



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Environment and Sustainable Development

EVIDENCE

NUMBER 090

PUBLIC PART ONLY - PARTIE PUBLIQUE SEULEMENT

Thursday, December 7, 2023

Chair: Mr. Francis Scarpaleggia



Standing Committee on Environment and Sustainable Development

Thursday, December 7, 2023

• (1205)

[*Translation*]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): The meeting is now open to the public.

I want to assure the committee members that the sound tests were successful.

Witnesses who appeared before our committee last week or previously are back with us today to finish our discussions.

I would like the four witnesses to take two minutes to summarize their opening remarks, in order to refresh the committee members' memories. We'll then move on to questions.

Mr. Stegemann, please take no more than two minutes to remind us of what you said last time.

[*English*]

Mr. Andrew Stegemann (Former National Director, Our Living Waters, As an Individual): Thank you, Mr. Chair.

I will remind you that I have five specific recommendations that I humbly suggested this committee make in its final report.

The first is that the Government of Canada 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.

The second is that the Government of Canada 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.

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

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

The final recommendation is that the Government of Canada prioritize renewing outdated federal water laws and policies with an immediate focus on renewing the over 50-year-old Canada Water Act in collaboration with provincial, territorial and indigenous governments, ensuring that the renewed Canada Water Act is consent-based and rooted in nation-to-nation relationships that actually are co-drafted with indigenous nations.

Thank you.

[*Translation*]

The Chair: Thank you, Mr. Stegemann.

We'll now turn to Mr. O'Connor.

Thank you for joining us in person once again, Mr. O'Connor.

You have the floor for two minutes.

Mr. David O'Connor (Project Manager, Invasive Species, Regional Environmental Council of Estrie, As an Individual): Mr. Chair, committee members, we're here to talk about freshwater. I urge you to give water protection the attention that it deserves.

We're responsible for 20% of all the freshwater on the planet. Millions of lakes and rivers are in danger of dying, and hundreds of native species are at risk of extinction. For example, all the invasive mussels in Lake Huron amount to 90% of its biomass.

Like many Canadians, I have a favourite lake. I'm sure that you do too. If we don't act, aquatic invasive species will move into your lake. They're already in mine.

The federal government plays a key role in the fight against aquatic invasive species. It must do better. We need national legislation that prohibits boats from being transported while their drain plugs are in place and that includes fines proportional to the value of the boats.

Transport Canada must enforce its current legislation and require the use of water filtration and sterilization systems on all boats equipped with one or more ballast tanks. Boats should be classified according to their risk of transporting invasive species. Licence fees should be proportional to this risk.

Above all, it's important to support the fight against invasive species. As members of Parliament and representatives of Canadians, whether you like it or not, you have a stake in this fight.

Before I answer your questions, I have one for you. Are you strong enough to take up this fight? If you plan to show weakness by hiding behind distractions such as the carbon tax or other issues unrelated to our waters, please give way to someone strong enough to stand up for our waters.

Water is life.

The Chair: Thank you.

[*English*]

Mr. Gilvesy, could you give us a little roundup of your opening statement last week for about two minutes to refresh our memory?

Mr. Bryan Gilvesy (Chief Executive Officer, ALUS): Thank you, Mr. Chair and members of the committee, for inviting me to speak again today.

You'll recall that I'm a farmer and rancher. I'm in Norfolk County, Ontario, and I am also the CEO of the only farmer-led community-based charitable organization in Canada, delivering nature-based solutions on farmland. Our organization is called ALUS. It has been implementing one of the most effective and scalable solutions to water quality protection for nearly two decades now. We build and restore natural infrastructure on marginal or uneconomic farmlands.

We know that the solution can exist at the grassroots because we have supported over 1,600 Canadian farm families and ranchers in building nature-based solutions that enhance natural infrastructure on their lands to protect water quantity and quality, including restoring and/or creating tens of thousands of acres of wetland habitat.

Our network is now delivered through 40 community partners that provide our grassroots backbone, knowledge and support. ALUS has demonstrated how the agricultural community can deliver effective solutions to freshwater quality concerns across the country. We recommend that the committee recognize the opportunity for the Government of Canada to invest in our network of farmers and ranchers who stand ready to scale their efforts and deliver measurable water quality outcomes through nature-based solutions for the benefit of Canadians.

• (1210)

The Chair: Thank you, Mr. Gilvesy.

Finally, last but not least, we have Ms. Curran.

Ms. Deborah Curran (Executive Director, Environmental Law Centre, University of Victoria): Good afternoon to the committee.

In this era of collaborative governance with indigenous communities and when climate change is having a significant impact on the way in which our communities are able to interact with water as a fundamental piece of our economic and ecological infrastructure, the federal government will now be required to take a larger role in issues around flow and also water pollution.

In our constitutional makeup in Canada so far, we've assumed that water is largely the responsibility of the provincial governments. It's now quite clear, given the interprovincial impacts, the impacts on federal lands and the impacts on indigenous communities and collaborative governance, that the federal government has a much larger role to play. The renewal of the Canada Water Act is a perfect opportunity to figure out what that is.

There are a couple of long-standing water quality issues that the federal government will need to address very quickly. These include applying a strict non-degradation standard to the effluent released from tailings ponds from the tar sands upstream of Wood Buffalo National Park, to examine the responsibility of the federal government and the failure to control coal mine pollution emanating from the Elk Valley and to refer the international cross-border pollution from coal mining in the Kootenay River watershed to the International Joint Commission.

Thank you.

The Chair: Thank you very much.

We'll be able to get two rounds in, so Mr. Deltell, go ahead for six minutes.

[*Translation*]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you, Mr. Chair.

I want to focus on Bryan Gilvesy's comments.

