl substances, commonly known as PFAS; pharmaceuticals and personal care products; microplastics; and endocrine-disrupting chemicals. The removal of these contaminants from source water and waste water is a necessity, as they may have a considerable effect on the biophysical environment and living organisms, depending on their concentration.

These contaminants generally cannot be successfully eliminated by conventional treatment methods. Advanced treatment technologies, sometimes in combination, are required to remove them to some extent, depending on the contaminants and their concentration. A multiple barrier approach is more effective than a single advanced technology for their elimination.

Usually, these treatment technologies are expensive, with higher capital and operating costs, and are complex to operate. Upgrading existing treatment plants with advanced technologies will require extensive capital and operating costs. In such cases, the focus should be shifted to source control and product elimination or replacement with suitable alternative products that are not leaking those contaminants.

Polyfluoroalkyl substances, or PFAS—also known as “forever chemicals”, due to their long-lasting chemical bond—are a group of more than 12,000 chemicals that are raising concerns due to their potential hazard to human health and the environment. PFAS are used in different consumer and industrial products and are ubiquitous in nature, as they can enter the environment via many different pathways in air, water and land.

PFAS have been detected in waste water and biosolids too, because of their widespread nature, which raises concerns about biosolids' suitability for land application. As PFAS are mainly a chemical compound commonly used in many different consumer products, they end up in trace amounts in waste water, biosolids and other residuals. If the treatment plant receives PFAS-contaminated sewage in the collection system from nearby sources, such as industry, the concentration of PFAS in sewage and sludge will be much higher than the ambient concentration.

Many areas have implemented industrial pre-treatment, such as Michigan in the U.S.A., and thus prevented those contaminants from entering the environment and waste-water treatment plants in a high concentration.

Currently there is extensive research going on regarding PFAS—their quantification protocol, detection limit, exposure impacts and health risks—among various research and scientific committees. Regulators and decision-makers should closely follow those research and scientific findings and make them the basis of their law and enforcement tools.

So far, source reduction of PFAS compounds and phasing out their usage were the most efficient in reducing risks and potential concerns related to PFAS in waste water and biosolids.

Recent research also found that levels of PFAS in rainwater sometimes exceed levels deemed safe by different health and environmental advisory agencies. PFAS can travel through rainwater, potentially contaminating water sources around the world. In such a case, a global agreement on source control and product elimination is a must.

Thank you.

• (1120)

The Chair: Thank you very much.

We'll go to Mr. Petryshen from Wildsight for five minutes, please.

Mr. Wyatt Petryshen (Science Policy Advisor, Wildsight): Good morning, Mr. Chair and members of the committee.

As you said, my name is Wyatt Petryshen. I'm currently the science policy adviser for Wildsight, a volunteer position that I've held since the fall of this year, and this precedes my role as Wildsight's planning, policy and impacts researcher.

Before beginning, I do want to thank the committee for accommodating my ability to appear virtually from New Haven, Connecticut.

Within the Elk Valley of southeastern British Columbia, coal mining has occurred for over 100 years. Initially operating as underground mines, in the later part of the 20th century, these mines have transitioned into the large mountaintop-removal coal mines we see today. They have become a major supplier of high-grade steel-making coal to Asia-Pacific countries. Overshadowing the expansion of mountaintop-removal coal mines in the Elk Valley, with current production estimates between 26.5 million and 28.7 million short tons of coal annually, has been the worsening water quality that threatens other aspects of the economy, ways of life and watershed security.

From 1985 to 2022, selenium concentrations have increased by 443%, nitrates by 697% and sulfates by 129% in the Elk River at Highway 93. This is at a federal-provincial monitoring station located approximately 74 kilometres downstream from the nearest coal mines. Selenium is known to cause reproductive failure in fish, which can lead to the collapse of freshwater ecosystems. Contamination released from these mines has become a chronic problem, as exceedances occur frequently to British Columbia's water quality

guidelines for the protection of aquatic health and for drinking water.

Through the almost three decades of known selenium contamination leaching into the watershed, numerous task forces and panels have failed to take meaningful action to solve the problem, which has occurred alongside the worsening water quality and coal mine expansion. The Auditor General of British Columbia's May 2016 report, entitled "An Audit of Compliance and Enforcement of the Mining Sector", provides a succinct summary of this history.

We are currently at a crossroads in the management of water resources in Canada. We acknowledge the critical importance of clean water both for society and within ecosystems, but we've typically followed a path that maintains the status quo that is endangering these resources in the first place.

Wildsight has been actively engaged with the federal government on the creation of the proposed coal mining effluent regulations, which we believe is a positive step in helping to remedy the contamination crisis unfolding in the Elk Valley. However, these regulations have not yet been released. Furthermore, action by the Province of British Columbia under Ministerial Order No. M113, requiring Teck Resources to stabilize and reduce contamination entering the watershed, has been an abject failure, amplifying the ineffectiveness of provincial and federal fines to force the mines into compliance. The sale of Teck Resources coal mining business to Glencore may likely worsen the situation.

To remedy these concerns, Wildsight is recommending to this committee that the implementation of co-governance frameworks is one of the best tools that can be collectively deployed to address the ongoing mismanagement of water resources in both the Elk Valley and beyond. Co-governance frameworks would enable decision-making to be shared across all levels of government, local communities, and first nations, encompassing entire ecological systems and thereby providing the structure required for effective management, monitoring and prioritization of local objectives that rely on direct community involvement, but also inclusion of the nation-state to supplement capacity and provide the tools required to address multi-faceted issues.

Furthermore, watershed-scale co-governance is the only framework whereby diverse value systems can be brought together to support pluralistic decision-making. Traditionally, resource extraction has superseded other values in the Elk Valley, but under a co-governance framework, decisions can be made to support a diverse set of stakeholder values, like watershed security, ecological intactness and sustainable development, which in the past have been marginalized.

Actionable items by the Canadian government include the immediate formation of indigenous-led watershed boards for watersheds along transboundary regions and the development of similar co-government structures elsewhere in Canada.

Furthermore, the federal government needs to move to finalize the proposed coal mining effluent regulations and ensure that federal agencies undertake strict enforcement action for industries that are in non-compliance with Canada's existing laws that protect water resources and aquatic health.

Thank you for the opportunity to speak today. I'll be happy to answer any questions.

The Chair: Thank you very much.

How are we doing with...?

A voice: They're still on the phone.

The Chair: Okay. I think we'll just move to the first round of questioning.

You have about two and half minutes left. Let's talk about the weather to see if the sound quality is good.

• (1125)

Mr. Jesse Zeman: I could say all kinds of things about what was happening here in British Columbia this summer. If we get an opportunity to continue the presentation, I'll round that out.

The Chair: I haven't seen thumbs down. You're good to go. You have two and a half minutes left.

Now they're down.

Mr. Jesse Zeman: Is it thumbs down now after testing again?

The Chair: It's passable, but they may interrupt. Also, maybe if you speak slowly, it will be easier for the interpreters. I don't know, but go ahead.

Mr. Jesse Zeman: We'll go right into funding. Without dedicated funding we're unable to plan or look ahead, and we find ourselves in a state of reactive firefighting.

The Province of British Columbia has taken a leadership role in starting the watershed security fund, with an initial endowment of \$100 million. The Watershed Security Coalition, of which the BCWF is a member, believes that with the \$400 million from the province and \$400 million from the Government of Canada, we can secure an additional \$200 million to create a \$1 billion fund. This fund can be supplemented annually by a water—

The Chair: I'm sorry. We're going to have to go to questions. We'll see what happens if a question is directed your way, Mr. Zeman.

We'll do a six-minute round, starting with Mr. Kram.

Mr. Michael Kram (Regina—Wascana, CPC): Mr. Chair, my questions are actually for Mr. Zeman. Could we maybe spend a few more minutes troubleshooting the technical details and come back to me at the end of the round? Would that be doable?

The Chair: Yes. We'll go to Ms. Taylor Roy, then.

Ms. Taylor Roy, you have six minutes.

Ms. Leah Taylor Roy (Aurora—Oak Ridges—Richmond Hill, Lib.): Thank you very much, Mr. Chair.

It's such a large field that it's really difficult to know where to begin, so I'll begin at home with an example that affects my riding, the watershed of Lake Simcoe.

My question is really about the collaborative work of the provincial, territorial and federal governments in addressing freshwater pollution. Lake Simcoe is affected by many things, but one is continued development and the building of highways close to the lake itself, which has resulted in many threats to the lake, of which I won't go into the detail.

Really, my question is about how, as a federal government—even through the new freshwater action plan and freshwater agency—we are able to protect these important freshwater sources. Other levels of government may exempt them from environmental assessments in projects, and where we have no jurisdiction, how may we proceed to look at something and evaluate whether what's being done is going to have a deleterious effect on the water quality in particular?

Perhaps we can start with Alexandre. You're in the room here. Can you give me some thoughts on that?

