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# **Standing Committee on Environment and Sustainable Development**

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**Wednesday, November 5, 2014**

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**Chair**

**Mr. Harold Albrecht**



## Standing Committee on Environment and Sustainable Development

Wednesday, November 5, 2014

• (1540)

[English]

**The Chair (Mr. Harold Albrecht (Kitchener—Conestoga, CPC)):** I want to call to order our meeting of the Standing Committee on Environment and Sustainable Development.

We have with us today a number of officials from Parks Canada. Welcome. We trust that you'll be available should we need that expertise. Thank you for being here today.

We also have with us today a legislative clerk, Justin Vaive. Thank you, Justin, for being with us today. I'll be leaning on Justin for any legal advice that we may need as we proceed.

My understanding is that we will move through the bill on a clause-by-clause basis. There are a number of amendments that have been tabled, and I think we all have those here. They aren't formally tabled until they're moved, but you have advance warning of the possibility of their being tabled. We'll try to move through clause by clause, and when there are sections for which there are no amendments suggested, we may ask you for permission to move those clauses in a sequence collectively, but whenever there's an amendment, obviously we're going to take them individually, one at a time.

We're going to begin. We will leave the preamble and the short title until after we've considered all of the clauses, because should any amendments be carried, that could possibly have an effect on the preamble and the short title.

(On clause 2—*Definitions*)

**The Chair:** We have an amendment suggested from the Green Party, Mr. Hyer.

**Mr. Bruce Hyer (Thunder Bay—Superior North, GP):** Mr. Chair, I'll do a short preamble, if I may, and then I'll be short on the amendment.

Ms. May would have liked to be here today, but given the ruling, as you know, we have short opportunities to present amendments, and she is doing amendments at the public safety committee right now on Bill C-2, the Insite bill.

I'm happy to present these amendments on behalf of the Green Party. I'd also like to preface this, should any questions be thrown my way, by saying that I am a terrestrial ecologist. I'm a former land use planner. I taught park planning at Lakehead University for several years, and I was quite involved in the creation of dozens of provincial parks of all kinds across Ontario.

I'll start with the first amendment here, on clause 2.

Mr. Chair, I have comments on each of them. Would you like me to read the amendments?

**The Chair:** Mr. Hyer, let me just point out that we do want your input, but because you are not a regular member of the committee, we're going to have to limit it, hopefully to a maximum of 60 seconds.

**Mr. Bruce Hyer:** I think I can do that in most cases, if not all, Mr. Chair.

**The Chair:** Okay, I'd appreciate it if you'd cooperate in that way.

**Mr. Bruce Hyer:** Yes, I will.

My question is whether you would like me to read the amended clause, so everybody has it in writing.

**The Chair:** We have it in front of us, and we have the actual bill in front of us in writing. I'll assume that all committee members have it in front of them.

**Mr. Bruce Hyer:** Thank you.

The reason we're moving this amendment to clause 2 is that the principle of ecological integrity is the foundation of conservation in Canada. It's embedded in much of the legislation and policies having to do with parks, other national parks and provincial parks, and in particular, in this provincially protected area as it was before.

"Ecological integrity" should be defined in clause 2. That's really important as it is already defined in the Canada National Parks Act. Banff, Jasper, and Bruce Peninsula have, as does this area, highways, towns, railways, and infrastructure inside of them, but despite that, they still prioritize the goal of ecological integrity. You're going to hear this theme in a number of these amendments.

Thank you, Mr. Chair.

**The Chair:** I have the amendment on the floor. Is there any debate on the amendment proposed by Mr. Hyer?

Mr. McKay.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** I support Mr. Hyer's amendment. There is no other alternative. The government has not put forward any other definition for ecological health or any other concept. Absent anything else in any referable system of law, we are left with essentially nothing. There's no definition of "ecological health". The definition of "ecological integrity" is not in the bill. So Mr. Hyer is absolutely correct that we are left with nothing.

**The Chair:** Is there further debate?

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** NDP-1 is identical so that one is automatically dealt with.

We will now move to vote on the actual clause, clause 2.

(Clause 2 agreed to)

(Clause 3 agreed to)

(On Clause 4—*Park established*)

**The Chair:** We have PV-2a.

Mr. Hyer.

• (1545)

**Mr. Bruce Hyer:** Amendment PV-2a adds the words “enhancing and restoring” to the amended clause. Those are stated purposes in many parallel processes and overlapping areas such as the provincial greenbelt, the existing Rouge Park, Rouge watershed, Oak Ridges Moraine, and the Great Lakes water quality improvement remedial action plans.

These words, “enhancing and restoring”, are really needed to honour the federal government's written commitment in this process to “meet or exceed” existing provincial policies.

The greenbelt plan gives provincial policy status to the Rouge Park plans, and the Rouge Park watershed plans are covered as well.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** We move now to NDP-2.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Chair, I would like confirmation that in fact every member who's here at the table has permission to be here.

**The Chair:** I'll ask for confirmation from our clerk that the members at the table are all signed in.

**The Clerk of the Committee (Ms. Angela Crandall):** Yes. I think Ms. Truppe has just been signed out.

**The Chair:** Ms. Truppe was just in for a few minutes, but she has been signed back out. She's welcome to take part in the discussion, but not to vote.

**Ms. Megan Leslie:** Great. Thanks. I appreciate that.

I think Ms. Sitsabaiesan is going to do NDP-2.

**The Chair:** Ms. Sitsabaiesan.

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Just a warning that everyone is going to need their earpieces to hear me.

Yes, the goal of this is to bring clause 4 in line with the dedication in the Canada National Parks Act, by dedicating the park to the people of Canada. I know from the visioning exercise that it has been to be the people's park. This amendment would bring us in line with that goal from the very first day of making it the people's park and strengthening the ecological protection of the park by adding this language.

I'm going to stop there.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** We move now to the main clause, clause 4.

(Clause 4 agreed to)

(Clause 5 agreed to)

(On clause 6—*Factors to be considered*)

**The Chair:** We have PV-3.

PV-3 is in line conflict with NDP-3. If PV-3 is adopted, the question cannot be put on NDP-3. I'd like you to be aware of that before we actually vote on these amendments. There's conflict between PV-3 and NDP-3.

Mr. Hyer on PV-3a.

**Mr. Bruce Hyer:** I've already noted the principle of ecological integrity is critical. It seems to have been rejected out of hand, but nonetheless, this amendment mirrors the language found in subsection 8(2) of the Canada National Parks Act, and that is:

Maintenance or restoration of ecological integrity, through the protection of natural resources and natural processes, shall be the first priority of the Minister when considering all aspects of the management of parks.

Also, to be consistent with the existing Rouge Park, greenbelt, and Oak Ridges Moraine policies and existing national parks and protected areas legislation and standards, ecological integrity of watershed health and cultural heritage should be a priority. It should be the primary goal for this system.

• (1550)

**The Chair:** Thank you, Mr. Hyer.

Mr. McKay.

**Hon. John McKay:** If everything is a priority, then nothing is a priority, and that is the problem with this bill.

Clause 6 is actually just a series of statements rather than any stacking of or noting of particular priorities. When you put that in context with the already rejected definition of “ecological integrity”, the consequence is that this bill has no priorities whatsoever, and it is up to the minister of the day what the priorities are. The consequence of that is that there will be a limited ability to actually direct a particular vision of any kind.

If there's no ecological integrity, which there isn't, and there's no ecological health, which there isn't, and there is no statement of priorities, which there isn't, the consequence will be that this park will be much less than it ever could be.

**The Chair:** Mr. Woodworth.

**Mr. Stephen Woodworth (Kitchener Centre, CPC):** Mr. Chair, I reject categorically the notion that the protection of natural ecosystems and cultural landscapes and the maintenance of wildlife and the health of those ecosystems are in any way mutually inconsistent such that we would need to make one a priority over the other. I think they are all interdependent, and I think the clause is fine as it is.