Mr. Gilvesy, I'll sum up your remarks in my own words. The land can take care of itself when we pick the right moments. The environment and agriculture can be regenerated and protected through good farming practices.

Can you provide a few examples of your experiences in your community? You said that thousands of farms have benefited from this pragmatic and effective approach where you listen to nature and adapt to it. Can you give a specific example in your area that shows how your experience and approaches have been put to good use and that could inspire all the people who want to see lower emissions, the smallest possible carbon footprint and a healthier environment for everyone?

[*English*]

Mr. Bryan Gilvesy: I'll go directly to my own farm.

I became involved in this world as the third participant farmer in the ALUS program back in 2006. Over 1,600 farm families have followed our lead.

One very simple example is this: Through our restoration work on native grasslands, which ALUS has helped me achieve on my lands, organic matter has doubled in 11 years. That means the land has the ability to hold, from every single rainfall event, approximately 25,000 more gallons of water. That means there are 25,000 gallons more—from every water event—allowed to seep in and stay in the soil, rather than run off directly into the watercourses. Just about every one of our project sites across the country increases soil and organic matter and increases biodiversity. All of this has the effect of slowing water as it seeps through the soil. It recharges and replenishes our water table while slowing the outflow of water into our lakes and rivers, where the damage can be done.

It's complicated, but not complicated at all.

• (1215)

[*Translation*]

Mr. Gérard Deltell: I'll elaborate further.

Farms are getting bigger and bigger. Understandably, this poses a different challenge. Is it easier for you to take and implement measures for small farms? Could the measures taken for smaller farms be applied to large farms, or should better environmental solutions for the farming community really be considered on a case-by-case basis?

[*English*]

Mr. Bryan Gilvesy: The answer is both.

Small farmers, of course, are a bit more closely connected to their soil. They can put their hands in the dirt and identify where a wetland or buffer strip would be most efficacious.

Large farmers, however, have tools that small farmers don't. Modern-day farming tools allow them to identify pieces of farmland that are marginal or uneconomic to farm because of the scale and size of farming. Think about the land along a gully in southern Ontario, for instance, where the big equipment can't get into the corners, nooks and crannies. That's where erosion can occur. Therefore, this provides a technical tool for those large farmers to identify where the opportunity lies, engage with our program, naturalize those sites and reap large benefits.

I think we have an opportunity to reach all sizes of farmers, and we have experienced that. The tools—the ways they identify lands to enter into this program—are just a little different.

[*Translation*]

Mr. Gérard Deltell: Let's talk about your tools and machinery. We all know that working on a farm means covering quite considerable distances, so you need powerful machinery. Most, if not all, of your machines currently run on oil or diesel.

Are you considering a new approach to your daily activities involving the electrification of equipment or lower oil and diesel use in the farming community?

[*English*]

Mr. Bryan Gilvesy: My experience is limited on that front. I have been engaged personally with a tractor manufacturer that wanted to test the electrification of farm equipment, but my experience is limited to that.

I would say that by and large, we farm with fossil fuels. Increasingly, the way we can reduce our use of fossil fuels involves more no-till agriculture, for instance, or fewer passes across the field—those sorts of things.

[*Translation*]

Mr. Gérard Deltell: Thank you.

The Chair: Thank you, Mr. Deltell.

Ms. Chatel, the floor is yours.

Mrs. Sophie Chatel (Pontiac, Lib.): Thank you, Mr. Chair.

My questions are for Mr. Gilvesy.

ALUS is making a major impact in my constituency of Pontiac, in the Outaouais. Good progress has been made. I hope to have the chance to invite someone from my constituency who plays a very active role in the ALUS program.

First, congratulations on this wonderful initiative. I'm so pleased that the sustainable Canadian agricultural partnership has funded more programs of this type.

I read your recommendations, and they resonate strongly in my constituency. Your recommendations, which you made jointly with other organizations such as the Canadian Parks and Wilderness Society, include the importance of aligning actions across governments with the national biodiversity strategy's goals and targets. These recommendations are set out in section 1.2 of your report.

Given the coordination required between the different levels of government and the farmers to protect biodiversity, it takes a long time for ALUS-type projects to get off the ground.

Can you shed some light on this recommendation, which I think is important?

• (1220)

[*English*]

Mr. Bryan Gilvesy: Thank you for hosting ALUS in your community. We're very proud of what's been achieved there. We hope to repeat that Outaouais success again and again across the country with proper financial support.

What's interesting to recognize is that sometimes our work falls through the cracks. Clearly, if we're using natural systems on farmland to do something that benefits biodiversity, there's a clear water benefit to that, a clear climate benefit and a very clear resilience benefit to our rural communities across Canada. Sometimes we get caught up on governments delivering on one of those four priorities without recognizing the opportunity to tackle all four of the problems at the same time by using nature to help us solve biodiversity, climate and the water crisis that we face in Canada.

It's funny how we have siloed things, but at the same time, the opportunity exists to see other actors that can benefit from our work. I point most directly to our community partners in Alberta that come to us as a municipality, because they value the natural infrastructure that our project sites can provide to them on top of the climate, water, and resilience benefits.

Harmonizing on this point of leverage, many things can occur when we work with nature and find opportunities in the rural countryside in Canada.

[Translation]

Mrs. Sophie Chatel: Thank you. That's very enlightening.

As you said, a number of stakeholders involved in biodiversity and water protection work in silos. The federal government should really take the lead in trying to dismantle this approach.

I have a question for Mr. O'Connor.

You spoke about courage and the importance of not hiding behind slogans that would slash our programs, our climate measures and our children's future. I couldn't agree more. Yes, I have the courage to work so that our children have a future.

You spoke about zebra mussels. I want to hear about solutions. These mussels are found all over the Great Lakes.