[*Translation*]

Mr. Alexandre Lillo: Yes, absolutely. You are right, the question is very much on point. That is where the main issue lies.

I think we have to see jurisdiction over water as a fluid power. The pun was not intentional, but that is the case. This fluidity is seen at all levels, whether for a regional watershed, for example the Mackenzie River watershed, which covers an enormous area, or the much more localized watershed of a lake. There will be issues relating to fisheries and navigation that will unarguably fall under federal jurisdiction, but of course there will be overlap between those and provincial and municipal or even indigenous jurisdictions.

Given this, it becomes a matter of collaboration. Starting from the principle that whatever the extent of the land affected, we may encounter a strong intergovernmental dimension, I think the role of the federal government, in this scenario, is really to initiate cooperation. Its role is to implement the necessary tools, the safety net, to avoid falling into a situation where we are no longer able to manage water because management is too fragmented and no political agreement can be reached. Certainly, in political terms, there are very strong issues. However, I think the federal government should institute the necessary and sufficient guardrails while respecting regional diversity and richness.

• (1130)

[English]

Ms. Leah Taylor Roy: Thank you. I'll follow up on that.

One particular project in my community is something called the Bradford Bypass. It's a proposed 16.2-kilometre road. It's going to cause a lot of runoff. There will be effects of climate change. It's going through wetlands and many other things.

With this, it's been determined, especially with the latest ruling by the impact assessment board, that the federal government cannot look at the project to protect the waters of Lake Simcoe, even though that is something we are talking about in the water agency. I understand the idea of co-operation, but it requires both levels of government to co-operate.

Do you think legislation or something else is needed? You talked about water as its own entity or having its own rights. Do you believe something else is needed so that the federal government can, in fact, protect these very important sources of fresh water for communities when provincial governments are not doing so?

[Translation]

Mr. Alexandre Lillo: One of the first things we have to note, and your question puts that very clearly in perspective, is that we can address water management-related issues via other access points, for example environmental impact assessment or biodiversity impact studies. We can also consider the management and protection of water itself as a unit. At present, the problem is that we are coming at it from different angles when we address water-related access points rather than having a much more holistic vision of water management and the associated mechanisms.

If I understand your question correctly, you want to know whether we could have much more radical legal tools, such as legal personality. That may be an option, yes. I think the legal personality of water, the rights of nature, or the mere fact of giving water existence as an actor, for example if we have a committee composed of persons who are there to represent water, will protect us from ourselves, in a way, and enable us to move forward in our interaction with the environment.

That said, there are legal problems, not to mention that developing strategies like that would take time. The important thing, however, is to change our perspective. We are realizing that things as they are today are no longer working. I believe that tools like those would allow for a radical change of perspective that would help us move forward. Would it radically change political relationships and force political cooperation? That might not be the case. It depends on what form of the tool were to be adopted. In a context of cooperative federalism, imposing some things is always complicated.

The Chair: Thank you.

It is now Ms. Pauzé's turn.

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

Thanks to all of the witnesses for being with us. I think they have all, in their presentations, addressed the fact that there were new challenges and problems that are amplified in the climate emergency we find ourselves in. I think all the witnesses agreed on that.

I have six minutes, Mr. Lillo, so if you are not able to complete all your answers, you can always send notes to the clerk, who will send them on to us.

Some experts believe that effective implementation of a policy on water needs to have tangible roots at the local level, and that it is physical proximity, in fact, that will determine the use of resources and the degree of pressure on ecosystems.

As you understand things, could too high a degree of administrative centralization have a negative effect on the water management and environmental protection policies that have already been put in place by other orders of government?

• (1135)

Mr. Alexandre Lillo: That question is extremely important and very much on point.

I believe these two things are not mutually exclusive. We have to distinguish between the strategy and the political and legal tools we are going to use, on the one hand, and their impact and results, on the other. We have to be able to reconcile certain issues that are very local, like those raised in the previous question, with issues that are much less local. For a transboundary river, for example, we have to be able to have a holistic view, by definition.

I think the legal strategy should allow for systematically overriding these jurisdictional conflicts, instead of working case by case. It is all very well to work case by case, but legally, there should be a vision that is much more adaptable, whatever the case.

When a water-related problem arises, it is virtually certain there will be a division of powers dimension. That is the base. I am thinking again of the case of sewage being discharged in Montreal a few years ago. You have heard about that. It was very localized, it was happening in Quebec, in Montreal, but the federal government stepped in, for a host of reasons. To avoid this kind of thing, we need to have mechanisms by which an environment of cooperation would already exist in every potential situation.

Ms. Monique Pauzé: So, in the example you just gave, Canada has the responsibility of having an effective legal framework to prevent water pollution and protect the quality of the resource.

What about water pollution caused by pesticides? I would like to address that subject with you. In fact, another witness was just talking about that. It is an issue that concerns many observers. Good intentions are voiced, but what gets done seems to be quite different, because the pesticide lobby is very strong.

What do you think?

Mr. Alexandre Lillo: I think that to date, there is a difference between tackling existing problems, like pesticides, and equipping ourselves, institutionally and legally, to think in different ways about managing these problems, whether to mitigate or to prevent their consequences. When we have pesticides in the water, yes, we have to take a more technical approach to cleaning that water. I am not an expert in this area, but I can tell you that the legal framework for water management today does not enable us to anticipate this kind of thing. We have three provincial ministries involved on the left, four federal departments on the right, and then the municipalities, and none of these people talk to each other and they all work in isolation. It is really this aspect that I am interested in.

Ms. Monique Pauzé: When our committee started this study, yes, we saw that there were 18 to 20 government departments dealing with water. That makes no sense.

The main problem is still the lack of political will. We saw this in the case of the PMRA, for example, the Pest Management Regulatory Agency: people were resigning because there was too much pressure or because they did not have the documents they needed. The case of that agency became a horror story.

How could a Canada water agency mitigate that problem?

Mr. Alexandre Lillo: It is ironic, but I think it will take political will for the Canada Water Agency to be able to mitigate all of that. For better or for worse, the beauty of Canadian federalism is that we have to address this political will in order to come up with something collectively, even if we have conflicts over jurisdiction.

I think the agency will have to adhere to certain values and certain principles of cooperation, and call on certain very strong political considerations as soon as possible in order to tackle these issues; otherwise, the same problem will certainly always arise.

Ms. Monique Pauzé: Does that mean that you think the Canada Water Agency should have all the legislative tools for taking action?

• (1140)

The Chair: Mr. Lillo, I would ask you to give a brief answer.

Ms. Monique Pauzé: Obviously, in the Bloc Québécois, we always protect the powers of Quebec and the provinces in the constitutional framework.

Mr. Alexandre Lillo: Can I ask you to clarify what you mean by “legislative tools”?

Ms. Monique Pauzé: In fact, we believe the Canada Water Agency is too centralizing a body, having regard to the powers of Quebec and the provinces in relation to freshwater.

Mr. Alexandre Lillo: From my point of view, creating the Canada Water Agency can be seen as a form of centralization, but in applying its policies and processes there should be a much more regional vision. At that point, we could have something that flows, if you will allow me another pun. This would need to be the case, that is, an agency that would get involved at the regional level in order to...

The Chair: Thank you, Mr. Lillo.

The issue is really whether it is a clearing house or a regulatory body. That's why we're seeing this dichotomy, if I understand the situation correctly.

Mr. Alexandre Lillo: I think they are not two contradictory things.

The Chair: I do not think it is a regulatory agency; it is more of a clearing house.

We will now try one last time to give Mr. Zeman the floor.

[English]

Mr. Zeman, could you give it another try, a last try, and—

Mr. Jesse Zeman: I am. We can try again. We've been IT-ing, and everything seems to look good. They were telling me it should work.

The Chair: Could you take a couple of minutes to finish your opening statement?

Mr. Jesse Zeman: Okay. We can continue on to questions if you want.

The Chair: Okay. Since you don't feel you need another two minutes to finish the opening statement, we can go to questions. I think Mr. Kram has some questions for you anyway.

Mr. Michael Kram: Very good, Mr. Zeman. I'm glad that we have resolved these technical issues.

I understand that invasive species are a significant issue for Canadian fishers, especially in British Columbia. I was wondering if you could share your views on invasive species and how they are affecting what you do.

Mr. Jesse Zeman: Yes, certainly, and I'm sure Wyatt can speak to this as well.

In the case of invasive mussels, we're one of the few jurisdictions as it relates to invasive species and disease. British Columbia currently does not have chronic wasting disease in wildlife, and it currently does not have any quagga or zebra mussels. The threat in terms of the impact on fish and fisheries, water systems and infrastructure related to water is worth millions of dollars a year if the invasive species end up in British Columbia.

I think that this is one issue that has opened up a Pandora's box strategically. Instead of dealing with it federally at a local level when it first emerged, we kind of let things take place, and now in British Columbia we're doing our best to manage it, but certainly federal funding and dedicated funding is a big topic today. We need to be protecting our borders here in British Columbia to ensure that we don't end up with mussels. It kind of feels like it's just a matter of time here before we end up with a positive.