**The Chair:** Is there any further debate?

Mr. McKay.

**Hon. John McKay:** As I said at the beginning, if you have no priorities, which this bill doesn't, because it says everything is a priority, you're going to be taking into consideration this, that, and the other thing without any definition of what's to guide anybody—

**The Chair:** Mr. McKay, unless you have new material, I'd like to move to the vote.

Is there any further—

**Hon. John McKay:** There's no hurry here. We're in no hurry, Mr. Chair.

**The Chair:** No, we're in no hurry, but we don't have to waste time.

**Hon. John McKay:** Well, thank you for that observation, but I don't particularly consider my interventions to be a waste of time. I don't know about you, but I don't consider them to be a waste of time.

**The Chair:** If we're repeating what has been said, we are wasting time. That would be my definition.

Is there any further debate?

**Hon. John McKay:** Well then, Mr. Chair, you should intervene on all debates on the floor of the House of Commons, especially on the Conservative side.

**Mr. Paul Calandra (Oak Ridges—Markham, CPC):** I think we're ready for the question, Mr. Chair.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** Amendment NDP-3 is in order.

**Ms. Megan Leslie:** Do we go to amendment PV-3a before that?

**The Chair:** That's the one we just defeated.

**Ms. Megan Leslie:** I thought we defeated amendment PV-3.

**The Chair:** No. Amendment PV-3 was placed by Ms. May, and because she's not here, we have to go to amendment PV-3a. You have to have a person here to move the motion.

**Ms. Megan Leslie:** It has been a while since we've done clause-by-clause consideration, so I'm rusty.

Thank you, Mr. Chair.

**The Chair:** No problem.

We're on amendment NDP-3.

**Ms. Megan Leslie:** This is getting at the essence of what we've just heard and the debate around amendment PV-3, which is specifically taking into account ecological health and making ecological integrity one of the top priorities. This is based on evidence we heard at committee, notably from CPAWS and also from the York Region Federation of Agriculture's Ms. Empringham, who stated that two of the guiding principles for Rouge national urban park are to maintain and improve ecological health and scientific integrity and to respect and support sustainable agriculture and other compatible land uses.

Thank you, Mr. Chair.

**The Chair:** Is there any further debate on amendment NDP-3?

Mr. McKay.

**Hon. John McKay:** Well, I know you consider this to be a total waste of time—

**The Chair:** Not at all.

**Hon. John McKay:** —but I'm going to repeat myself, Mr. Chairman.

**The Chair:** It's a new clause.

**Hon. John McKay:** As much as I support this amendment, without the definition of either “ecological health” or “ecological integrity”, we have no priorities. They can't be the top priorities unless they're actually defined, so it's totally open season in the park for whatever the current management thinks is a good idea.

**The Chair:** Is there any further debate?

Mr. Choquette.

[*Translation*]

**Mr. François Choquette (Drummond, NDP):** I would like to make sure that this Rouge National Urban Park will be attractive to future generations and that it will be accessible to everyone. It really is an excellent bill. But there's a problem. All the environmental experts, including those from the Canadian Parks and Wilderness Society, explained that this clause would negatively affect the Rouge Park project. If there's one clause that's important to amend, it's that one. I hope my colleagues will think about this clause after hearing all the testimonies on the matter.

• (1555)

[*English*]

**The Chair:** Ms. Sitsabaiesan.

**Ms. Rathika Sitsabaiesan:** Clause 6 is the one that a lot of our witnesses had a very passionate plea about. Almost all our witnesses asked us to make a change to this to make ecological health and integrity a part of it. This amendment seeks to include ecological integrity as a top priority for this park. CPAWS, the York Region Federation of Agriculture, and many of the individual farm owners we spoke with spoke to the possibility of changing and making clause 6 better. I think this amendment does that in a very friendly way for everybody. I hope we will see support for this.

Thank you, Mr. Chair.

**The Chair:** Is there any further debate?

Seeing none, we'll vote on amendment NDP-3.

**Ms. Rathika Sitsabaiesan:** I'd like a recorded vote please, Mr. Chair.

(Amendment negated: nays 5; yeas 4 [See *Minutes of Proceedings*])

**The Chair:** Ms. Leslie.

**Ms. Megan Leslie:** Before we get to the main clause, I would like to move an amendment from the floor which I think might capture what we need here. If we turn to clause 6, you'll note it starts on line 35 and carries on and we're replacing line 36 on page 3 with the following:

The Minister must, in the management of the Park, prioritize improvement of the health of the Park's ecosystem;

6(2) For greater certainty, the Minister must recognize and take into consideration the ongoing presence of agriculture in the Park.

Mr. Chair, I offer that amendment noting the good, nuanced and passionate conversation we had here at committee about the need to prioritize ecological integrity but also the need to ensure that agriculture is not just supported but continues in the future, in particular, I think spelling out for greater certainty that the minister must recognize and take into consideration the ongoing presence—so not just right now—of agriculture in the park.

I move that amendment for my colleagues.

**The Chair:** Thank you, Ms. Leslie.

Do you have that on paper or only on your iPad?

**Ms. Megan Leslie:** I have it on my iPad.

**The Chair:** You need to read it again. Can we give it to the legislative clerk?

**Ms. Megan Leslie:** Absolutely. Just don't go through my e-mails.

**The Chair:** We'll have the e-mail amendment read.

● (1600)

**Mr. Justin Vaive (Legislative Clerk, House of Commons):** This is the wording of the new amendment:

The Minister must, in the management of the Park, prioritize improvement of the health of the Park's ecosystem;

6(2) For greater certainty, the Minister must recognize and take into consideration the ongoing presence of agriculture in the Park.

**The Chair:** It is an admissible amendment. Is there any further debate on the amendment?

Mr. McKay.

**Hon. John McKay:** I would support the amendment. It does speak to a lot of the evidence that we heard, both from farmers and from ecologists. It does move us towards some of the priorities of the minister in terms of managing the park going forward. I think it gives explicit recognition of the ongoing presence of agriculture, and I would hope, the enhancement of agriculture in the park. I think it is highly supportable.

**The Chair:** Mr. Calandra.

**Mr. Paul Calandra:** Obviously, we're not in favour of it. I would just note that the farmers who did appear before the committee were unanimous in their support for the bill as it was written, and none called for any amendments in any way. We'll be voting against the watering down of farmers' rights in the park with this amendment.

**The Chair:** If there is no further debate, I'm going to call for the question on the amendment.

**Ms. Rathika Sitsabaiesan:** A recorded vote, please.

**The Chair:** We will have a recorded vote on amendment NDP-3-1.

(Amendment negated: nays 5; yeas 4)

**The Chair:** We will now go to clause 6 as printed in the bill.

(Clause 6 agreed to on division)

(Clause 7 agreed to)

(On clause 8—*Advisory committee*)

**The Chair:** We have PV-4a. A vote on PV-4a will apply to NDP-4 because they're identical.

Could we have your comments on PV-4a, Mr. Hyer?

**Mr. Bruce Hyer:** This is very straightforward. The current form of the bill reads “may”. It is at the minister's discretion as to whether to have an advisory committee, and the suggested amendment would ensure that we would avoid repeating the federal government's failure to follow through with the park advisory panel that they promised in May 2012. That failure has reduced the open and constructive dialogue necessary to resolve issues and to create a healthy and sustainable park. It has, unfortunately, been very damaging to the wide principle of conservation in Canada.

**The Chair:** I'm sure you've checked with the leader to make sure that she is okay with having her name omitted from the bill. I'm just kidding.

Mr. McKay.