Mr. David O'Connor: Mussels are almost impossible to eradicate once they've settled in. In my area, the Bleu Massawippi organization is working very hard and is slowly gaining the upper hand over the zebra mussels. However, in the Great Lakes, unfortunately, it's somewhat of a lost cause. Right now, the goal is to reduce new introductions, to stop these species from spreading beyond the Great Lakes and to ensure that they remain only where they're already found.

Each mussel can release a million eggs a year. This amounts to over 100,000 mussels per square metre in some areas. Prevention must be the first step. It's also the most effective way to lower risks and prevent other issues.

Once the situation calls for control measures, costs rise exponentially. Take the Great Lakes, for example. A town has water intakes on Lake Ontario. It costs the municipality over \$50,000 a year just to keep mussels out of the water intakes. I have another example. In a municipality in our area, mussels have managed to infiltrate the water treatment plant. The municipality must replace 12 filters in their plant every year, and each filter costs \$20,000. The municipality has a population of 2,500.

The most important thing is to prevent contamination and the introduction of these species. To this end, boats must not be trans-

ported while their drain plugs are in place. This is one of the easiest ways to prevent contamination. That way, the boat drains and much less contaminated water is transported from one body of water to another.

The Chair: Thank you.

Ms. Pauzé has the floor.

Ms. Monique Pauzé (Repentigny, BQ): I want to thank all the witnesses for coming back.

Mr. O'Connor, thank you for making the trip twice in less than a month.

There are five regional environmental councils in Quebec. Your council in the Eastern Townships covers 128 municipalities, nine regional county municipalities and 3,000 lakes larger than one hectare. When we met earlier this fall, I learned a great deal about invasive species.

I'll ask you two questions, to avoid having to interrupt you. I'll then let you respond.

As part of this study, questions were sent to all departments. Oddly enough, Transport Canada responded in each case that the questions weren't applicable. It was quite mind-boggling.

However, we believe that Transport Canada has a role to play. In your opinion, what measures can it implement right now to protect our lakes? I'm not talking about measures for 10 years from now, but measures for right now.

I'm also interested in the Western Aquatic Invasive Species Resource Center, which applies a strategy not used in Canada to contain invasive species.

The floor is yours.

• (1225)

Mr. David O'Connor: I just want to clarify one thing. The Western Aquatic Invasive Species Resource Center is active in a number of Canadian provinces. British Columbia, Alberta and Saskatchewan are part of this group. I gave the example of some states that have washing stations on their borders, but Alberta has some as well.

I was surprised to hear that Transport Canada said that it had nothing to do with this fight. Transport Canada manages boat registrations and licences for pleasure craft operators, and the focus should really be on pleasure craft. Outside the Great Lakes, pleasure craft are responsible for introducing invasive species into uncontaminated bodies of water.

Many states use the fees for the annual renewal of boat licences to help support their anti-contamination program. This means that the boaters who pose the greatest threat must fund the programs to reduce these risks and threats.

In terms of measures for right now, Transport Canada has a program for ships equipped with ballast tanks. This program requires the installation of systems that filter and sterilize the water entering the ballast tanks. We should require similar systems in all boats equipped with ballast tanks. For example, a boat designed for water sports may be equipped with ballast tanks with a capacity of hundreds of litres. It draws all this ballast into the boat. If the operator forgets to empty these tanks, the boat could be carrying hundreds of litres of contaminated water. Without a filtration system, it's impossible to clean this water. It's even impossible to empty these ballast tanks completely. Either Transport Canada must set up inspection and decontamination stations, or it must enforce its current ballast regulations and make cleaning and sterilization systems mandatory in all ballast tanks.

Ms. Monique Pauzé: I know that New York state has extremely strict rules. However, if the waterways run through Michigan or other states with weaker legislation, how can we win the fight against invasive species?

Mr. David O'Connor: I think that we need to look at the best examples, which are the places where things work. I often refer to the Western Aquatic Invasive Species Resource Center as an example of a measure that works. Large areas of the west don't have aquatic invasive species, given the control systems in place.

In Nevada, for example, some lakes are badly contaminated. These lakes are home to what are known as "mussel boats." Since these boats remain in contaminated waters year-round, they're covered with a layer of mussels a few centimetres thick. When these boats arrive at the border of other states, they're decontaminated so that they don't pose a threat. That way, the states can prevent the introduction of these mussels into their lakes.

Ms. Monique Pauzé: Could you briefly describe what Canadian National's rail lines have to do with all this? When we met this summer, I believe that we discussed how CN played a major role in the spread of invasive species, not in the water, but on its rail lines.

Mr. David O'Connor: I don't think that you discussed rail lines with me. Sorry, but I'm not very familiar with the CN situation.

• (1230)

Ms. Monique Pauzé: Okay. In that case, I have one last question for you.

Have you worked with other regional councils in Quebec to develop recommendations for federal entities?

The Chair: Please be brief. There are 45 seconds left at the most.

Mr. David O'Connor: We're hoping to introduce legislation on drain plugs.

In addition, we want to group together watersheds and surrounding municipalities so that they can work together on washing stations.

We also want to provide a training program for people who work in reception areas at launching stations, to ensure standardized training on how to inspect and decontaminate boats.

The Chair: Thank you.

Mr. Garrison, the floor is yours.

[*English*]

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Thank you, Mr. Chair.

Once again, it's a real privilege to be at this committee to talk about fresh water. It's very important, even though this morning was a surprise to me; I was planning to be here next week. Hopefully, I'll be back.

There are very few times in Parliament when we actually focus on real problems and real solutions. I think this study is going to be an important part of that.