Mr. Michael Kram: The issue of invasive species was the subject of a report by the commissioner of the environment and sustainable development back in 2019. The report found that Fisheries and Oceans Canada and the Canada Border Services Agency had not taken the steps required to prevent invasive species from becoming established in Canada's waters, despite commitments to do so.

I was wondering if those findings match your experience in British Columbia. Are steps being taken to stop invasive species at the border? What has been done over the last four years to change this situation?

Mr. Jesse Zeman: As you would have heard from the Okanagan Basin Water Board, a lot of it in our world is really a matter of policing our borders and making sure that boats are clean before they enter British Columbia, and that's a funding issue.

Again, I'll go back to the watershed security fund that British Columbia has started on. They've come up with \$100 million to start. That needs to be a \$1 billion fund. I

in our neck of the woods, I guess the big thing out of the Government of Canada is going to be regulation and enforcement of that regulation, which is an ongoing challenge for us. The third piece is having dedicated funding so that we can go out and take care of our borders in relation to invasive species.

• (1145)

Mr. Michael Kram: That same report found that the government was not tracking which invasive species were of most concern. Based on your experience, what are the invasive species that are of most concern, from your perspective?

Mr. Jesse Zeman: As it relates to water, it's quagga and zebra mussels for sure. That's the one at the top of everyone's mind right now.

I would say there are other issues, such as invasive crabs in the ocean, but right now quagga and zebra mussels are what we live and breathe here every day.

Mr. Michael Kram: Okay, very good. Thank you.

Mr. Chair, with my time remaining, I would like to hand it over to my colleague Dan Mazier.

Mr. Dan Mazier: Thank you, Michael.

Mr. Chair, I move the following motion.

“That, pursuant to the Order of Reference”—

The Chair: Mr. Mazier has the floor.

Then I have Mr. van Koeverden, Mr. Deltell and Ms. Taylor Roy.

Just a second; let me write this down. We're going to stop for a moment.

We have Mr. Mazier, Mr. van Koeverden, Mr. Deltell, Ms. Taylor Roy and Mr. Ali.

Mr. Mazier, go ahead.

Mr. Dan Mazier: Mr. Chair, I move the following motion:

That, pursuant to the Order of Reference of Thursday November 9th, 2023, the Minister of Environment and Climate Change, appear before the Committee for

no fewer than 2 hours to consider the Supplementary Estimates (B) before Friday, December 1st, 2023.

Mr. Chair, the minister needs to testify on the estimates that fund his failed policies—

The Chair: Can I interrupt for a second to give some information to the committee? Then I'll let you go.

This Tuesday he couldn't come because of cabinet. Thursday he's going to the Senate committee. Next Tuesday is cabinet, and then he's off to COP28. He wants to come, but he won't be back in the country until December 15.

I just wanted to give you some background. It's not that he doesn't want to appear; it's a scheduling conflict.

Go ahead.

Mr. Dan Mazier: Thank you.

The minister does need to testify. We've asked for him to come here to testify basically on his failed environmental policies. He was supposed to be at this committee this week. We now know that he's not going to be here, upon numerous requests, so it is very clear that the minister is hiding from Canadians, and it's very clear why. On October 13, the Supreme Court of Canada—

The Chair: I'm sorry; I have a point of order.

Ms. Leah Taylor Roy: I'm sorry; you just explained why the minister's not coming and the member opposite is clearly stating—

The Chair: He has the floor. He can—

Ms. Leah Taylor Roy: Isn't it misinformation when he's saying that the minister is clearly avoiding the committee when you've explained there's a scheduling conflict?

The Chair: Mr. Mazier's free to doubt the veracity of what I've just said and impugn my motives, but he's free to speak.

Go ahead.

Mr. Dan Mazier: Thank you, Chair.

We now know, today, that he is not going to appear today after numerous calls from this committee to appear this week at committee to become accountable, so it is very clear that Minister Guilbeault is hiding from Canadians, and it's very clear why he's hiding from Canadians.

On October 13, the Supreme Court of Canada ruled that the Liberals' “no more pipelines” bill, Bill C-69, was unconstitutional. On October 26, Minister Guilbeault was forced to backtrack on his failed carbon tax. He admitted that it was unaffordable for Canadians.

On November 7, the government's own environment commissioner stated that Minister Guilbeault is failing to meet the government's own emissions targets. On November 14, the Federal Court ruled that Minister Guilbeault's plastic ban was unreasonable and unconstitutional.

[*Translation*]

Mrs. Sophie Chatel (Pontiac, Lib.): I have a point of order, Mr. Chair.

[English]

The Chair: We have another point of order. Go ahead, Madame Chatel.

[Translation]

Mrs. Sophie Chatel: It may be more a request for clarification. What are we discussing, exactly? Is it a motion?

The Chair: We are discussing Mr. Mazier's motion, which is:

That, pursuant to the Order of Reference of Thursday November 9th, 2023, the Minister of Environment and Climate Change, appear before the Committee for no fewer than 2 hours to consider the Supplementary Estimates (B) before Friday, December 1st, 2023.

Ms. Monique Pauzé: Mr. Chair, I would like to call upon the goodwill...

The Chair: Is this a point of order?

Ms. Monique Pauzé: Call it what you will, a point of order or a question of privilege.

The Chair: You have to raise a point of order for me to give you the floor.

Ms. Monique Pauzé: Mr. Chair, we have two witnesses here today whom I had proposed: Mr. Lillo, who has come from Montreal, and Mr. O'Connor, who has come from Estrie. These two witnesses are not appearing by video conference. They have travelled here, but we are unable to ask them questions, when we had planned to discuss committee business at...

• (1150)

The Chair: Yes, I understand very clearly, but we are now debating Mr. Mazier's motion.

Mr. Mazier, back to you.

[English]

Mr. Dan Mazier: It is very clear why the minister is hiding and doesn't want to testify in front of this committee: On October 13, the Supreme Court of Canada ruled that the Liberals "no more pipelines" bill, Bill C-69, was unconstitutional. On October 26, Minister Guilbeault was forced to backtrack on his failed carbon tax. He finally admitted that it was unaffordable for Canadians. On November 7, the government's own environment commissioner stated that Minister Guilbeault is failing to meet the government's own emissions targets, and on November 14, the Federal Court ruled that Minister Guilbeault's plastic ban was unreasonable and unconstitutional.

No wonder he is hiding.

I expect the Liberals and the NDP will help cover up the minister's tracks again by stopping debate on my motion, but Conservatives do believe that Canadians do deserve answers from this minister.

Thank you, Chair.

The Chair: I have Mr. van Koeverden.

Mr. Adam van Koeverden (Milton, Lib.): Thank you, Mr. Chair.

It has now become a little bit of a trend that we interrupt studies and our witnesses who have joined us and who in some cases have

gone through great tribulations to be able to be present and answer questions. We have committee business following this. That is a perfect time to deal with this motion.

I appreciate Mr. Mazier bringing it forward, but with that said, I move to adjourn debate on this motion so that we can return to the study and work on committee business in the time allotted.

The Chair: That's a dilatory motion, with no debate.

(Motion agreed to: yeas 7; nays 4)

The Chair: We'll go back to the meeting. It was Mr. Kram. You have two minutes left.

Mr. Michael Kram: Very good.

I'll go back to Mr. Zeman from the Wildlife Federation of British Columbia.

Mr. Zeman, on your website you have a considerable number of recommendations for the Government of Canada in terms of next steps for water policy.

Can you give us a brief summary of what the next steps should be?

Mr. Jesse Zeman: There's a lot there and not enough time in committee to unpack all of it. I would say that the biggest priority in our world is definitely going to be dedicated funding.

We are continually seeing these wild swings in funding. It doesn't enable us to plan it doesn't enable us to forecast. Quite frankly, we are often firefighting and living in crisis management rather than proactively addressing all of these issues. This summer in British Columbia we had a drought, and even now we're still in drought here in a number of parts. Addressing those things ahead of time proactively is probably the best step.

The other piece that we didn't have a chance to talk to is around regulation and enforcement of regulation. Recently the University of Victoria environmental law centre put together a report for the Yaqaan Nukiy First Nation and the B.C. Wildlife Federation related to the harmful alteration of fish habitat through hydroelectric development. Permits or authorizations are supposed to be given by the Department of Fisheries and Oceans if we're going to allow hydroelectric developers to impact fish habitat, and what we found in that case was that no permits had been issued. In essence, we're asking the Department of Fisheries and Oceans to follow its own rules to bring BC Hydro and Fortis into compliance.

I would say those are two of the top. We already have existing regulations and legislation that don't have enforcement or are not being used. In our world of British Columbia, we would definitely love to see the Government of Canada step up with \$400 million for the watershed security fund.

The Chair: Your time is up.