**Hon. John McKay:** I was going to make the same comment, Chair. It seems to me that the Green Party would not want to have any clause that eliminates the word “may”—

**Some hon. members:** Oh, oh!

**Mr. Bruce Hyer:** —but after today her name is “Ms. Green” anyway.

**Hon. John McKay:** That's right.

The way the current clause reads is that the minister “may”, and of course if the minister “may”, she or he “may not” as well. So there is no obligation on the part of the minister to establish any committee whatsoever. Hence, this is a good amendment. We could get into semantic distinctions as to “must” and “shall”, but it certainly is an improvement over what currently exists.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** That applies to NDP-4.

We move now to PV-5a.

Do you wish to move your amendment, Mr. Hyer?

● (1605)

**Mr. Bruce Hyer:** Yes.

**Hon. John McKay:** I have a point of order, Chair, before Mr. Hyer speaks.

With reference to the concerns of the clerk, if in fact clause 8 presently exists as the minister “may”, and this would follow as a subclause (2) where the minister “must”, if the minister “may” or “may not”, how can it be the minister “must” in subclause (2)?

**The Chair:** That will be clarified in a few minutes, after Mr. Hyer makes his—

**Hon. John McKay:** No, but I think it is a point of order. So if we clarify the point of order...

**The Chair:** I think the protocol is that we have to give the person the option of at least tabling the motion. Right now, it's not even on the table. Unless the motion is on the table, we have nothing to base the point of order on.

Mr. Hyer.

**Mr. Bruce Hyer:** Actually, Mr. Chair, this would add an entire subclause to the bill. It would say not only that the minister must establish a scientific advisory committee to advise the minister on management of the park, but that it “must include landscape ecology scientists of the Government of Ontario and the Government of Canada, as well as representatives...”, etc.

To underscore it, this would avoid repeating the federal government's failure to follow through with the park's advisory panel promised in May 2012, but it puts a finer point on it of making sure that it is a scientific advisory committee.

**The Chair:** Thank you.

Mr. Hyer and committee, I have a ruling here.

In relation to Bill C-40, which seeks to establish a Rouge national urban park, the amendment proposes the establishment of a scientific committee to advise the minister on the management of the park.

*House of Commons Procedure and Practice*, second edition, states on pages 767 and 768:

Since an amendment may not infringe upon the financial initiative of the Crown, it is inadmissible if it imposes a charge on the public treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications specified in the royal recommendation.

In the opinion of the chair, the amendment proposes a new entity that would impose a new charge on the public treasury; therefore, I rule the amendment inadmissible, as well as amendments NDP-5, PV-12, and PV-12a, as they are consequential to this amendment.

I'm ruling this particular amendment inadmissible.

Since those amendments are inadmissible, we now go to clause 8 as printed.

(Clause 8 agreed to on division)

(On clause 9—*Management plan*)

**The Chair:** We have amendment NDP-6. This amendment involves a line in conflict with amendment PV-6a, so if amendment NDP-6 is adopted, the question cannot be put on PV-6a.

We are on amendment NDP-6.

**Ms. Megan Leslie:** Mr. Chair, we're amending clause 9. As you can see, we're replacing lines to talk about a “science-based management plan that sets out a long-term vision”. I think this is an important clause to strengthen the bill so that it is more in line with the Canada National Parks Act. It includes details about ecological protection while recognizing that agriculture is also a big part of the park and the fact that it is in an urban setting.

We get this partly from testimony that we heard at committee, specifically from a recommendation that language in the bill meet our international and Canadian standards for protected areas. That's our motivation behind this amendment.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** Because that was negated, we can now move to amendment PV-6a.

Mr. Hyer.

•(1610)

**Mr. Bruce Hyer:** This strengthens clause 9, putting a higher degree of specificity on it, and includes the following important aspects: ecological vision, rather than just vision; ecological integrity; watershed health; cultural heritage; and restoration. This is the standard, Mr. Chair, for park management in Canada, and the Rouge should receive the highest standard of protection, the same as any other park in Canada. It's consistent with the park's purposes, its priorities, existing provincial policies, and good science-based management.

**The Chair:** On debate, Mr. McKay.

**Hon. John McKay:** Certainly it's a big-time improvement over what is currently there.

The way that clause 9 reads is that the minister can prepare any plan he or she likes and put in a couple of evaluations and objectives and that would be the end of it. At least there is some reference to ecological integrity, watershed health, etc.

I support this amendment because it at least puts some flesh on the bones, which is not there currently.

**The Chair:** Thank you, Mr. McKay.

Is there any further debate?

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** That moves us to amendment PV-7a.

Just so you're aware, this line is in conflict with amendment NDP-7, so if we adopt PV-7a, the question cannot be put on amendment NDP-7.

On amendment PV-7a, Mr. Hyer.

**Mr. Bruce Hyer:** Mr. Chair, this enhancement of a fairly vague and general clause makes it consistent with the greenbelt plan, the Rouge north management plan, the federal green space preserve master plan, the Great Lakes Water Quality Agreement, the Rouge River watershed plan, and the Rouge Park natural heritage action plan.

It provides more clarity and specificity to the act.

**The Chair:** Is there further debate on amendment PV-7a?

Mr. Woodworth.

**Mr. Stephen Woodworth:** Mr. Chair, I feel that I should put on the record that there was considerable difference of opinion between the witnesses regarding whether the notion of ecological integrity is appropriate to an urban park, insofar as ecological integrity often carries with it requirements for flooding, burn, and so on, which are not appropriate in an urban park.

It's my opposition to the notion of ecological integrity that causes me concern on a lot of these amendments.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** That is defeated, which means we can move to amendment NDP-7.

**Ms. Megan Leslie:** Mr. Chair, this amendment would amend clause 9, as you can see, and replace certain lines. Again, we are trying to get at the issue of ecological health and ecological integrity, watershed health, while at the same time recognizing that agriculture is a large part of the park.

This amendment is consistent with the greenbelt plan, with the Rouge north management plan. It's consistent with the federal green space preserve master plan and the Rouge River watershed plan. All of the work that's been done over the years, over the decades, to protect this space needs to be represented somehow in this bill, in the final form, as a national park. This amendment would do exactly that.

Thank you, Mr. Chair.

**The Chair:** Is there further debate on amendment NDP-7?

**Ms. Rathika Sitsabaesan:** I'd like a recorded vote, please.

(Amendment negated: nays 5; yeas 4 [See *Minutes of Proceedings*])

**The Chair:** Amendment PV-8 is in conflict with amendment NDP-8, so if PV-8a is adopted, the question cannot be put on amendment NDP-8.

• (1615)

**Mr. Bruce Hyer:** Mr. Chair, this amendment broadens, and at the same time makes more specific, the cultural heritage component, adding “aboriginal”—and there is an aboriginal heritage there—“and the encouragement of innovative ecologically sound farming practices”.

I've discussed this with a number of farmers, some inside this area, and other farmers. They believe there is potential for the farmers within this new park area to shift their activities in a way that will provide more value added, more profitability, and make them even more sustainable by being more innovative and more ecological, and then marketing it as such.

**The Chair:** Thank you, Mr. Hyer.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** We'll move to amendment NDP-8. Ms. Leslie.

**Ms. Megan Leslie:** Help me understand, Mr. Chair, because I thought that if it was defeated—

**The Chair:** No, if it was adopted.

**Ms. Megan Leslie:** Oh, right. I'm trying to keep up here. Thank you, Mr. Chair.

You will see that this would amend clause 9. There's a lot of the same reasoning that Mr. Hyer pointed out. Specifically, it is adding the word “aboriginal” in the list for heritage and also encouraging ecological and sustainable farming practices.

I think this is important. In some of the testimony we heard from Parks Canada, they talked about people coming to the park and being exposed to culture as part of the park, not just trees and birds, but culture and aboriginal culture.