My first question is for Mr. Stegemann. You talk about the importance of reconciliation when you talk about fresh water, and your suggestion is that shared governance is one of the ways to address this.

Can you give us some examples of where shared governance over fresh water resources is already working? Perhaps, if there aren't a lot of those, you can talk about the models that provide the most prospects for success in shared governance.

Mr. Andrew Stegemann: Thanks for the question.

It's a really complicated landscape. Obviously, the waters are shared. It requires a more integrated approach, and all jurisdictions are needed: federal, provincial, regional and indigenous nations and people.

There are a few examples where this is taking place. At a really large level, an example that many point to is the Mackenzie River Basin Transboundary Waters Master Agreement. It's a really long title. Multiple governments have come together to determine what might happen in the Mackenzie River.

At different scales, governance can occur differently. We also see local examples in the Cowichan Valley on Vancouver Island, which is something I think Deborah Curran could also speak to really well, and probably in a more intimate manner than I can. The Cowichan Valley example is one in which indigenous nations, in addition to other jurisdictions, come together to determine the governance of that water body by making decisions together in ongoing tables.

To bring it back to the federal government, there's an opportunity here in the federal approach to water management. The federal government is the perfect jurisdiction to have a high-level overview and to bring together multiple jurisdictions as part of a federal government approach to water governance by creating the space and resources for governance tables that include all jurisdictions.

I think it's a wonderful opportunity for the government to recommend in its report that the Government of Canada bring together governance tables like this at multiple scales. I know that's complicated, because every scale would need its own bespoke approach, but bringing together governance tables that include first nations governments—provincial, territorial and regional—is an opportunity that the federal government can take in supporting water health across the country.

Mr. Randall Garrison: Thank you, Mr. Stegemann, and thank you also for highlighting the need for resources for governance, because that's sometimes something I think we all forget about, and of course, you foreshadowed my questions to Ms. Curran.

Essentially, Ms. Curran, I would ask you the same question, and I know that you will talk about Cowichan.

Ms. Deborah Curran: Thank you. Yes, I think the most interesting and perhaps innovative water governance that's going on right now is taking place where local communities have partnered with the provincial government, and in some cases the federal government, to do things in a very different way. I'll give you three examples.

Maybe I'll start with the most controversial and the hardest one to deal with. You're all familiar with the Mikisew Cree First Nation and the Athabasca Chipewyan First Nation in northern Alberta, and their long-standing relationship with the Peace-Athabasca delta and the Wood Buffalo National Park. They are in the place where they rely extensively on water flows for accessing their traditional territories to hunt and do other traditional activities. They are impacted by the flows coming in from British Columbia and the Peace because of the variety of dams that are there, and also the pollution that is coming up from the tar sands in Alberta, so they have entered into various agreements with the federal government to address both flows and contamination, primarily pushed by an international body, UNESCO, at the United Nations level, so there's a lot. There's been an action plan and there's been a lot of movement in that in a way that hasn't been seen before on such a very large scale.

Two other examples, as Andrew mentioned, are the Koksilah and the Cowichan. The Cowichan tribes entered into an agreement with the Province of B.C., and the federal government has been involved integrally from a fisheries perspective, but they've entered into an agreement to do a joint water sustainability plan. The idea is to address flow issues in a comprehensive planning way so that farmers don't get shut off every year.

That's the problem: In August and September there's a pretty integral flow problem. To make sure that all the fish don't die, the farmers have to go to a watering regime that's not ideal for them, as primarily they're dairy farmers, so they've entered into an agreement to deal with the upland aspects of flows—the forestry and other things that are going on in the watershed.

The idea is that this is a 500-year plan. It really gets beyond the short-term approaches to collaborative management and it's saying that we're in this relationship for a very long time and we have to start to fix it properly.

The final example is the Gitanyow Hereditary Chiefs, who have just recently declared their water policy based on their indigenous legal order and have actually established their own flow and quality parameters for using water within their territory. They have a long-standing relationship with the province around land use planning and they've now just brought it over to water flows.

● (1235)

The Chair: Thank you.

We'll start our second round with Mr. Mazier for five minutes.

Mr. Dan Mazier: Thank you, Chair.

Mr. Gilvesy, in a press release on your website from last year, ALUS wrote, and I quote, "Farmers are often left out of the sustainability conversation."

Many farmers feel the same way. They feel that the current government neglects their concerns when it comes to their environmental policy development.

How do we change this?

Mr. Bryan Gilvesy: I think it's through through the leadership that we provided across our community partnerships, leadership from a group that you know well—the Keystone Agricultural Producers, for example, who originally sponsored this ALUS idea in the early 2000s.

The way we challenge the concept is by understanding the opportunity. There are people on the land who have the knowledge, skills and energy to help solve some of the world's biggest environmental crises if we would only turn to them and engage them in a productive way.

Our program is built on a set of principles and has been developed and led by farmers to lay out not a treaty but a set of terms that work for farmers to provide this engagement and to provide massive opportunity. The scale at which we can provide opportunity is increasingly large. We are a bit of a fledgling organization, but we've already changed the landscape on 200 square kilometres of land. That's the size of a small national park. That's Elk Island National Park, and we've done it through what is a small not-for-profit led by farmers, developed through community partnerships. It makes you understand that the potential through engagement is enormous.

Mr. Dan Mazier: Thank you.

Last year, Sustainable Development Technology Canada, known as SDTC, announced a \$5-million investment to support the environmental work of ALUS. Much of that investment would contribute to projects relating to fresh water.

Since then, Canadians have learned that SDTC has turned into a slush fund overrun with conflicts of interest. The Ethics Commissioner and the Auditor General are both investigating this slush fund.

Seeing that the fund has been suspended, I'd like to know if the corruption at SDTC has impacted the \$5-million investment announced for ALUS.