We have six minutes exactly until noon, so Mr. Bachrach, you're going to just fit in under the wire.

Mr. Taylor Bachrach: I'm just going to fit in under the wire. Thank you, Mr. Chair. I appreciate it. Thanks to all of our witnesses for their testimony so far.

I'd like to pick up where Mr. Zeman left off with his request that the federal government invest \$400 million in the B.C. watershed security fund. Perhaps he could lay out what the British Columbia government has invested to date and some of the activities that it would facilitate if the federal government stepped up and enabled the billion-dollar watershed security fund in our province.

• (1155)

Mr. Jesse Zeman: Yes, absolutely.

This spring, the province announced \$100 million to get the fund going. We'd like to see another \$300 million out of the province to help bring it up to a billion dollars federally and provincially.

What has it enabled? It's enabled fish habitat restoration and wetlands restoration. It's enabled a bunch of planning, co-governance and partnerships with first nations, all things that we need in order to take care of our watersheds and our fish.

It has also drawn in a whole bunch of local community support, and that's something that our organization and other organizations in British Columbia, such as Ducks Unlimited, are fairly good at. It's also, I think, brought communities closer together. It has helped support reconciliation between first nations indigenous communities and non-first nations communities. There's a whole bunch of really good value-added stuff.

It's also going to help mitigate the effects of climate change. A bunch of the infrastructure we've invested in around beaver dam analogues, riparian area habitat restoration and wetland restoration is just generally good stuff for wetlands and watersheds as well as for preventing or mitigating the effects of climate change.

Mr. Taylor Bachrach: Thank you very much, Mr. Zeman.

Based on that, Mr. Chair, I would like to put on notice the following motion: "That, given the importance of freshwater ecosystem services to the prosperity, sustainability, and resilience of British Columbian communities, and given the increasingly severe impacts of climate change including drought, wildfires, and floods, the committee urge the federal government to match the Government of British Columbia's to establish a \$1 billion watershed security fund."

I'll provide the written version to the clerk in both official languages as soon as possible, but I wanted to notify the committee that I'll be putting that motion on notice.

Thank you.

The Chair: Okay. Are you going to continue with your questions?

Mr. Taylor Bachrach: Continue with my questions....

The Chair: Yes. You have three minutes left. We have to stop at noon.

Go ahead.

Mr. Taylor Bachrach: I know, and I appreciate all three of those minutes.

Thank you, Mr. Chair.

I'm going to move to Mr. Petryshen.

Mr. Petryshen, you laid out a long history of water pollution challenges in the Elk Valley. It seems that despite knowing about this problem for decades and decades, there's been very little progress in addressing the root cause of the problem.

In your view, what are some of the key systemic impediments to resolving those water pollution issues?

Mr. Wyatt Petryshen: The history in Elk Valley is quite complicated, as many of you know, and it's been going on for a very long time, so there are a lot of legacy issues embedded within Elk Valley.

Over the last couple of decades, the issues with the contamination, especially with selenium, have become more and more obvious, and there's been this continued reluctance to take meaningful action. Some of the witnesses have already spoken to this, but there's typically been a reluctance to impose meaningful fines to require companies to come into compliance. This is something that has occurred in the Elk Valley for decades.

The federal government has taken a positive shift, I think, for that \$60-million fine that was given a couple of years ago, but if that action had been taken earlier, I think a lot more would have been done to mitigate this issue.

Another issue is the asymmetrical nature in which decisions have been made. Typically, in regard to mitigation and even restoration work, this is done by the company, and it's typically in line with their bottom dollar. A more whole-of-ecosystem approach and an approach that encompasses all different communities, governments and first nations would be a more prudent path forward to make sure that the well-being of that entire ecosystem is maintained in the future and not just in the short term.

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

Now, of course, the Elk Valley is only one of the coal-producing regions of Canada. In the area where I live, Bulkley Valley, there's a proposal for an open-pit coal mine near the Telkwa River in the Skeena watershed. This is a watershed that supports a world-renowned steelhead run as well as all five species of wild salmon.

I'm wondering what advice you would have for the residents of Bulkley Valley and the Skeena watershed who are grappling with this proposal, which would result in the mining of 750,000 tonnes to 825,000 tonnes of coal per year over 25 years. Does the Elk Valley provide a cautionary tale? What advice would you give to the people of the Skeena watershed, based on your experience in the Elk Valley?

• (1200)

The Chair: Answer fairly briefly if you can, please.

Mr. Wyatt Petryshen: I think it is a cautionary tale. In many respects, I think that a lot of folks didn't know some of the implications of coal mining, and again, it's been going on for over 100 years in the Elk Valley.

In regard to the potential mine in your area, I think it's making sure that people are fully aware of potential consequences from opening one of these mines and how those short-term economic benefits might play out to long-term economic costs. There are many examples of mines in British Columbia that have shut down and whose remediation has fallen to taxpayers, which has cost them millions of dollars.

The Chair: Thanks very much. We're going to stop there.

I want to thank all the witnesses. I apologize for some of the interruptions, but it's all fair game in our system.

Before we go to our second panel, we'll suspend to do the sound tests for the panellists who are online.

[*Translation*]

Mr. Lillo, thank you for appearing in person.

Mr. Zeman, I invite you to send us the brief you were reading. We will have it translated and distribute it to the committee members. It will be useful for the committee's report.

Thank you.

[*English*]

We will suspend.

• (1200)

(Pause)

• (1205)

The Chair: Colleagues, we're ready for our second panel.

Before we start, the only pressing item of committee business really to do—and I don't think we need to go in camera for this—is to adopt the budget for the water study.

Is everyone in agreement with adopting the budget?

(Motion agreed to)

The Chair: In that case, we won't do committee business at 12:50. We won't do any committee business in camera today. We'll do that on Thursday from 1:00 to 1:30. This will allow us to proceed with our witnesses until one o'clock.

Thank you, colleagues. I appreciate the co-operation.

We have with us Mr. Robert Sopuck, former parliamentarian. It's nice to see you today.

We have Andrew Stegemann, from Our Living Waters.

We have, from the Canadian Environmental Law Association, Deborah Curran.

[*Translation*]

Last, we have David O'Connor from the Regional Environmental Council of Estrie.

Mr. Sopuck, you have the floor for five minutes.

[*English*]

Mr. Robert Sopuck (Former Member of Parliament, As an Individual): Thank you, Mr. Chair. I hope my sound is coming through well.

There are two aspects to fresh water in Canada: water quality and water quantity. Quality relates to the relative purity of water with regard to human use and ecosystem function. Water quantity relates to the amount of water flowing or being used over a period of time. Water can be overabundant due to floods but scarce during droughts, creating significant water allocation conflicts. As Mark Twain once said, “Whiskey's for drinking, water's for fighting over.”

The most significant water issues are in the settled parts of Canada where most Canadians live and work, sometimes referred to as the southern working landscape. Water in this area is either surface water or groundwater.

There was a 2009 report entitled “The Sustainable Management of Groundwater in Canada”, which noted:

Nearly a third of Canada's population, some 10 million people, depends on groundwater for safe drinking water and more than 80% of Canada's rural population depends on groundwater.... Canada's groundwater, however, is increasingly under threat from factors such as urbanization, climate change, burgeoning energy production, intensification of agriculture and contamination.

This report provides a useful blueprint for the management of Canada's groundwater resources, and I urge the committee to prioritize groundwater issues.

Regarding surface water quality from a human use perspective, water quality is affected by point-source and non-point-source pollution. Point-source pollution is effluent from a single point, such as industrial and urban facilities. However, non-point-source pollution is diffused and results from land runoff, precipitation, land drainage or hydrological modification. The most prominent result of non-point-source pollution is phosphorus runoff into water bodies, often causing algal bloom, such as in Lake Erie. Such blooms lead to degraded water quality and fish kills and can affect local economies.

Point-source pollution is largely under control or well managed up to a certain point, although I know there are issues still. The 1989 pulp and paper effluent regulations mandated the treatment of toxic effluence from mills, and almost all cities have waste-water treatment plants.

Mitigating non-point-source pollution is difficult and requires landscape-level treatments that are expensive and difficult to implement and may affect local economies.

Regarding water quantity, floods and droughts are the main causes of water quantity issues. Canada's infrastructure needs to be hardened against flooding, as was done by sainted Manitoba premier Duff Roblin when he built the Winnipeg floodway. Built between 1962 and 1968, the floodway cost \$63 million and has saved property from damage to the order of \$30 billion. That's climate change adaptation at its finest.

The floodway's dikes and dams are examples of hard infrastructure, but natural infrastructure means the creation or the re-creation of lost natural features such as wetlands. This is sometimes referred to as "nature-based solutions", a concept I strongly support.

A study of the Smith Creek watershed in eastern Saskatchewan estimated that for the 2011 flood, complete restoration of the wetlands to their historic levels decreased the flood peak that year by nearly one-third. Conversely, complete drainage of wetlands increased the 2011 peak by 78%. Constructing small dams has also been shown to protect infrastructure.