We did hear from the minister. She quoted from a letter from the York Region Federation of Agriculture, which said that farmland needs to be preserved so that farmers can produce food for their

surrounding urban neighbours for generations to come. That is talking about the encouragement, I think, of a sustainable farm, an ecologically sound farm, because if it's not ecologically sound and sustainable, we're not going to be able to talk about future generations. I would also rely on some of the evidence put forward by Dr. Faisal Moola of the Suzuki Foundation.

I think this is an amendment worth supporting.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** We move now to amendment PV-9a. This is in conflict with amendment NDP-9, so if it is adopted, the question cannot be put on amendment NDP-9.

Mr. Hyer.

**Mr. Bruce Hyer:** Mr. Chair, given that the goals of this park are “to meet and exceed” the present protected area status that's there now, this is proposed to encourage a net gain in ecological integrity and watershed health in the area. If it is going to meet the commitment to meet or exceed the present protection in the area, this is an important addition to the bill.

**The Chair:** Mr. McKay.

**Hon. John McKay:** Given that this is going to be a very complicated park to administer at the best of times, given that the management of the park is given virtually no guidelines whatsoever in this act—they have no idea of what “ecological health” or “ecological integrity” might be—and given the defeat of all of the other amendments, the concept of a net gain of ecological integrity and watershed health is in my judgment minimal, because there will inevitably be demands on this park. There will be pressure from Markham, from Pickering, and from Scarborough to the south to chop off this, add this, flow this, pipelines, roads, whatever. If you can't actually demonstrate that there has been a net gain in ecological health, you might as well just pave over the darned thing and be done with it right away.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** We move now to amendment NDP-9.

**Ms. Megan Leslie:** Mr. Chair, in addition to the comments you've just heard about ecological health, I think this amendment to clause 9 would identify best management practices within infrastructure guidelines, encourage net gain to the park, and avoid incremental net loss. I think it's an important amendment.

• (1620)

**The Chair:** Mr. McKay.

**Hon. John McKay:** The difference here is the net gain in the size of the park over time. If you read the bill, you will see that it has about three squiggly little pieces in Markham that are actually in the bill, but the minister has sold it as 58 square kilometres, which is quite a bit short of where a lot of other people would like to go.

Given the reaction of the government in Queen's Park in that they've decided to withdraw their 44% of that land, it's somewhere in the order of 30 square kilometres, maybe, and then there is no connection up to the Oak Ridges Moraine.



There isn't a person at this committee who actually knows what they're voting on as far as what the size of this park is going to be, so to have a net gain.... A net gain over what? Over the three squiggly little pieces that are in Markham?

**The Chair:** Are you speaking in favour of or against the amendment, Mr. McKay?

**Hon. John McKay:** I'd like to see some net gain here. It can't get worse than three squiggly little pieces.

**The Chair:** How can you have a net gain over nothing?

Mr. Woodworth.

**Mr. Stephen Woodworth:** I'd like to point out that the Government of Ontario has signed a binding agreement to transfer lands, which it has announced it is going to renege upon. I'm not so sure that the Government of Canada could not enforce that agreement against the Government of Ontario, but I leave that to other levels to determine.

**The Chair:** We're going to vote on NDP-9.

It's a recorded vote.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** We move to PV-10a.

Mr. Hyer.

**Mr. Bruce Hyer:** Mr. Chair, this is pretty simple and straightforward. The current bill, as it stands, says there'll be a review of the management plan every 10 years. It's pretty standard in park planning across Canada and across Ontario that there are five-year reviews of park plans for several reasons.

A regular state of the park report is a really useful thing, particularly given that more and more parks, instead of remaining static, have adaptive park management and the plans that allow for adaptive park management.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** Since NDP-10 is identical to PV-10a, the question on NDP-10 cannot be put.

We move to NDP-11.

Ms. Leslie.

**Ms. Megan Leslie:** Mr. Chair, this would see us amending clause 9 and adding quite a bit after line 43. The point of this amendment is to mandate the regular scientific monitoring of land surface and land cover in the park.

I draw specifically on testimony from Canadian Parks and Wilderness Society, when they talked about the need for requirements for setting ecological objectives and indicators, and provisions for ecological monitoring. We think that this amendment covers part of what's missing in this bill.

**The Chair:** Mr. Woodworth.

**Mr. Stephen Woodworth:** Mr. Chair, I am not aware of any other national park in Canada that is subject to such a requirement, although I'm always happy to be corrected if there is something that I am not aware of.

**The Chair:** Mr. McKay.

**Hon. John McKay:** If there was a clause about ecological integrity in here, I guess we wouldn't have to be putting this in here, so by reference, monitoring of land surface is incorporated into any park, but not this one.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** We move to the entire clause 9 as printed.

(Clause 9 agreed to)

• (1625)

**The Clerk:** Ms. Sitsabaiesan asked that it be on division.

**The Chair:** I've already done it.

(On clause 10—*Public consultation*)

**The Chair:** We have amendment NDP-12.

Ms. Leslie.

**Ms. Megan Leslie:** We are amending clause 10, to replace lines 2 and 3 with lines talking about public participation. If we look at the Canada National Parks Act, we see more opportunity for public consultation than in Bill C-40, which is interesting but also problematic.

We'd like to see clause 10 amended to ensure that it's closer to the public consultation standards in the National Parks Act.

**The Chair:** Is there debate on NDP-12?

**Ms. Rathika Sitsabaiesan:** I'd like a recorded vote.

(Amendment negated: nays 5; yeas 4 [See *Minutes of Proceedings*])

**The Chair:** We're on NDP-13, and we have a ruling on this as well.

Again, the preamble that I read before is similar.

*House of Commons Procedure and Practice*, second edition, states that since "an amendment may not infringe upon the financial initiative of the Crown, it is inadmissible if it imposes a charge on the public treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications specified in the royal recommendation."

In the opinion of the chair, the amendment proposes potentially new costs related to construction, maintenance, and staffing of an interpretive centre. This would impose a new charge on the public treasury. Therefore, I rule this amendment inadmissible.

We'll go to clause 10, unamended.

(Clause 10 agreed to)

(On clause 11—*Agreements*)

**The Chair:** We have amendment PV-11a.

Mr. Hyer.

**Mr. Bruce Hyer:** Mr. Chair, this amendment requires that the minister comply with article 2.0 of the memorandum of agreement respecting the establishment of the proposed park, signed January 26, 2013.

Mr. Chair, this bill needs amending to address the following clause, because in the agreement of that date it states:

Parks Canada will work with Ontario to develop written policies in respect to the creation, management and administration of the Park that meet or exceed provincial policies regarding the Transferred Lands, including the policy set out in things like the Greenbelt Plan 2005, the Oak Ridges Moraine Conservation Plan....

**The Chair:** I'm going to make a statement here.

*House of Commons Procedure and Practice*, second edition, states on page 766:

An amendment to a bill that was referred to a committee after second reading or a bill at report stage is out of order if it is beyond the scope and principle of the bill.

In the opinion of the chair, this is a new concept that is beyond the scope of the bill. Therefore, I rule the amendment inadmissible. That is not debatable; however, you may challenge the chair if you choose to do that.

**Hon. John McKay:** I want to ask the officials a question.

**The Chair:** Okay.

**Hon. John McKay:** Mr. Woodworth raised the issue of this particular memorandum of agreement respecting—

**The Chair:** Mr. McKay, we're on the actual clause, not on the amendment. The amendment is out of order. I've ruled it out of order.

• (1630)

**Hon. John McKay:** No, I'm not asking a question on your ruling, dubious as it may seem. I'm asking a question of the officials here as to whether they consider themselves to be bound by this memorandum of agreement. Mr. Woodworth raised the issue when we were debating a previous clause, and I think it's a legitimate question to ask officials whether they see themselves as bound by this particular memorandum of agreement.

It has nothing to do with your ruling, however inadequate that might be.