Mr. Bryan Gilvesy: I will say that the SDTC process that we participated in to receive their \$5-million investment was a very intensive, deep-dive, due-diligence process wherein I saw no malfeasance, no corruption. That due diligence process was intense. It's supported through audits, and I believe that for us, at least, our experience was that there was a clean process.

• (1240)

Mr. Dan Mazier: Have you received the funding, then?

Mr. Bryan Gilvesy: Yes, we have.

Mr. Dan Mazier: I'll pass my remaining time over to Mr. Kram.

Mr. Michael Kram: Thank you, Mr. Mazier.

Mr. Chair, with the time we have left, I would like to quickly move the motion that I tabled last week, and then we can return to the witnesses.

The motion reads as follows:

Given that:

- (a) the Chiefs of Ontario have filed a judicial review in Federal Court on the Liberal government's carbon tax
- (b) the Chiefs of Ontario have noted that Indigenous communities would face greater challenges in switching to lower emitting technologies;
- (c) Grand Chief Abram Benedict of the Mohawk Council of Akwesasne stated: "The government has boasted that Canadians will pay a carbon tax, but through the rebates, through the subsidies they will actually receive more than what they have paid. That doesn't ring true in First Nations communities";
- (d) Canada's Environment Commissioner and Parliamentary Budget Officer acknowledge that the carbon tax disproportionately punishes Canadians who live in rural, remote, and northern regions;
- (e) and the Liberal government failed to provide a temporary carbon tax exemption on home heating for 97% of Canadians;

Pursuant to Standing Order 108(1)(a) the Committee invite Grand Chief Abram Benedict and the Chiefs of Ontario to testify for no less than 2 hours by December 12, 2023, on their judicial review filing on the federal carbon tax.

Mr. Chair, we have all heard from our constituents about the effects of the carbon tax on the rising cost of living. We've recently seen the federal government announce a pause on the carbon tax for home heating oil. We may be seeing an exemption from the carbon tax for certain farming activities, assuming that Bill C-234 gets passed into law. Now we are looking at a judicial review from the Chiefs of Ontario.

I think it would be reasonable to invite the chiefs to the committee and hear the details and the particulars of what exactly they are proposing in terms of a carbon tax exemption and how that could be implemented in a way that respects indigenous rights.

Mr. Chair, I think I'll leave it at that.

Thank you.

The Chair: Go ahead, Mr. van Koeverden.

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

I'll just note that the Conservatives are consistently wasting the witnesses' time when they raise these motions outside of committee business. We had committee business for an hour two days ago, and we could have done this then.

I move to adjourn debate on this motion.

The Chair: We will have a vote.

(Motion agreed to: yeas 6; nays 5)

The Chair: We'll go now to Ms. Taylor Roy for five minutes.

Ms. Leah Taylor Roy: Thank you very much, Mr. Chair, and thank you to all the witnesses for being here and for the work you're doing on this really important topic.

I particularly want to thank you, Mr. O'Connor, for your challenge to this committee to focus on the topic at hand, because water is life. We know this is a very important study that we're doing that has been interrupted several times by diversions on other things that are not necessarily on our agenda right now.

You also mentioned that we all have a favourite body of water or lake. Mine is Lake Simcoe. I'm the member for Aurora—Oak Ridges—Richmond Hill. It's a medium-sized lake, a large watershed, and almost 500,000 people live in the watershed area. It's been faced with many challenges, especially phosphorus loads, climate change, and many invasive species, although different from the ones you have.

One thing that I have found to be very disconcerting is that even though we might agree the federal government should have jurisdiction over some of these issues, often when provinces are not in accordance with the same goals or have different goals, we cannot see progress made.

In this case, there has been extensive development. There are new highways, and many things are threatening, or continue to threaten, and continue to increase the phosphorus load and other problems this lake is experiencing.

How do you think the provincial and federal governments should collaborate? How can we work to help these freshwater bodies when provincial governments are not of the same mind?

• (1245)

[*Translation*]

Mr. David O'Connor: I'm honestly not quite sure how to convince our provinces to act, unfortunately. Politicians at every level of government don't want to get too involved in defending our waters.

I think that finding the answer to this question is a top priority. We must find a way to ensure that all levels of government work together more effectively. Water doesn't recognize borders. It transcends them. The watersheds of our bodies of water can be very large and can cross borders, hence my focus on the need for coordination and collaboration.

Too often, local stakeholders must shoulder the responsibility for their own bodies of water. Often, they must go up against provincial or federal governments.

I think that one of the main questions right now is this following. How do we protect our waters? As I said, my favourite lake has changed over the course of my life. It's no longer the lake that it used to be when I was young and visiting my grandparents. This outcome must be prevented for all other lakes. The matter can't be taken seriously for just one four-year term. It requires action over decades.

I know that I haven't really answered the question, which was how to encourage collaboration. Instead, I'm sending a personal message to all governments. They must take action. It's not a matter of power or political games. It's about taking the necessary steps, regardless of political alliances or election strategies.

[*English*]

The Chair: Ms. Taylor Roy, you have 30 seconds.

Ms. Leah Taylor Roy: We do have the Lake Simcoe Region Conservation Authority, the Rescue Lake Simcoe Coalition and a number of groups that have been working to protect it.

What do you think could be the most impactful thing to do to convince people? It seems like governments, development, and greed seem to always trump listening and respecting nature, as my colleague Mr. Deltell has said.

The Chair: Be brief.

[*Translation*]

Mr. David O'Connor: Honestly, if we had all the resources in the world, we would bring people to the lakes to show them what they stand to lose, or the already lost causes. We have lakes that will never be the same again. We discussed how we should react to the presence of invasive mussels. However, sometimes we can't do anything and we must mourn the loss of a lake.