Wetlands, whether natural or constructed, also improve water quality and sequester carbon. I recommend that all publicly funded infrastructure programs include the creation of natural infrastructure and support nature-based solutions in addition to the hard engineering.

The best example of drought adaptation is modern agriculture, through which new crop varieties and tillage practices conserve water for crops during droughts. Agriculture is a special case, since farmed land is privately owned, and all of the economic signals incentivize farmers to maximize production.

The miracle of modern agriculture is that people on modest incomes, at least until now, were able to eat well. The current vigorous debates on high food prices are instructive. However, farmers are being asked to conserve public resources on their private lands, such as wetlands, that provide only public benefits and only increase the farmer's costs. Providing incentives to private farmers to deliver non-market public goods will settle this impasse. Public goods include flood control, water quality improvement, biodiversity, conservation, and carbon sequestration. This could be very significant, since much of the southern working landscape is farmed and in private hands.

There are many examples in North America, but one I'm most familiar with is Manitoba's growth program, which provides financial incentives for producers to conserve wetlands. Alberta has developed a similar approach, but these programs need to be scaled up significantly.

Canada has been very late to the game of incentive-based conservation on private lands, and we are behind the U.S. and Europe, where the Farm Bill and the common agricultural policy, respectively, support large-scale private land conservation as a high priority.

- (1210)

I hope the committee will provide strong recommendations to the government to establish private land conservation programs on a scale similar to those in the United States and Europe.

Thank you very much.

The Chair: Thank you, Mr. Sopuck, for a very interesting and insightful brief.

Thank you for bringing up groundwater, because there is a misconception in Canada that we have a lot of groundwater, but it's under threat, from what I've heard, and you've confirmed that.

We'll go now to Mr. Stegemann for five minutes, please.

Mr. Andrew Stegemann (Former National Director, Our Living Waters, As an Individual): Thank you, Mr. Chair, and all the members of the committee.

My name is Andrew Stegemann. I am the former national director of Our Living Waters, as well as the former chair of the Canadian Coalition for Healthy Waters.

I am calling from Vancouver, B.C., which is on the unceded territory of the Musqueam, the Squamish and the Tsleil-Waututh.

When we consider the health of our waters, we often focus on specific problems like managing pollution, but we do so in the absence of a larger consideration of integrated watershed management. If we are to properly manage the pollution in our waters, we have to think like water.

To see the point more clearly, consider a body of water in your riding—a river or a lake or a stream you particularly like. The health of that water is, of course, impacted by what happens on the land surrounding it. If contaminants are spilled on the land, it seeps into the water.

However, the health of that water is also impacted by what happens upstream. For example, water in the St. Lawrence River flowing past MP Pauzé's riding is impacted upstream by water in the St. Lawrence flowing by Montreal in MP Scarpaleggia's riding, by water in the Ottawa River flowing by MP Chatel's riding, by water flowing in the Rouge River in MP Taylor Roy's riding, by water in Sixteen Mile Creek in MP van Koeverden's riding, by water in the Credit River in MP Ali's riding, and by water flowing in the Grand River watershed in MP Longfield's riding. All of that meets up downstream with water flowing out of the Saint-Charles River through MP Deltell's riding and into the St. Lawrence outside of Quebec City.

In that small example, we've just connected eight out of 12 members of this committee, three political parties, two provinces and countless traditional territories of indigenous peoples, in addition to regional and local governments, not to mention the impact of decisions made by our U.S. neighbours to the south. Those are a lot of interconnections—interconnections that the federal government, with a Canada-wide gaze on these issues, especially needs to consider when thinking about the management of pollution or other water health issues in general.

With this as background, I have five specific recommendations I'd humbly suggest this committee make in its final report. These recommendations mirror the five foundational pillars put forward by the Canadian Coalition for Healthy Waters, which consists of over 65 member organizations right across the country. The coalition is currently co-chaired by the Forum for Leadership on Water and the de Gaspé Beaubien Foundation. They are recommendations that should be applied to every aspect of the government's policy and institutional levers, including legislation, regulations, policies, institutions like the emerging Canada water agency and all government water investments.

First, the Government of Canada should meaningfully advance its commitment to reconciliation with indigenous peoples by developing pathways and providing resources for the co-governance of shared waters with indigenous nations, including recognizing and upholding inherent indigenous water rights and authority, and fulfilling the Truth and Reconciliation Commission's calls to action and the United Nations Declaration on the Rights of Indigenous Peoples.

Second, the Government of Canada should play a key role in creating and mobilizing the knowledge and tools, both western and indigenous, needed to understand, predict and respond to water challenges and opportunities, particularly against the backdrop of climate change. This includes enhanced funding to amplify existing data collection and dedicated support for community-based water monitoring.

Third, the Government of Canada should take steps to strengthen co-operation across this federation around shared water decision-making and management among different levels of government. This includes respecting the jurisdiction of indigenous nations and peoples, as well as provincial, territorial and municipal governments; and focusing on high-level capacity support while providing leadership and guidance on water management best practices.

Fourth, the Government of Canada should lead through an approach that emphasizes the importance of watershed boundaries in all decision-making. This watershed approach considers interconnected ecological, social, economic and cultural values that must be balanced to ensure the well-being of communities and ecosystems across our interconnected watersheds. This includes supporting watershed-based collaboration across this country and working to ensure adequate environmental flows to provide enough water to make certain that life thrives.

Finally, the Government of Canada should prioritize renewing outdated federal water laws and policies. The immediate focus should be on renewing the over 50-year-old Canada Water Act, in

collaboration with provincial, territorial and indigenous governments.

Further, to ensure that the renewed Canada Water Act is consent-based and rooted in nation-to-nation relationships, the act should be co-drafted with indigenous nations.

Thank you for your time.

• (1215)

The Chair: Thank you very much, Mr. Stegemann.

You used a well-worn political tactic, which is to mention as many people as possible.

We'll go now to Ms. Curran.

Ms. Deborah Curran (Executive Director, Canadian Environmental Law Association): Thank you.

I'm coming to you here on WSÁNEĆ territory and also that of the Lekwungen-speaking peoples.

I just wanted to clarify that I'm with the Environmental Law Centre, which is a non-profit organization working within the faculty of law at the University of Victoria. We deliver a clinic program through which students and staff provide over 6,000 hours of pro bono legal assistance in Canada each year to indigenous and community organizations. I'm not with the Canadian Environmental Law Association, as was stated.

Over the past decade, clients have engaged with the Environmental Law Centre to work on many different freshwater issues that are within the jurisdiction of the federal government. I rely on that work as the basis for this submission.

To provide some context, you know all about water, so I'm not going to fill you in on anything. I just want to highlight two things that are really driving change in the freshwater sphere and also in relation to laws and policies and their implementation.

The first one is that the way in which we're going to address these interconnected hydrological problems and issues at a watershed scale is through partnerships with indigenous communities. Whether we're seeing unprecedented multi-year droughts or we're seeing the intensification of storm events, it's really in watersheds that integrated collaborative management and governance is going to occur. I can give you some examples of where that's happening in British Columbia.

The second thing is that the actual impacts around water are being seen much more intensely, certainly driven by climate change in the last four or five years. My second point is that the federal government has a lot of tools already. My particular expertise is law. There are a lot of laws and legal tools on the books that are simply not being used to the extent that they could be to address the changing conditions that are going on right now. In particular, I point to the Canada Water Act and a renewal of the Canada Water Act, and also certain provisions of the Fisheries Act.

Those are my contextual statements. I'll just make two points around collaborative governance and then environmental flows as they're related to pollution, because the two go hand in hand.

We've seen some interesting court decisions recently. Here in British Columbia, courts now recognize that treaty and aboriginal rights are limiting the way in which state governments make decisions about natural resource development across the landscape. I'm referring to the Yahey decision from 2021 in British Columbia, which found that the cumulative impacts of primarily oil and gas development in northeast B.C. was a treaty infringement of those nations.

We're also seeing, at the same time, consent-based processes for new mines, water quality and broader conservation, such as for protected areas. With the federal funding for meeting the biodiversity targets of "30 by 30", there is a lot of funding available to improve on conservation areas.

In terms of collaborative governance, we're seeing that in many cases it is indigenous communities that are leading the way, in partnership with the province and sometimes with federal funding. I can point you to, for example, the Gitanyow Aks Ayookxw water policy that they have just launched, which is based on both western science and their legal order. It is a process that anyone using water in their territory needs to abide by.

I also point you to—you might have already spoken about this with federal staff—the decades-long monitoring of water quality and quantity by the first nations in the Peace-Athabasca delta and the federal government's commitment to further work in that area.

My final points relate to both flow and pollution.