**The Chair:** Mr. McKay, just for the record, we're debating clause 11 right now. Is what you're asking directly related to clause 11?

**Hon. John McKay:** Apparently it was at one point, wasn't it?

**The Chair:** Is it now that the amendment has been ruled out of order?

**Hon. John McKay:** It is even if the amendment is ruled out of order. It is still relevant to the clause, and it's a legitimate question to ask of officials—

**Mr. Paul Calandra:** I'm sorry, Mr. Chair—

**Hon. John McKay:** I'm not debating the ruling. I'm asking the question of the officials.

**Mr. Paul Calandra:** Well then there's no reason to continue on.

**Hon. John McKay:** There is a difference between making a ruling, which I am not challenging.... As I said, it's a dubious ruling in the first place; nevertheless, we'll go with it.

All I want to know is whether the officials consider themselves to be bound by the agreement.

**The Chair:** We need to stick with what's in the bill, and none of these concepts were part of the bill. They were part of a discussion. The memorandum of agreements were part of a discussion. We're not talking about those right now.

**Hon. John McKay:** Then I will challenge you.

Of course, the underlying concept of the bill is that the Province of Ontario and the Government of Canada have an understanding, which apparently has had its props kicked out from underneath it.

I would like to simply ask the officials: are you bound at this point?

**The Chair:** We're going to move ahead with the vote on clause 11.

**Ms. Megan Leslie:** How are we voting here, Mr. Chair?

**The Chair:** Clause 11, the amendment—

**Ms. Megan Leslie:** Oh, because you ruled it's not an amendment. I get it.

**The Chair:** The amendment was ruled out of order, so we're voting on the motion.

(Clause 11 agreed to [See *Minutes of Proceedings*])

(On clause 12—*Clearing of land for installation or maintenance of infrastructure*)

**The Chair:** We're moving on to amendment PV-12, which I ruled earlier was inadmissible. Amendment PV-12a is inadmissible, so we'll move to NDP-14.

Ms. Leslie.

**Ms. Megan Leslie:** Mr. Chair, you can see in amendment NDP-14 we're trying to amend clause 12. I think this is important because clause 8 establishes this advisory committee. I think that clause 12 needs to be amended to reflect the need to consult with the parks advisory committee that was established back in clause 8.

I think it's just a consistency piece.

**The Chair:** Any further discussion or debate on NDP-14?

**Ms. Rathika Sitsabaiesan:** We'd like a recorded vote.

(Amendment negated: nays 5; yeas 4 [See *Minutes of Proceedings*])

**The Chair:** We're still on clause 12. We move now to amendment PV-13a.

Mr. Hyer.

**Mr. Bruce Hyer:** Mr. Chair, this would make certain requirements of the superintendent in the management of the park. The reasons are simple, shorter than the amendment itself. It's the need for consultation, careful impact assessment and avoidance, and particularly a principle of net gain to avoid incremental net loss, which is likely to otherwise occur, or certainly at risk of occurring.

**The Chair:** Is there further discussion or debate on PV-13a?

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** That takes us to amendment NDP-15.

Ms. Leslie.

•(1635)

**Ms. Megan Leslie:** Mr. Chair, we put in a new clause very similar to Mr. Hyer's amendment. I think it's important because we need a careful impact assessment. That's missing. I think if we're going to do this right, the overall framework has to include an impact assessment. That's what we're trying to cover in this amendment.

(Amendment negated [See *Minutes of Proceedings*])

(Clause 12 agreed to)

**The Chair:** Obviously the committee is in charge, but clauses 13 through 17 do not have any amendments. Are we in favour of approving those five clauses as a unit?

**Some hon. members:** Agreed.

(Clauses 13 to 17 inclusive agreed to)

(On clause 18—*Definitions*)

**The Chair:** We move now to PV-14a. This is consequential to NDP-16. A vote on PV-14a, which we're going to consider forthwith, will also apply to NDP-16.

Mr. Hyer.

**Mr. Bruce Hyer:** Paragraph 18(2)(h) currently says that we shall not “dump or dispose of any substance in the Park”. This amendment would add “or establish a new golf course in the park”. The reason is, we have received correspondence about concerns that in the future there may be pressure for more golf courses. Notwithstanding this, there are many public and private golf courses in the eastern GTA and at least one within the new proposed park already. It should be made clear that new golf courses should not be established in the park.

**The Chair:** Mr. McKay.

**Hon. John McKay:** I have to say, Mr. Chair, that this is a painful amendment to support.

**The Chair:** Ms. Leslie.

**Ms. Megan Leslie:** All I'd like to add is hear, hear—not for Mr. McKay, but for Mr. Hyer.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** Because PV-14a is identical to NDP-16, NDP-16 will not be put.

(Clause 18 agreed to on division)

(On clause 19—*For greater certainty*)

**The Chair:** All in favour of clause 19?

**Ms. Megan Leslie:** I think there's an amendment.

**The Chair:** Clause 19, there's no amendment.

**Ms. Megan Leslie:** Yes, clause 19, NDP-17.

**Ms. Rathika Sitsabaiesan:** Clause 19, NDP-17.

**The Chair:** We got it in the wrong section here, sorry. Thank you. I thought it was under clause 20.

Clause 19, NDP-17.

Ms. Leslie.

**Ms. Megan Leslie:** Mr. Chair, this amends clause 19 by adding specifically new language in subclause (2). It talks about encouraging local food production and promoting ecologically sound and sustainable agricultural practices.

This is important based on testimony we heard even from the minister herself, who talked about how “the bill will provide the highest level of protection for the Rouge Valley, while at the same time promote sustainable farming and farming communities”—that's a direct quote—but I don't necessarily see that represented well in the bill.

Dr. Faisal Moola talked about sustainable farming and Monsieur Latourelle spoke about sustainable farming, and I think it makes sense for us to spell it out in clause 19.

•(1640)

**The Chair:** Mr. Choquette.

[*Translation*]

**Mr. François Choquette:** I would simply like to point out that I support the amendment, of course

I think that adding the importance of developing sustainable agricultural practices and diversifying agricultural practices is justified, especially for everyone who will visit the park. For visitors, being faced with a monoculture isn't as interesting as being faced with a diversified agriculture that they can benefit from. Academically and educationally, this addition is quite relevant, especially since there are also all kinds of water-related concerns. Sustainable agricultural practices would add a lot to this aspect.

[*English*]

**The Chair:** Ms. Sitsabaiesan.

**Ms. Rathika Sitsabaiesan:** Mr. Chair, I talk to a lot of my constituents. There are a lot of people who are right next door to the current Rouge Park. I know that some of my constituents are farmers who don't get to farm near their home and have to drive two hours away to get to their farm because that's the closest land they were able to get to be able to farm. Also, there's a lot of local interest in local food production and sustainable farming. In talking with the farmers who came and even the the farmers' agricultural representative—I forget what the organization is called—they did mention that they are engaging in the environmental farm plan and many progressive methods to ensure that their farms and their farming practices are using sustainable methods.

This would ensure that we're enshrining in the legislation what they're already doing and what people who are immediately affected...I know in the municipality of Toronto, and I'm sure in York region as well...it would support what a lot of the people locally are looking for and enshrine it in the legislation.

**The Chair:** Okay, thank you.

Mr. McKay.

**Hon. John McKay:** I support the amendment because it does give some parameters for agricultural activity. Currently, as clause 19 reads, it does not prevent the carrying out of agricultural activities. Well, you might as well simply say “any agricultural activities”. Within the parameter of agricultural activities, there are some that are efficacious and some that aren't. There are activities that I don't think any park could tolerate if it is charged with the administration of its land. But the way this reads, it's open season. There are instances where a park administration might well want to shut down certain agricultural activities, but with this clause as it currently stands, it has no authority to do so. At least with the amendment there is a reference here to ecological soundness and sustainable practices, but as the clause was put forward, it didn't do anything.