The Chair: If I understand correctly, people would need to be brought there so that they can see with their own eyes what has happened.

Ms. Pauzé, you have the floor for two and a half minutes.

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

Mr. Gilvesy, you talked a lot about natural infrastructure being built by farmers and ranchers to limit the release of fertilizers into

freshwater basins. On the one hand, there is the use of fertilizers, and what you are doing is good. On the other hand, there is the issue of pesticides, which are being used more and more, and that is very worrisome both for the health of the environment and for human health.

Could infrastructure similar to what you have put in place that is beneficial to natural structures be used to limit the spread of pesticides?

• (1250)

[*English*]

Mr. Bryan Gilvesy: I hope everyone bears in mind that in talking about restoring natural infrastructure, we have to capture all manner of things from entering the freshwater courses, be it topsoil, pesticides or perhaps fertilizers. These pieces of land—these natural spaces—that we create provide a wonderful way to buffer our water from all the activities that we humans have on our lands.

It's about recognizing that this isn't just about one particular thing. This is about all the things that—

[*Translation*]

Ms. Monique Pauzé: I'm sorry for interrupting. What I understand is that the buffer zones you have can also be effective against pesticides.

I have enough time left to ask Andrew Stegemann, from Our Living Waters, a question.

In his presentation two weeks ago, Mr. Pentland from the Forum for Leadership on Water talked about your organization's priorities. I was a little surprised to learn that you had set your priorities for the next 10 years. It seems to me that chemicals management cannot wait 10 years.

Should your priorities be placed in a different order to focus on the growing and harmful use of agrochemicals?

[*English*]

The Chair: You have 30 seconds.

Mr. Andrew Stegemann: I'm sorry. I don't recall that recommendation. My recommendations weren't based on 10 years, either. Perhaps it was a different conversation.

However, I will say this: I think water data is a very important consideration when it comes to thinking about the health of waters. It's very important to understand that if you count the 167 sub-watersheds across Canada, we only have sufficient accessible data to assess the overall health of 40% of those watersheds—that's 57. We literally do not know the health of our waters. I think this is a massive issue when it comes to contaminants and chemicals.

My colleague Dominique Monchamp can speak especially well about the need for data.

The Chair: I'm going to have to stop you there.

I'll say to the committee that we have a module on data. We have some very interesting witnesses lined up to address that particular issue. Thank you for the segue into that module, which will come later.

We'll go now to Mr. Garrison for two and a half minutes.

Mr. Randall Garrison: Thank you very much, Mr. Chair.

I want to go to Mr. O'Connor.

Thank you for your emphasis on the prevention of the spread of invasive species. Rather, I'm not going to thank you, because you're going to cause me to out myself about my favourite lake, which actually isn't in my riding.

Voices: Oh, oh!

Mr. Randall Garrison: I represent a riding that perhaps has more saltwater bays than freshwater lakes. In my question, you will see my favourite lake get exposed here.

My question to you, I know, is a leading one. We often see how monitoring the spread of invasive species is left to non-profits and volunteer organizations in this country, which do this work with great dedication but with very slender or almost no resources. In one case, for three years, the Okanagan and Similkameen Invasive Species Society—Okanagan Lake is my favourite lake—has been asking people who own docks to do monitoring, in order to try to catch invasive mussels before they spread through the lake.

I'm asking this leading question, because I know it's true: Almost everywhere, it's volunteers doing the work to prevent the spread of invasive species.

That's my question.

[*Translation*]

Mr. David O'Connor: Volunteers spend an enormous amount of time saving lakes. I mentioned Bleu Massawippi earlier. They are scientific divers who dive down in the lake and pick up the mussels by hand. We are talking about hundreds of people who are committed to the cause and who conduct hundreds of dives a year. When they travel, they do three dives of about an hour each in the same day, in sometimes quite cold waters. If we had to pay these people, we would never have the budget for it.

That is why I am interested in what's going on elsewhere. In some places, licences for boats need to be renewed, instead of being issued for life or for a longer term, and some of that money is directed to those kinds of control programs. If we did something like that, we would be a little less reliant on volunteers and we would be able to support more management programs, monitoring programs, and so on. A big role the government can play is to disperse funds to support local initiatives.

• (1255)

[*English*]

Mr. Randall Garrison: One of the things that volunteer groups have been doing in the Okanagan is trying to convince the public that there's an economic cost as well as an environmental cost to invasive species, whether it's loss of fish habitat or recreational waters that change. Do we see that in most of the organizations—that

we're able to convince the public it's worth spending money on this?

The Chair: Answer quickly, please.

[*Translation*]

Mr. David O'Connor: Yes. Above all, the recreation and tourism sector represents a major economic cost. Think of a beautiful beach anywhere in the country. If the sand is covered with zebra mussel shells that cut your feet as soon as you try to get into the water, or if the water has such a dense bed of water milfoil that you could almost walk on it and you really can't swim in it, who wants to go into such a lake?

The Chair: Who wants to visit a bed and breakfast or any place by such a lake?

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

[*English*]

Mr. Michael Kram: Thank you very much, Mr. Chair.

Thank you very much, Mr. O'Connor, for coming back to our committee. Your passion for the issue of invasive species is very evident and very much appreciated.

In your opening statement, you talked about the role that Transport Canada can play in this issue. I wonder if you could provide for us any examples of current laws on the books that are not currently being enforced and if there's more a matter of enforcement than of changing the laws that exist. If there are any examples, I would find that very helpful.

[*Translation*]

Mr. David O'Connor: I'm not too familiar with all the existing legislation.