The way in which we do environmental regulation related to water in Canada is still very much along the principle of dilution being the solution to pollution. As flows change—I'm particularly pointing to low flows—pollution concentrates. There has never been a meaningful conversation with indigenous people about, for example, what that means for the Fraser River and the fish coming up the Fraser River. That is now occurring quite extensively with the nations in the Peace-Athabasca delta in relation to Wood Buffalo National Park as a result of a lot of pressure from UNESCO and various other fora.

• (1220)

I would echo the comments of the panel before us around the international impacts of the pollution from Elk Valley and the need for the federal government to more fully use its existing legal tools to take an interest in freshwater issues that are of national concern. They're of national scope and concern, not just interjurisdictionally but within federal lands, as they are affecting fisheries. The federal government does have a lot of room to act.

The Chair: Thank you.

You mentioned that not all provisions of the Fisheries Act are being used to their fullest, or are being used at all. Would you mind sending us some examples that we could distribute to committee members and that the analysts could incorporate in the draft report?

I will go now to Mr. O'Connor.

• (1225)

[*Translation*]

Mr. David O'Connor (Project Manager, Invasive Species, Regional Environmental Council of Estrie): Hello, Mr. Chair and committee members. Thank you for inviting me today.

I was born in Ottawa, and it was also here, at Carleton University, that I discovered my passion for ecology.

[*English*]

The Chair: Is translation not working?

[*Translation*]

Everything seems to be working now.

You may continue, Mr. O'Connor.

Mr. David O'Connor: Right.

My name is David O'Connor and I am the project manager at the Regional Environmental Council of Estrie. Before going any further, I want to clarify that I am here in my personal capacity, and not as a representative of the Regional Environmental Council of Estrie or of the Regroupement national des conseils régionaux de l'environnement du Québec.

If you are wondering why I have come to talk to you about invasive aquatic species in the context of pollution, it is because no other pollutant containing so few contaminants can have as much impact as biological pollutants. Less than a millilitre of water contaminated by a species such as the zebra mussel, the quagga mussel or the spiny water flea can have major repercussions for our indigenous species, destroy the recreation and tourism economy, and create major costs for our municipalities for modifying and managing their water facilities.

Take the example of Lake Mégantic. When the disaster happened ten years ago, hundreds or even thousands of litres of petroleum products were spilled into the lake. Today, the lake is recovering. Compare that with Lake Temiskaming, where the spiny water flea has been introduced. A significant decline in the populations of perch and other recreational fishing species has been observed.

The federal government already plays an important role, and it is really important that it take the lead in the areas where it needs to act. A number of federal agencies have a role to play, including the Canadian Transportation Agency, which manages pleasure craft licences and pleasure craft operator cards. Outside the Great Lakes and watercourses where commercial vessels navigate, pleasure craft are the main source of contamination by invasive aquatic species.

In my work, I am developing a regional strategy to combat invasive aquatic species. This is a project funded by the Department of Fisheries and Oceans. That is another role played by the federal government. In the course of this work, I have studied what happens elsewhere extensively.

I believe we are ten to 15 years behind the Western Aquatic Invasive Species Resource Center, an organization that brings together the states and provinces in western North America. At the border, in several states, the organization operates a boat inspection and decontamination station that is open 14 hours a day, seven days a week, 365 days a year. It is illegal to pass one of these stations with a boat without stopping, regardless of whether it is a kayak or a water sports craft. These activities are funded by renewals of boat registrations and licences. A portion of the money collected is therefore used to support this effort.

In addition, I believe we are five to ten years behind New York state, which spends over \$9 million per year just on a program that makes it possible to have individuals responsible for meeting people at boat launches and for inspecting and decontaminating boats.

It is essential that the federal government play a role to help municipalities, regions and provinces better manage invasive aquatic species. In Estrie alone, we have one of the most contaminated watercourses apart from the Great Lakes: Lake Champlain, which empties into Missisquoi Bay and feeds into the Richelieu River. The region also has several lakes that cross the international border. We therefore need to take action beyond the merely regional level.

Thank you.

• (1230)

The Chair: That is really fascinating. Thank you, Mr. O'Connor.

We will now proceed to the question round, where the time allotted will be six minutes. However, I will allow myself a little more flexibility, given that if each person were allotted seven minutes, we could conclude right on time, at 1:00 p.m.

Mr. Leslie, you have the floor.

[*English*]

Mr. Branden Leslie (Portage—Lisgar, CPC): Thank you, Mr. Chair.

I'll start with Mr. Sopuck, given that B.C. Wildlife was here but had some technical difficulties.

I know you're an avid hunter and angler. I wonder if you can speak to the role that community plays in managing our freshwater resources and how we can go about better recognizing that reality.

Mr. Robert Sopuck: Thank you very much for the question, Mr. Leslie.

What's different about the hunting and angling community in Canada, versus everybody else who talks about environmental conservation, is that these people actually get their hands dirty and are out there in the field cleaning up rivers, improving fish habitat and creating wildlife habitat. They number about five million people. They are always forgotten in these kinds of fora.

For example, the Smithsonian Institute in the United States did a major study on bird abundance, and they found that the only bird species that are doing well are waterfowl. They attribute it directly to the work and positive actions taken by hunters and anglers, who collectively prioritized preserving these species. There was a group of people who actually went on the ground and got their hands dirty.

I noticed in the testimony from the B.C. Wildlife Federation... Unfortunately, his talk was truncated, but he talked about on-the-ground work that's done.

When we were in government, we instituted something called the recreational fisheries conservation partnerships program. Over the three years that the program ran, there were literally hundreds of freshwater projects conducted by Canada's angling groups with regard to fish habitat and fish population enhancement. It was a remarkable story of community partnerships with government.

Unfortunately—and it's a fact, not my opinion—when the new government came in, they cancelled that program.

Mr. Branden Leslie: Thank you, Mr. Sopuck.

You mentioned your time in the Harper government. Back in 2012, a former government amended the Fisheries Act and the Navigable Waters Act. This government, when it came in, made some significant changes to reverse that.

Could you explain why those changes were made back in 2005, and your thoughts on the abandoning of those changes that were originally made by the Harper government?

Mr. Robert Sopuck: Sure. I did a paper on the Fisheries Act for the Frontier Centre for Public Policy way back in 2002. The Fisheries Act defined habitat extremely broadly, so basically any puddle or any little drainage ditch were all considered fish habitat. Second, it talked about the factors that not only affected fish but had the potential to affect fish. What that did was make basically every single water body a fish habitat.

When the fisheries officers descended upon rural communities—and, of course, always carrying side arms, which we found very strange in a farmers' meeting—they were very much meddling in the private activities of private landowners and their farming activities.

I recall a study that we did at the fisheries committee—I was also on the fisheries committee for nine years—and we were in opposition at the time. We had a look at the changes we made to the Fisheries Act. One of the witnesses was a Mr. Ron Bonnett. Mr. Mazier knows him. At that time, Mr. Bonnett was president of the Canadian Federation of Agriculture. He was scathing in his critique of DFO's having descended on farms. He said that the enforcement was inconsistent, that it didn't work, and that it actually inhibited him from doing fish habitat programs.

The other reason we changed the Fisheries Act is that we actually wanted to focus on fish. Fish habitat is supposed to produce fish, so we focused on fish production.

Regarding the Navigable Waters Protection Act, it was a similar kind of thing to the Fisheries Act. Every little water body that could float a canoe was considered navigable. The act was promulgated in the 1800s when water navigation was prominent and important in Canada. It has become much less so because of railroads and trucking. At the time, we created the Navigation Protection Act, with the point being to protect navigation on those waters that are actually being used for commercial navigation.

• (1235)

Mr. Branden Leslie: Thank you, Mr. Sopuck.

I'm switching gears again a bit, and I'll ask you to answer in about a minute, if you can.

You mentioned the work that Duff Roblin did in Manitoba. You seemed to indicate you favour that adaption and mitigation approach to tackling climate change and the impacts of it, rather than implementing taxes to try resolve the problem. Could you expand on why you take that approach?

Mr. Robert Sopuck: I have yet to have anybody explain to me how a carbon tax in Canada will affect anything that happens in Canada in terms of droughts, floods and all those kinds of things. Again, we're all entitled to our own opinions, but not our own facts. The fact that Canada emits 1.5% of global CO2 means that not much we do in Canada will have any effect either on the global climate or on Canada's, in general.

Where we can make a significant impact is through adaptation and mitigation. Protecting our natural heritage, our great forests and grasslands as carbon sinks, is critically important. That's why I talked about natural infrastructure.

In terms of hard infrastructure, what Duff Roblin did.... We didn't call it climate change back then, but the miracle of the Winnipeg floodway and the associated flood control works have saved Winnipeg many times over.

One last point I want to make about the federal government is we're trying to build a lake—

Mr. Branden Leslie: Mr. Sopuck, I apologize, but I just need to cut you off there.

Mr. Chair, I would like to take this opportunity to move a motion that is extremely—

A voice: I would like to speak on that.