**The Chair:** Is there further debate?

**Ms. Rathika Sitsabaesan:** A recorded vote, please, Mr. Chair.

(Amendment negatived: nays 5; yeas 4 [See *Minutes of Proceedings*])

(Clause 19 agreed to on division)

(On clause 20—*Regulations*)

**The Chair:** We have amendment PV-15a.

Mr. Hyer.

**Mr. Bruce Hyer:** Mr. Chair, what this amendment would do is add protection, enhancement, and restoration to the goals here, and the management. It's a matter of due diligence, and that the existing plans and policies call for those things: the protection, enhancement, and restoration of biological diversity and endangered species' habitats; the implementation of watershed remedial action plans to protect and restore water quality and reduce costly pollution, flooding, and erosion liabilities down the road, and actually save money and prevent future problems.

(Amendment negatived [See *Minutes of Proceedings*])

•(1645)

**The Chair:** We'll move now to PV-16a.

Mr. Hyer.

**Mr. Bruce Hyer:** Mr. Chair, this amendment allows for the enhancement and restoration, not just the protection of the status quo of the flora, fauna, soil, surface and ground waters, fossils, air quality, and hydrological features, etc. Again, it's a matter of due diligence and the same logic as the last one that was rejected. It has to do with protecting the basic hydrological, biological, and other natural functions of the area.

**The Chair:** Mr. McKay.

**Hon. John McKay:** I don't know how anybody will know whether anything's protected, enhanced, restored, or controlled or managed.

(Amendment negatived [See *Minutes of Proceedings*])

**The Chair:** That brings us to PV-17a.

Mr. Hyer.

**Mr. Bruce Hyer:** This amendment has to do with basic science, monitoring, to see what positive or potentially negative effects of activities on this watershed would have. Again, it will call for the

protection, enhancement, and restoration of biological diversity and other natural forces within the ecosystem of the Rouge Valley.

(Amendment negatived [See *Minutes of Proceedings*])

**The Chair:** Amendment PV-18a.

Mr. Hyer.

**Mr. Bruce Hyer:** This one introduces a new element which, although we're batting zero for 17 so far, you never know, a miracle might occur, and the possibility of including the effects of measuring and remediating the effects of climate change on the park might actually be something worth considering, Mr. Chair.

(Amendment negatived [See *Minutes of Proceedings*])

(Clause 20 agreed to on division)

**The Chair:** We're coming to clauses 21 to 62 that have no amendments proposed. Are we in favour of adopting clauses 21 to 62 on division?

**Some hon members:** Agreed.

(Clauses 21 to 62 inclusive agreed to on division)

**The Chair:** This moves us to the schedule.

All in favour of approving the schedule?

**Some hon. members:** Agreed.

**The Chair:** Shall the short title carry?

**Hon. John McKay:** What about a motion to change it to the Swiss cheese Rouge Park act?

**The Chair:** All in favour of adopting the short title as printed?

**Some hon. members:** Agreed.

**Mr. Paul Calandra:** We could call it the Liberals never did it in 25 years act.

**The Chair:** All in favour of adopting the preamble?

**Some hon. members:** Agreed.

**The Chair:** Shall the title carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the bill carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

**The Chair:** Shall I report the bill to the House?

**Some hon. members:** Agreed.

**The Chair:** Mr. Sopuck.

•(1650)

**Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC):** I have a motion I'd like to propose.

**The Chair:** Is it about the bill, because the bill has been dealt with.

**Mr. Robert Sopuck:** No, it's not.

**The Chair:** I want to remind committee members that we have Mr. Michael Martin here. We would like to give him as much time as possible.

Mr. Sopuck.

**Mr. Robert Sopuck:** I would like to move the following motion:

That, when and if an order of reference is made respecting Bill S-5, An Act to amend the Canada National Parks Act (Nááts'ihch'oh National Park Reserve of Canada), which refers the Bill to the Standing Committee on Environment and Sustainable Development, the Committee shall begin a study of the Bill for two meetings, commencing on November 17th, 2014, with an appearance by the Honourable Leona Aglukkaq, Minister of the Environment, and departmental officials for the first hour, and with the potential for witness participation in the second hour, and that the committee commence clause by clause consideration of the Bill on November 19th, 2014.

**The Chair:** Ms. Leslie.

**Ms. Megan Leslie:** I wonder if my colleague would accept a friendly amendment to say at least two days.

I don't think there are going to be a lot of witnesses, truth be told. I think all parties agree, but I hesitate with the cut-off time.

If there are more witnesses.... I mean, who are we going to call? We're not going to call people from Vancouver or Regina. But just not to have a cut-off time.

**The Chair:** Remind me again, Mr. Sopuck, of the dates you had indicated.

**Mr. Robert Sopuck:** Commencing on November 17.

**The Chair:** Would we have Minister Aglukkaq that first day and then another day for witnesses? Is that what your motion was?

**Mr. Robert Sopuck:** Yes.

**The Chair:** Will there be clause-by-clause study on the 19th as well, or following that?

We would have the minister and officials, and then the following day, would we have one set of witnesses and then go into clause-by-clause study, or just clause-by-clause study?

We need some clarification.

It's the minister and officials for the first hour and then other witnesses the second hour. That helps clarify it for me.

Mr. McKay.

**Hon. John McKay:** I have no witnesses on this particular file, but assuming some of the witnesses will be from a great distance away, will we have capacity to bring them in via video conference? That will actually be in different time zones.

**The Chair:** I can't answer that question. Can others answer that question? With the potential for witnesses from far afield, where we may not have access to video equipment, will we have capacity to bring them in? Is anyone prepared to speak to that?

Mr. Calandra.

**Mr. Paul Calandra:** We'll leave that up to the auspices of—

**The Chair:** It will depend on the witness list.

We should technically move in camera for this motion. We normally do committee business in camera.

**Mr. Paul Calandra:** In the spirit of openness, Mr. Chair, we're prepared to deal with this now.

**The Chair:** All in favour of the motion, raise your hand.

(Motion agreed to)

**The Chair:** We'll move to Nááts'ihch'oh, Bill S-5, if and when it passes and is referred here.

To our witnesses, thank you for being here today, and thank you for your input in our earlier study. It was much appreciated. Have a great day.

We will now move directly to inviting Mr. Michael Martin to join us at the table.

Mr. Martin, thank you for your patience. Welcome to our meeting. Please begin with your opening statement, and then we'll have some questions from committee members.

• (1655)

**Mr. Michael Martin (Deputy Minister, Department of the Environment):** Thank you, Mr. Chair.

[*Translation*]

I am honoured to appear before you today as the Deputy Minister of the Environment. Over the last 30 years, I have been proud to serve Canada as a public servant both in Ottawa and overseas.

Throughout my career, I have always believed deeply in the values of public service, and I have enjoyed the opportunities given to me to contribute as a public servant to Canada. It is therefore very gratifying and humbling to be asked to serve as the deputy head of an institution that is dedicated to building a clean, safe and sustainable environment for all Canadians.

[*English*]

The great strength of Environment Canada is its people. Our scientists, engineers, regulators, policy analysts, meteorologists, wildlife managers, enforcement officers, and internal services staff bring tremendous knowledge and professional expertise to their work.

An important part of my job is to provide the leadership necessary to achieve a healthy, high-performing organization that promotes excellence in everything we do. Building on the tremendous work of my predecessors, and with the encouragement and support of my colleagues and the Clerk of the Privy Council, I'm confident that I will be successful in this task. I'm excited by these challenges before me, and I look forward to working with the committee over the coming years as we address them.

Mr. Chair, I would be pleased to take your questions.

**The Chair:** Thank you very much, Mr. Martin.

Again, thanks for your patience with us, as we took longer for clause-by-clause consideration.