What I talked about mainly concerns the ballast water regulations. When the Transport Canada website mentions ballast water, it's mostly about large merchant ships going across oceans. That doesn't take into account the fact that almost all boats have ballasts, live wells, or closed spaces that hold water. These are the spaces that are the most problematic for introducing new species into an area.

The current version of the regulations requires a ballast water filtration and sterilization system. So there is legislation that provides for measures that should apply, but that is not the case. For example, it should apply to all boats sold in Canada for water sports, but they don't have those systems.

[*English*]

Mr. Michael Kram: When you're talking about "all boats", how big or small are we talking? You mentioned ocean-going freighters, but are we talking about boats as small as boats that could be towed by an SUV or a pickup truck?

[*Translation*]

Mr. David O'Connor: Yes. There are boats for water sports that are about 16 feet long that have 200- or 300-litre ballasts.

You can go into a store and buy a big ballast bag to put in the 12-foot boat that you received from your grandfather, for example. In principle, even that could be considered a watercraft with a ballast.

[English]

Mr. Michael Kram: When it comes to protecting our lakes from invasive species, would there be the most benefit to having this monitoring and this enforcement in place at the Canada-U.S. border, or are we talking about interprovincial borders where it might be more beneficial? If you could speak to that, it would be very helpful.

[Translation]

Mr. David O'Connor: It's not just the national or provincial border. The reality is that any movement between two bodies of water can be problematic. One of the problems with our current approach, especially in my region, is that a washing and decontamination station could become mandatory for all lakes. With 3,000 lakes in the Eastern Townships and \$50,000 per washing station, the cost would be \$135 million for a region of less than a million residents. In a context where the cost of living is increasing, the taxes needed to fund that would be considerable.

The focus should not be on borders, but rather on where a large number of boats move, especially around contaminated sites.

So this is not really about borders. The important thing is to deploy our resources intelligently and efficiently.

• (1300)

[English]

Mr. Michael Kram: Mr. Chair, how are we doing for time?

The Chair: You have a minute.

Mr. Michael Kram: Could you give us an idea of how much these regulations would cost? If we were to implement these new regulations or these new laws, how much of an effect would that have on a boat-by-boat basis? How much would it cost?

[Translation]

Mr. David O'Connor: It depends on the boat and the risk it carries. Earlier, I talked about a fine proportional to the value of the boat that would have been moved while the drain plug was in place. In Alberta, for example, you get a \$180 fine if you move your boat when the drain plug is in place. For someone who has a boat inherited from their grandfather and works for minimum wage, that's a lot of money. However, their boat is not really a risk. It is less of a risk than a large boat for water sports that costs \$250,000, and filling up its gas tank costs \$420. For those who can afford a boat like that, a \$180 fine is not a problem. It's cheaper than a full tank of gas.

That is why we are suggesting a fine representing 5% of the boat's value. It becomes more restrictive for people who own large boats, without being excessive. If they can afford a \$250,000 boat, they can pay such a fine.

The Chair: Thank you.

[English]

Last but not least, we have Mr. van Koeverden.

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

My first question is for Mr. Stegemann.

I'm going to try to ask three questions, so I would just ask that the answers be kind of brief.

Mr. Stegemann, I was fortunate enough to work on the indigenous and northern affairs committee during the UNDRIP legislation. We passed that, despite protestations and the Conservatives voting against it. I'm really glad we got UNDRIP legislation through.

What aspects of it do you think are the low-hanging fruit on water rights for indigenous peoples? What should we do next, as a government, to ensure that water protection is a priority for indigenous communities through the lens of UNDRIP?

Mr. Andrew Stegemann: The most important thing in front of the committee when it comes to recommendations for that is the renewal of the Canada Water Act. The Canada Water Act is 50 years old. It's really important that the act be aligned with, respect and uphold UNDRIP.

With respect to water, that is the opportunity and that's why the Canadian Coalition for Healthy Waters is advocating that the act be co-drafted with indigenous nations.

I know that's not easy, but a real effort to be transparent, to bring indigenous nations in right now, pre-engagement with the act, and to renew it in a way that is co-drafted is the best opportunity to uphold UNDRIP right now with respect to water.

When I speak with indigenous nations, the comment I always hear is that water is not a resource; water is an element that is essential for life. To indigenous peoples, it is sacred. That is the most important thing.

Mr. Adam van Koeverden: Thank you very much, Mr. Stegemann. I appreciate that.

My second question is for Mr. Gilvesy.

Thank you for coming back to the committee.

Our government is really proud of the millions of dollars it has spent on nature-based solutions for agriculture. I was fortunate enough to visit some recently on a farm in the Rouge National Urban Park.

Could you give us just one example, very briefly, with respect to some of the solutions we might see in Norfolk County?

I was fortunate enough to visit your region recently too, just along the shores of Lake Erie. It's really beautiful.

I thought some clear examples might be helpful.

Mr. Bryan Gilvesy: We operate in 40 different communities across Canada, but what's unique about our program is that it's delivered locally, so the local committee led by farmers makes the decisions on what occurs on the Norfolk sand plain, for instance, and they do locally appropriate things.

One thing that is very popular here is the restoration of tallgrass prairie on our lands. A lot of people forget that tallgrass prairie was native to this landscape. By returning it to the sand plain.... We get great efficacy by putting this extremely deep-rooted and drought-tolerant plant back on our landscape for biodiversity and for building soil health and water quality. That's a really great example.

We also work a tremendous amount on erosion control, creating the structures that protect our highly and easily erodible sand plain. We create the structures so that our gullies and fields don't wash into the cold water streams and into the watercourses. Thereby, we get protection for the cold water streams and the trout habitat there, and of course downstream against algae blooms in the Great Lakes.

Those are two of the things that are unique to what happens in Norfolk because of the sand plain that we operate on.