Mr. Branden Leslie: —relevant to what is happening right now, as it relates to a rally happening at the Centennial Flame. People will be marching to the Senate to protest the unprecedented political game.

As per the notice I put on motion last week, I would like to move:

Given that:

(a) Canadian Farmers have some of the most environmentally friendly agricultural operations in the world;

(b) The Premiers of Alberta, Saskatchewan, Ontario, Nova Scotia and New Brunswick have issued public letters calling on the Senate to urgently pass Bill C-234, a carbon tax carve out for farmers;

(c) Bill C-234 will provide relief for farmers struggling with the burden of the Government's Carbon Tax; and

(d) Bill C-234 will help lower food prices for all Canadians across the country,

The committee calls on the Senate of Canada to pass Bill C-234, a carbon tax carve out for farmers, as soon as possible, and report this to the House of Commons.

Mr. Chair, I do want to keep my comments brief, but this is extremely important legislation. This is \$1 billion coming out of the pockets of farmers over the next seven years, or money that could be left in the pockets of farmers.

The minister had previously falsely stated in the media that 97% of on-farm emissions are exempt. He had to walk that statement back through a communications adviser. What he was alluding to is that diesel and marked gasoline were exempted originally from the carbon tax. This was due to the fact that—

Mr. Adam van Koevreden: I have a point of order, Mr. Chair.

The Chair: Excuse me for just a second, but we have a point of order.

Before we go to the point of order, I would just like to say—to the witnesses, really, because we're inconveniencing the witnesses—that this has been one of the most interesting conversations that I've heard during this study, so thank you for your participation to date.

Go ahead on the point of order..

Mr. Adam van Koevreden: My point of order is to question the relevance of the....

The Chair: I don't think it has to be relevant. They have a right to table a motion. Anybody has a right to table a motion and speak to it.

Anyway, go ahead, Mr. Leslie.

Mr. Branden Leslie: Thank you, Mr. Chair.

I will tell you the relevance. Right now, people outside at the Centennial Flame are about to walk down to the Senate to tell senators to pass this bill. The relevance is that this is happening right now.

As I was saying regarding the reason that—

A voice: Excuse me, but could I...?

The Chair: I'm losing track of all the hands here. We have Mr. Leslie, then Mr. van Koeverden, then Mme Pauzé.

Is yours a point of order as well?

Ms. Leah Taylor Roy: It's a point of privilege.

The Chair: I think Madame Chatel was first. We'll go with her point of order and then your point of privilege.

Mrs. Sophie Chatel: Mr. Chair, there are two women senators who have been threatened, and my colleague is just repeating that threat on them.

I'm really concerned. What are you doing? What are you doing to women? This is unacceptable.

• (1240)

Mr. Branden Leslie: May I speak to that, Mr. Chair?

The Chair: No, we'll go on to the point of privilege.

Ms. Leah Taylor Roy: Thank you.

It is very similar. I just want to say now you're telling.... First it was bullying online and pointing out the women members of the Independent Senators Group, when there are also many male members of that Independent Senators Group.

There have been threats made against these women, and now you have a march descending on the Senate to tell them to do something. What happened to our government? What happened to procedure, and law and order, and respect for members of the Senate and of the House of Commons?

This is like some kind of tinpot dictatorship or something. You don't like what's happening, so you bring out the crowds. It sounds like the convoy again.

The Chair: Thank you.

We'll go back to—

[*Translation*]

Ms. Monique Pauzé: I have a point of order.

The Chair: You have the floor, Ms. Pauzé.

Ms. Monique Pauzé: My comment is somewhat on the lines of what I said before. I am not saying that this debate is not interesting. Yes, something is happening. I even wanted to propose an amendment to the Conservatives' motion. However, as I said before, we have witnesses right now. Some are appearing by video conference and others have travelled to be here. I think we could resume discussion on this motion at another time.

I am therefore asking that we end the debate. I do not really know how it works: do we have to vote on a dilatory motion in order to end debate on the motion?

The Chair: First, I have to allow Mr. Leslie to finish what he is saying, and then it will be Mr. van Koeverden's turn, and then it will be your turn, Ms. Pauzé.

[*English*]

A voice: I just have a list [*Inaudible—Editor*]

The Chair: It's the same as mine, I think. Mr. Mazier would be after Madame Pauzé, I guess.

A voice: No, but he is after Mr. van Koeverden.

The Chair: We've done this before, when I didn't see it—

Mr. Dan Mazier: She did.

The Chair: Yes, but she's not the chair.

Mr. Dan Mazier: You have two lists [*Inaudible—Editor*]

The Chair: Yes, but just in terms of precedence, last time Mr. Deltell said the same thing—that he was on the clerk's list—but I didn't see him and I didn't let him speak. I want to be consistent.

Mr. Dan Mazier: Okay.

The Chair: Anyway, I'd like to ask if the witnesses would be willing to come back on another occasion.

Mr. Lloyd Longfield (Guelph, Lib.): Mr. Chair, that's not fair to the witnesses.

The Chair: I understand that it's not fair.

An hon. member: If we deal with it—

The Chair: Okay, but I'm saying that's if we can deal with it.

Mr. Leslie, go ahead. You have the floor.

Mr. Branden Leslie: Thank you, Mr. Chair.

I would just highlight that the interruptions and points of order have taken much more time than I was planning to use to speak to this.

I am unaware of any threats to any senators. I, of course, in no way would ever condone physical harassment or threats. It certainly did not come from me. When I speak about a “march”, that is a typical protest that happens in front of Parliament Hill every day. It is not a threatening march to go attack senators.

However, the reason that people are here and angry is that this chamber, the House of Commons, passed a piece of legislation that would solve an affordability crisis for Canadians and would help farmers deal with increasing costs.

The reality is that natural gas and propane for grain drying and heating and for cooling of barns should have been exempted originally. Had the government been more aware of farming operations, they would have exempted that to begin with, just as they did for diesel and dyed fuel. We had a chance.

We have a chance. This chamber passed Bill C-234 with the support of the NDP, Conservatives, Bloc Québécois, Greens and some Liberals.

Mr. Chair, these are thousands to hundreds of thousands of dollars of costs. They go directly against the bottom line of Canadian farmers. That ensures that their families have less prosperity and that they're not able to support their community in the same way. More importantly, as it relates to the environmental implications, farmers are not able to reinvest into new technologies, new practices and new equipment to actually improve environmental outcomes.

This issue, unfortunately, has become political. It was not really meant to be political: That's why we saw such cross-partisan support for Bill C-234. It became political when the Prime Minister decided that 3% of Canadians were going to receive a break on the carbon tax on home heating, stepping back on a major marquee policy.

This legislation is about doing the right thing for Canadian farmers, doing the right things for Canadian consumers and passing this legislation. The Senate is absolutely playing shenanigans with this legislation.

To the point of the carbon tax, I understand what it is trying to use. It's trying to use market dynamics. In the case of these practices, much like operating a tractor or a combine on a field, there are simply no alternatives available.

Last, I would just say that it is unheard of in the Senate to do this to a private member's bill. I would just urge all members of Parliament to consider that if it were your private member's bill that was making its way through the House of Commons effectively, passing through the democratically elected chamber, only to be delayed by the unelected Senate—

• (1245)

[*Translation*]

Mrs. Sophie Chatel: I have a point of order, Mr. Chair.

[*English*]

Mr. Brandon Leslie: —I think you would be very opposed, so stop playing these games.

The Chair: I'm sorry, Mr. Leslie, but I have to interrupt you. I'll come back to you.

Madame Chatel, you have a point of order.

[*Translation*]

Mrs. Sophie Chatel: I have two points to make.

First, I would like to know what the list of speakers is.

Second, I would like to ask my colleague to be a little briefer.

The Chair: I do not know where we are on this.

[*English*]

Mr. Dan Mazier: Am I up next?

[*Translation*]

The Chair: No.

I think I had stopped the clock. We had got to six minutes, so the Conservatives' turn is over.

I believe that answers the question you asked in your point of order, is that right, Ms. Chatel?

Mrs. Sophie Chatel: No. I would like to know the order in which people who want to speak to this motion will be speaking.

The Chair: Right. I had misunderstood.

It will be Mr. van Koeverden, Ms. Pauzé, Mr. Mazier, Mr. Ali, and Ms. Taylor Roy.

[*English*]

We will go back to Mr. Leslie.

Mr. Brandon Leslie: Thank you, Mr. Chair. I had almost concluded.

I have no more to say other than that this is the right thing. The Senate needs to get out of the way. We should be adding our voices as parliamentarians, as duly elected members of the House of Commons who supported this legislation, and call on the Senate to do the right thing and pass this legislation unamended, immediately, so that we can give a billion-dollar break to hard-working Canadian farmers.

Thank you, Mr. Chair.

The Chair: MP van Koeverden, go ahead.

Mr. Dan Mazier: Whoa, Mr. Chair—

Mr. Adam van Koeverden: I am next.

Mr. Dan Mazier: I challenge the chair on the speaking order.