We are ready to open it up for questions. We'll begin with the Conservative side and move through our normal routine. I'm going to limit it to five-minute rounds, using the prerogative of the chair, just because we have such a limited amount of time. We may not need all of that time, but I just want to give more opportunity for more questions.

Mr. Sopuck, for five minutes.

**Mr. Robert Sopuck:** Mr. Martin, in your new role, have you been briefed on the state of Canada's environment yet, in terms of Canada's environmental indicators?

**Mr. Michael Martin:** Yes.

**Mr. Robert Sopuck:** What is your view of the trend of Canada's environmental indicators? I'm thinking of things like air quality, water quality, biodiversity, and so on. In which direction is Canada going?

**Mr. Michael Martin:** As you may know, the department publishes a series of indicators that cover all media. Overall, and if you look in the international context, Canada's environmental performance is strong. There are challenges, however, and the data suggests where those challenges lie.

**Mr. Robert Sopuck:** Yes, I certainly agree.

To me, the biggest challenges lie in the area of landscape conservation. One thing that concerns me is that I don't think Environment Canada spends enough time on landscape conservation. By that I mean wetland conservation, biodiversity conservation, and so on.

Would that be something that you could take a look at, re-prioritizing Environment Canada's activities and some of its spending?

**Mr. Michael Martin:** We are seeking to strengthen the scientific work we do in landscape science. As you know, we are also implementing efforts to improve wetland restoration under the national conservation plan. There is also further work to explore the scope for wetlands to function as carbon sinks, as well as to provide other ecological values.

• (1700)

**Mr. Robert Sopuck:** I could not agree more.

I know that all Canadians are the clients of your department, but there is a stakeholder group for Environment Canada that I don't think is given enough emphasis by Environment Canada. That's not a pejorative comment; I think it's more tradition than anything else. The Canadian Wildlife Service administers the migratory birds hunting regulations, so Canada's waterfowl hunters are a very significant stakeholder in your department. They were instrumental in creating the single largest conservation program in North America's history, the North American waterfowl management plan. Your department also manages the humane trap research facility in Vegreville, Alberta.

Again, I don't want to put you on the spot with a policy question, because policy is for elected officials, but in terms of the continuation of those programs.... Are you familiar with the activities of CWS in terms of migratory bird hunting and the Vegreville trap site?

**Mr. Michael Martin:** Yes.

**Mr. Robert Sopuck:** The humane trap facility is very, very important to Canada's trapping community, in the sense that our access to European markets depends on the continued development of humane trapping activities. Do you see that program continuing over the long term?

**Mr. Michael Martin:** That would be a question for the minister, Mr. Sopuck, in terms of whether any program in the department should continue over the long term. But I would be happy to familiarize myself more with the current state of work in that area.

**Mr. Robert Sopuck:** Okay.

**Mr. Robert Sopuck:** In terms of biodiversity conservation, indeed all landscape conservation, there are two approaches you can use. One is the heavy-handed regulatory approach, and the other is the provision of incentives to people on the land to contribute to landscape conservation. Can you talk about the difference between the two approaches and perhaps the cases in which one is more effective than the other, and vice versa?

**Mr. Michael Martin:** Without dealing with a specific case—

**Mr. Robert Sopuck:** No, no specifics are necessary.

**Mr. Michael Martin:** —I think there are a couple of important points.

Environment Canada has a set of tools, which you have described. We have the statutory tools provided to us by the Species at Risk Act, among other legislation. We also have programmatic tools, as well as scientific capability that we use.

Depending on what you are trying to achieve, for example, the protection of critical habitat, all of those tools may be relevant. Ultimately, the evidence shows that strong partnerships with provinces, with land managers, and with those who have an interest in conservation are essential to improve outcomes for biodiversity.

**Mr. Robert Sopuck:** Thank you.

**The Chair:** Thank you, Mr. Sopuck.

Mr. Choquette, please go ahead.

[*Translation*]

**Mr. François Choquette:** Thank you, Mr. Chair.

Mr. Martin, I would like to congratulate you on your appointment as deputy minister. I am happy you are in this role.

I looked at your resumé, and I see that you have environmental experience. You had the opportunity to testify before the Standing Committee on the Environment and Sustainable Development in 2007, 2008 and 2009. You were even Canada's chief negotiator and ambassador for climate change for the negotiations leading up to the Copenhagen climate conference.

Could you tell us about your experience that will help you fill this role, including your experience in the fight against climate change?

**Mr. Michael Martin:** Thank you for the question.

Indeed, I just told you about my experience and career in climate change. It is true that it was good experience that helped me better understand this challenge to strengthen a global system that will help improve the situation as a result of this problem. I have a valuable perspective because of that. Still, I need to strengthen that experience with the knowledge of my colleagues and the current activities to address the negotiations that are ongoing, as you know.

● (1705)

**Mr. François Choquette:** Actually, that's the next question I was going to ask you.

I know that you just accepted the position. It was in July, right? So that's not much time, but since you already have a lot of experience in international climate change negotiations, I am sure you are already aware of the latest report from the Intergovernmental Panel on Climate Change, the IPCC. You know that the conference in Lima will take place soon, and the one in Paris is in 2015. Have you had time to start looking at Canada's long-term plan regarding, as you mentioned, the climate change negotiations?

**Mr. Michael Martin:** Climate change is still a major concern for the department and for me, personally. Of course, we are continuing to take part in negotiations to obtain a global agreement in Paris that will promote global progress in fighting climate change.

**Mr. François Choquette:** That's excellent. Actually, I think climate change will be the challenge of our generation and future generations. The Copenhagen conference was criticized, as you know, by a number of environmental and social stakeholders, among others, since there was no binding agreement, unlike the Kyoto Protocol. I hope that you have started looking at this to come up with a binding agreement in 2015 to be ratified in 2020. I know that you have just started as deputy minister, but you have significant experience. So I find it interesting to see that you have been appointed to the position. I would like to come back to the Copenhagen conference.

How much time do I have left?

[English]

**The Chair:** You have 30 seconds.

[Translation]

**Mr. François Choquette:** Could you please tell me quickly what your personal experience was in Copenhagen?

**Mr. Michael Martin:** It was fascinating. It was a very large, very complex conference, and there were major debates as part of the negotiations, which are continuing, to reconcile sustainable development and the dynamics of current economic growth. Personally, I thought it was a great experience, but it was a major challenge. I was happy with Canada's contribution to the conference.

[English]

**The Chair:** Thank you, Mr. Choquette.

We'll move now to Mr. Woodworth, for five minutes.

**Mr. Stephen Woodworth:** I don't believe so.

**The Chair:** No? Okay.

Is there anyone else?

**Mr. Paul Calandra:** Could I just have five?

**The Chair:** Go ahead, Mr. Woodworth.

We're going to go with Mr. Woodworth and then Mr. McKay, and we'll probably end with that.

**Mr. Stephen Woodworth:** Mr. Deputy Minister, could you tell me from what department you have come and what your position was there and how you feel it prepares you for your present position?

● (1710)

**Mr. Michael Martin:** In my last job, I was the senior associate deputy minister of National Defence for about 17 months. Prior to that I was the deputy secretary of operations—

**Mr. Paul Calandra:** The what? Sorry, what was that? What did the member say?

What did you call me?

**Hon. John McKay:** Oh, sit down. Just sit down.

**Mr. Paul Calandra:** What did you call me? No, I don't take that.

What did he call me, Mr. Chair?

**The Chair:** I have no idea. I didn't hear it.

**Mr. Paul Calandra:** What was it you called me, Mr. McKay?

Sorry, I have a point of order.

What was it that you called me?