• (1305)

Mr. Adam van Koeverden: Thank you very much, Mr. Gilvesy.

I want to acknowledge how critical working with farmers and agricultural workers is in fighting climate change, and I want to thank you for your work.

My third and final question is for Mr. David O'Connor.

[*Translation*]

Thank you for travelling here, once again.

I've been to your area twice for the Canoe Kayak National Championships.

In your work, are canoes or kayaks a concern?

Mr. David O'Connor: We have concerns about all types of vessels. It's about the scale of risk.

As I've mentioned several times, a canoe or a kayak is easy to dry. There isn't necessarily a confined space where water can accumulate, so it can be drained quite easily. So those kinds of vessels are less of a risk. The risk is always there, but it's a matter of reducing it.

Fishing vessels that contain tanks or boats for water sports that contain closed spaces, for example, are high-risk vessels.

[*English*]

Mr. Adam van Koeverden: Thank you very much.

I note that our government has put a consumption tax on very large boats for recreational purposes, and we have also been investing a lot into habitat renewal, with a huge investment into the Great Lakes Fishery Commission for invasive species. I hope that's a flow-through that you acknowledge is an effective way to get the job done on both sides of the ledger.

Thank you for your time.

[*Translation*]

The Chair: I thank the witnesses and the committee members. The discussions were extremely enriching.

Mr. O'Connor, thank you for coming back to Ottawa, as well.

We'll leave it at that for now. We will continue our study next Tuesday.

I wish everyone a good evening and a good weekend.

Mr. Adam van Koeverden: Mr. Chair, do we not have a few minutes left in our meeting?

[*English*]

I was under the impression that we had until 1:30 p.m.

The Chair: Yes. Go ahead.

Mr. Adam van Koeverden: In that case, if we're done with our witnesses, I have a motion that I would like to put on the table.

The Chair: Go ahead.

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

Thank you to all the witnesses for being here and for coming back. We really appreciate your time and your expertise.

Mr. Chair, today, despite opposition from some politicians who seek to obstruct actions that would reduce greenhouse gas emissions, our government has made history. Earlier today, our government made news to cap emissions from the oil and gas sector without impacting production. This builds on a motion in the House of Commons that was first passed on June 17, 2019—before my time as a member—when we declared a national climate emergency.

Earlier in the meeting today, Mr. Chair, I was proud to distribute a hard copy of the “2023 Progress Report on the 2030 Emissions Reduction Plan”.

That motion back in 2019 came about as a result of the government's recognition that Canada needed to do its part to reduce greenhouse gas emissions significantly and rapidly. It was followed on March 25, 2021, by a decision from the Supreme Court of Canada that found that carbon pollution knows no boundaries and that our Parliament has the authority to address it, and therefore a moral imperative to do so.

After that, we increased our commitment to reduce greenhouse gas emissions to 40% to 45% below 2005 levels by 2030, which is in line with limiting global warming to less than two degrees, which is in our emissions reduction plan progress report that I brought here today. It also shows that we are well on our way to meeting both that target and our interim objective of 20% below 2005 levels by 2026.

It's also worth noting, Mr. Chair, that Conservatives consistently suggest that this government has missed opportunities or that we haven't achieved our goals. Not only is that not true today, Mr. Chair, but it is also not true of any of our objectives. When we realize that we will exceed a certain objective, we increase our ambitions, as we have on this one.

Increasingly, there is widespread recognition that—

Mr. Dan Mazier: Mr. Chair—

• (1310)

The Chair: Yes, go ahead, Mr. Mazier.

Mr. Dan Mazier: This isn't related to the testimony today—

The Chair: I think Mr. van Koeverden is giving notice.

You're not moving this. You can't move it because it requires—

Mr. Dan Mazier: Is it related to today?

The Chair: No, but he has the floor and he's giving notice.

Do you have much more to say?

Mr. Adam van Koeverden: There is one paragraph, and then the motion.

[*Translation*]

Ms. Monique Pauzé: Have we received the motion?

The Chair: It's just a notice of motion. We won't discuss the motion today.

Please finish your presentation fairly quickly, Mr. van Koeverden.

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

I have copies of the motion for anyone who wants one.

[*English*]

Increasingly, there's widespread recognition that Canada cannot reach our 2030 and 2050 emissions reduction targets without sig-

nificant contributions from the oil and gas sector. While most sectors of our economy are reducing their emissions, much of that progress is being negated by emissions from the oil and gas sector, emissions that continue to grow, but there are signs of hope. Even the Pathways Alliance, a group of the largest oil and gas companies in Canada, has committed to reducing their emissions to net zero by 2050, and our government is stepping up to help the entire sector ensure that it can continue to play the critical role it plays in our economy while also holding it accountable to its commitments.

Given all that, Mr. Chair, I'd like to give formal notice of the motion.

Given that:

- a) The federal government is making monumental investments in technologies that will reduce emissions in the oil and gas sector;
- b) Canadians deserve to have certainty that these investments will result in significant emission reductions;
- c) Capping and reducing emissions from the oil and gas sector is necessary to meet our 2030 emission reduction goals and avert the worst impacts of climate change; and
- d) Reducing emissions in the oil and gas sector has the potential to create high quality, sustainable jobs;

The committee expresses its collective support for the government's proposal to a) amend the Federal Methane Regulations for the Oil and Gas sector to require a reduction of methane emissions in the upstream oil and gas sector by at least 75 per cent below 2012 levels by 2030; and b) introduce a regulatory framework document on the proposed approach and stringency of a cap on greenhouse gas pollution from the oil and gas sector.

Thank you, Mr. Chair.

The Chair: Okay. Notice has been given, and I think we'll adjourn.

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>