The Chair: Okay.

Mr. Dan Mazier: Do we have to have a vote on it?

The Chair: Yes, I guess we do.

Mr. Adam van Koeverden: I turned on my mike, Dan. You heard. I turned on my mike.

Mr. Dan Mazier: I'm challenging the chair on the speaking order.

Mr. Adam van Koeverden: Go for it. Vote on it. You know you're wrong. Go for it.

Mr. Dan Mazier: Challenging the chair on the speaking order is well within my rights.

The Chair: Wait just a second.

Mr. Dan Mazier: The speaking order is...?

The Chair: Mr. Mazier has a right to challenge the chair on the speaking order.

Mr. Taylor Bachrach: Can I ask a clarifying question, Mr. Chair?

If we're challenging the chair on the speaking order and the chair is not sustained, what would the speaking order be? Should we bring forward a motion with a new speaking order?

The Chair: Let's do it one step at a—

Mr. Taylor Bachrach: I have a speaking order in mind, and I would love to propose it as a motion. It has me right at the top.

The Chair: Let's do one thing at a time, please, Mr. Bachrach.

Could you repeat, Mr. Mazier?

Ms. Deborah Curran: I'm sorry, but the—

The Chair: Are you challenging the speaking order I have because you think you should be next?

Mr. Taylor Bachrach: On a point of order, Mr. Chair, I think perhaps the interpretation isn't working for some of our witnesses following our shenanigans online.

Ms. Deborah Curran: The translation is backwards.

The Chair: Okay. Maybe it's a question of choosing. Did you choose the right channel?

Mr. Taylor Bachrach: It's good now. They fixed it.

The Chair: We'll vote on Mr. Mazier's challenge of my ruling regarding the speaking order.

Mr. Taylor Bachrach: Mr. Chair, did you answer my question about what happens if the speaking order is—

The Chair: I didn't because I don't have the answer right now.

Mr. Taylor Bachrach: Could we confer with the clerk and maybe recess for a few minutes and then come back?

Mr. Lloyd Longfield: It's a dilatory motion.

The Chair: We have to vote. I think we have to vote.

Mr. Taylor Bachrach: Oh, we have to vote. I guess we'll see, then.

The Chair: That's what I was saying. We'll take it one step at a time.

Go ahead.

Mr. Taylor Bachrach: We're in uncharted, unnavigable waters.

The Chair: These are unnavigable waters, yes.

• (1250)

Mr. Taylor Bachrach: Is the question “shall the ruling of the chair be sustained?”?

The Chair: Let's be clear on this: Mr. Mazier is challenging. The question is, I guess, whether you agree with Mr. Mazier, and you don't. With regard to the speaking order, do you agree with Mr. Mazier?

(Ruling of the chair sustained)

The Chair: We go back to Mr. van Koeverden.

Mr. Adam van Koeverden: Thank you, Mr. Chair.

Once again the Conservatives have decided to disrupt this study. That's twice in two hours. They might not care about the perspectives of experts, since the expertise of these scientists doesn't necessarily align with the Conservative oil-and-gas-fuelled misinformation campaign they continue to perpetuate.

Mr. Robert Sopuck: Oh, oh!

Mr. Adam van Koeverden: Mr. Sopuck, can you turn off your mike?

Mr. Robert Sopuck: Yes; I'm sorry.

Mr. Adam van Koeverden: Thank you.

I'll start over.

Thank you, Mr. Chair.

Once again, the Conservatives have decided to disrupt this study. That's twice in two hours. They might not care about the perspectives of experts, since the expertise of these scientists does not align with the Conservative oil-and-gas-fuelled misinformation campaign they continue to perpetuate.

These disruptions are not only unproductive, undemocratic and intentionally theatrical; they're also rude to our witnesses and a complete waste of our resources as a committee and of the valuable time of our expert panellists. This is actually an abuse of our privileges and rights as elected people. We have an obligation to utilize these privileges in an ethical and democratic manner. This committee is not your personal theatre. Shame on you.

For that reason—

The Chair: Mr. van Koeverden, there is a point of order.

Mr. Branden Leslie: It's very theatrical, the way he's speaking about the theatrics, which I find a little bit ironic.

The Chair: That's not a point of order. Mr. van Koeverden, you may continue.

Mr. Adam van Koeverden: Thank you, Mr. Chair.

For that reason, I implore my Conservative colleagues to respect this committee, and I move to—

I don't care about the clip, Dan.

Mr. Dan Mazier: You don't care again about the clip. I called you out on that the last time—

The Chair: We have a point of order.

There has to be a point of order or we go back to Mr. van Koeverden.

Mr. Dan Mazier: Obviously, it is well within our rights. They keep on challenging us as far as—

The point of order is that it's well within our rights.

The Chair: This is debate.

Is Mr. van Koeverden using unparliamentary language?

Mr. Dan Mazier: I don't know.

The Chair: That would be a point of order, but that's not what you're suggesting.

Mr. Dan Mazier: I haven't said that. He isn't saying anything relevant.

The Chair: Well, that's the committee.

Anyway, go ahead.

Mr. Adam van Koeverden: I'll say it again: This committee is not your personal theatre. Shame on you.

For that reason, I implore my Conservative colleagues to respect this committee—

Mr. Michael Kram: Mr. Chair, on a point of order—

The Chair: Excuse me, but there is another point of order.

It had better be a point of order.

Mr. Michael Kram: Yes.

I believe that all statements are to be addressed through the chair. I wonder if Mr. van Koeverden is saying “shame on you” to the chair or who exactly he is referring to when he says that.

Mr. Adam van Koeverden: Mr. Chair—

The Chair: Can you clarify that, Mr. van Koeverden?

Mr. Adam van Koeverden: I will.

Shall I start again?

The Chair: I want to clarify that, please.

Mr. Adam van Koeverden: I'll try to reduce the theatrics for Mr. Leslie.

Once again, these Conservatives have decided to disrupt this study twice in two hours. They may not care about the perspective of experts who have come to this committee to testify, since the expertise of these scientists does not necessarily align with the Conservative oil-and-gas-fuelled misinformation campaign that they continue to perpetuate. These disruptions are not only unproductive and undemocratic and—

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): On a point of order, Mr. Chair, are they undemocratic? Can you tell me—

The Chair: That's debate, Mr. Deltell.

Mr. Gérard Deltell: He said “undemocratic”. No, I'm here, Mr. Chair. You and I and everybody here—

[*Translation*]

The Chair: People are entitled to say such things, Mr. Deltell. You know that...

[*English*]

Mr. Gérard Deltell: This is democracy moving. Everybody can use it as they want to, but the point is that my team is not undemocratic.

[*Translation*]

The Chair: I understand.

[*English*]

Mr. Gérard Deltell: I'm sorry, but I'm speaking. My team is not undemocratic.

[*Translation*]

The Chair: I understand.

Mr. van Koeverden, I am giving you the floor again.

[*English*]

Mr. Adam van Koeverden: These disruptions are not just unproductive, undemocratic and intentionally theatrical; they're also rude and a waste of our resources as a committee and of the valuable time of our expert panels.

This is actually an abuse of our privileges and rights as elected people. We have an obligation to utilize these privileges in an ethi-

cal and democratic manner. This committee is not a personal theatre, and shame on those who use it as such. For that reason, I implore my Conservative colleagues to respect this committee.

I move to adjourn debate until we get to committee business, which is the appropriate time for these types of motions.

Thank you, Mr. Chair.

• (1255)

The Chair: I'm sorry, but I missed the end—

Mr. Lloyd Longfield: He wants you to adjourn debate.

The Chair: Okay. You move to adjourn debate.

It's a dilatory motion, and we're going to have a vote.

(Motion agreed to: yeas 7; nays 4)

[*Translation*]

The Chair: Colleagues, there are barely four minutes left, since we had agreed to end the meeting at 1:00. Does someone want to move a motion to adjourn the meeting, given that we have no time left?

[*English*]

Mr. Longfield, go ahead.

Mr. Lloyd Longfield: Can I get one question in?

[*Translation*]

Mrs. Sophie Chatel: I move to adjourn the meeting.

The Chair: You are moving to adjourn the meeting. Can we put that to a vote?

[*English*]

Mr. Taylor Bachrach: Mr. Chair, didn't we vote at the very beginning of the meeting to adjourn at 12:50?

[*Translation*]

Ms. Monique Pauzé: No, the time agreed to was changed after that.

[*English*]

The Chair: We did, but I'm going to see how we can continue this discussion.

A voice: Are you adjourning the meeting?

The Chair: We said we'd go until one o'clock, and it's four minutes to one.

Madame Chatel has asked for adjournment. There's a motion to adjourn, so let's vote on whether we adjourn or not. It's a bit academic, because we're at one o'clock.

We're voting on Madame Chatel's adjournment motion.

(Motion agreed to: yeas 8; nays 3)

The Chair: We're adjourned.

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>