**Hon. John McKay:** I don't have to answer any of your juvenile questions.

**The Chair:** Mr. Calandra and Mr. McKay, please come to order.

**Mr. Paul Calandra:** I wonder if anybody heard what he called me.

**The Chair:** Mr. Martin, please proceed.

**Mr. Paul Calandra:** Did anybody on this side of the table hear what he called me?

**The Chair:** Mr. Calandra, please.

**Mr. Paul Calandra:** What did you mean by “the godfather”?

**The Chair:** Mr. Calandra, I'm asking you to come to order.

**Mr. Paul Calandra:** What did you mean by “the godfather”? It's not something that we take nicely to.

Next time you go to insult the entire Italian race, think about it. Try to be a little bit more [Inaudible—Editor] before you insult people. It's not something that we take lightly.

**The Chair:** Mr. Woodworth, please proceed with your question.

**Mr. Stephen Woodworth:** I think the witness heard my question and was about to answer. Perhaps I could ask him to start again at the beginning.

**The Chair:** Thank you.

Mr. Martin.

**Mr. Michael Martin:** Thank you.

Prior to my appointment at Environment Canada, I was the senior associate deputy minister of National Defence for a period of about 17 months. Prior to that I was the deputy secretary of operations at the Privy Council Office which, as you may know, is responsible for economic, social, and environmental policy matters before cabinet and for providing advice to the Prime Minister in those areas.

I think in both those assignments, I gained some experience of value to this job. First, I think, at the Privy Council Office I was able to gain an appreciation of the horizontal role of deputy ministers in terms of supporting both their ministers and the government agenda. At National Defence, while that was a change for me, I gained a lot of extremely valuable experience in terms of managing a very large organization. As well, of course, I also had the opportunity to work closely with the Canadian military, which was a great privilege.

**Mr. Stephen Woodworth:** Can you tell me where you are with regard to the briefing for your current responsibilities? I imagine that taking over a department that size isn't something one can do at the drop of a hat. Quite frankly, I'm not quite certain as to when you actually took up your briefing and how long you expect it to take before you'll be able to settle in and set some of your own priorities.

**Mr. Michael Martin:** I did spend four years at the department previously, from 2006 to 2010, so I feel I have a good understanding of the challenges it has, both as an organization and also in terms of supporting the government's environmental agenda.

I'm learning certainly, and as I mentioned, I'm hugely aided by a tremendous group of professional colleagues at the department. I feel I'm able today to effectively function as the deputy minister, both in terms of my policy advice function and also in terms of program management.

**Mr. Stephen Woodworth:** Very good.

Concerning your work in relation to climate change, according to my recollection of reports, Canada was very instrumental in getting the major emitters to sign on, I think, to the Copenhagen Accord. I don't want to ask you to breach any confidentiality that you might be subject to, but can you tell me if I'm generally right that Canada played a big role in that respect?

**Mr. Michael Martin:** Well, I'm humble by nature, sir, but I think it's important in the international climate negotiations to bear in mind two points. One, it's a public process, a very open process. I think one can appreciate the nature of the process, and it's intended to be very transparent. It also has over 180 participants, and given its iterative nature, it would be difficult to simply say that one country or another helped to create a certain outcome. It is certainly the case that Canada, along with a few other developed countries, did argue very strongly that in order to achieve an environmentally effective agreement, we needed to find a regime that captured and motivated action by all major emitters, and that includes the major developing countries.

• (1715)

**Mr. Stephen Woodworth:** Thank you very much.

Mr. Chair, I'd like to defer my last moments to Mr. Calandra.

**The Chair:** Actually, we're out of time.

I'm going to suggest, committee, that because of our time situation we're going to go to Mr. McKay for the last intervention, and then

we're going to move to committee business for about, hopefully, three minutes, to approve a budget.

I want to go to Mr. McKay.

Mr. McKay, I did not understand or hear the earlier intervention. I would welcome it if you're open to this; I didn't hear what you said, but if you care to make an apology or make a statement, I would not take that off of your time.

Mr. McKay for five minutes plus 30 seconds.

**Hon. John McKay:** I'll deal with that later.

Mr. Martin, I think you are the fifth or sixth deputy minister since 2006. Is that about right?

**Mr. Michael Martin:** If you give me a second here, I can....

**Hon. John McKay:** I think we've heard from most of them at one point or another.

**Mr. Michael Martin:** I'm the fifth.

**Hon. John McKay:** The fifth. Okay. That's a year and a bit for every deputy minister.

Have you had an opportunity to meet with the environment commissioner?

**Mr. Michael Martin:** Yes, on several occasions.

**Hon. John McKay:** Have you gone over her report with her?

**Mr. Michael Martin:** Yes.

**Hon. John McKay:** On what points do you agree to disagree?

**Mr. Michael Martin:** If you saw from our response to her report, we agreed with all of her recommendations.

**Hon. John McKay:** Her recommendation is pretty strong that there's not any chance Canada's going to meet its 2020 targets. Do you agree with that statement?

**Mr. Michael Martin:** I don't have it in front of me, but as I recall, she commented that, based on the evidence published by Environment Canada, we are not yet on track to meet our 2020 target. Again, I wouldn't want to misquote her.

**Hon. John McKay:** I think that's a reasonable reflection of what she said in her report, so the question is, do you agree with the fact that the environment commissioner says we're not on track to make that target?

**Mr. Michael Martin:** It is Environment Canada that publishes, and has done so every year since 2011, the emissions outlook, which provides a very detailed analysis, based on our modelling framework, of the impacts of federal and provincial measures that are currently in place. The point of the analysis is to highlight, to show the expected outcome of those measures. Of course, we assume that governments, federal and provincial, will put in place additional measures in order to ensure that we continue to make progress to that goal, and we are continuing, of course, to do that work.



**Hon. John McKay:** Her analysis basically leads to the conclusion that unless the oil and gas sector is reined in on GHG emissions, all other efforts on the part of any government, whether it's federal or provincial, will be more than offset.

In your tenure, I think it's since July, have you had any sit-down meetings directly with the oil and gas industry to negotiate their effort to meet the GHG targets of 2020?

**Mr. Michael Martin:** Mr. Chairman, I'd be reluctant to talk about my meetings with stakeholders, but I have been meeting, sir, with a wide variety of stakeholders to touch on all areas of the work of the department. Of course, we are continuing to work on both air pollution and greenhouse gas regulations for all emitting sectors.

**Hon. John McKay:** I was at an interesting meeting this afternoon with the electricity sector from Ontario. They told me that the GTA—I guess Ontario—has not had a smog day in about two years, which is an interesting development. I didn't know that. When I think back about it, I think it might actually be true. That is virtually entirely due to the fact that Ontario has moved away from coal as a source of energy.

What has that meant in terms of reducing GHG emissions for Canada?

• (1720)

**Mr. Michael Martin:** First of all, I don't know what.... I think you're right. I think air quality in the greater Toronto area is improving. I have heard that. I haven't seen the data on it.

Of course, we do monitor that, and as you may know, we have been working for more than five years now, in partnership with the

provinces, on a new air quality management system to improve air quality across the entire country, both through specific airshed management and through a series of federal regulations that are now beginning to be rolled out. The first set of them were put out for public comment by the minister in June.

In terms of the impact of the shutdown of the coal-fired power plants, I honestly don't know. Of course, one would assume it is contributing to improved air quality. Part of the story in that airshed, as I understand it, is of course the transboundary effects. There are transboundary effects. There may be things going on in the U.S. that are also helping to improve....

I don't know if it's yet a trend, but it certainly appears to be positive. We will continue to pursue the implementation of the air quality management system with the provinces in order to keep that going.

**The Chair:** Thank you, Mr. McKay.

Mr. Martin, thanks again for being with us today. We wish you the best in your new role as deputy minister of the environment.

**Mr. Michael Martin:** It is my privilege to appear before you whenever it suits you.

**The Chair:** Thank you.

We're going to have a short recess and reconvene in camera in 30 seconds.

*[Proceedings continue in camera]*

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