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Chair

Mr. Harold Albrecht

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• (0850)

[English]

The Chair (Mr. Harold Albrecht (Kitchener—Conestoga, CPC)): I'd like to call to order meeting number 56 of the Standing Committee on Environment and Sustainable Development.

We're continuing our study of the Canada Water Act annual report.

We have by teleconference, from the Government of the Northwest Territories, Mr. Michael Miltenberger, Minister of Finance and Environment and Natural Resources; and by video conference from Fredericton, New Brunswick, we have Mr. Don Fox, co-chair of the water management committee.

We'll begin with Mr. Miltenberger from the Northwest Territories, if you would give us a 10-minute opening statement, Mr. Miltenberger. Then we'll proceed to Mr. Fox and then to questions from committee members.

Welcome.

Hon. J. Michael Miltenberger (Minister, Finance and Environment and Natural Resources, Government of the Northwest Territories): Good morning.

Thank you for the opportunity to share our views on the Canada Water Act Annual Report for April 2013 to March 2014.

In our review of the report, we did not identify any areas of significant concern to the Government of the Northwest Territories; however, we noted a shortage of detail relevant to the north in some sections of the report when compared with the descriptions for other jurisdictions, such as in the water quality and Canadian Aquatic Biomonitoring Network monitoring sections.

The Government of the Northwest Territories has a strong interest in Canada's basin-wide quality, quantity, and biological monitoring commitments, especially with regard to implementation of the Mackenzie River Basin Bilateral Transboundary Water Management Agreements, which I will talk about a bit later.

It is encouraging to see the work being done under the Canadian Aquatic Biomonitoring Network or CABIN program. The GNWT has a strong interest in broadening water monitoring to include monitoring of biological indicators. We see value in moving forward to complete the CABIN large river protocol so that such an approach could be applied to important rivers such as the Slave River. In addition, the GNWT has a community-based monitoring program that could benefit from adding a biological monitoring component.

Regarding monitoring, we note that while there is some information in the report, we'd be interested in more information regarding the joint oil sands monitoring program, particularly about the expansion of biological monitoring under this program into the Northwest Territories.

The report notes that many jurisdictions in Canada have water quality agreements. The Canada-Yukon Water Quality and Aquatic Ecosystem Monitoring and Reporting Memorandum of Agreement, which we understand is awaiting signature, is broader in scope than water quality. Such agreements may be an approach our government wants to consider.

Finally, the report notes on page 17 that the MRBB tracked the progress of three bilateral water management negotiations, between British Columbia and Alberta, Alberta and Saskatchewan, and the Northwest Territories and Alberta.

I'd like to take this opportunity to update the committee on recent progress on bilateral transboundary water agreements, as well as on regulatory changes in other water initiatives in the Northwest Territories that are not included in the report.

I will turn first to the transboundary water agreement.

The transboundary water management agreement negotiations process between Alberta and the Northwest Territories is complete. The final agreement was signed on March 18, 2015. Input from aboriginal involvement and public engagement informed this final agreement. We're now working with Alberta to develop an implementation plan for the Northwest Territories-Alberta agreement. We're also working with aboriginal governments on an inter-governmental agreement to provide clarity on aboriginal government involvement and implementation of transboundary water management agreements.

The Northwest Territories and British Columbia intentions document and appendices—basically a draft agreement—are finished. We have completed aboriginal consultation and public engagement processes on these documents. British Columbia is still completing its consultation process. Once the intentions document for the Northwest Territories and Saskatchewan and the Northwest Territories-Yukon bilateral agreements are complete, further public engagement and aboriginal consultation will be done.

We met with the Government of Saskatchewan in late January 2015 to discuss the process and work required to negotiate a transboundary water management agreement for the waters along our shared border. Our government, the Yukon territory government, and other parties to the existing Yukon-Northwest Territories Transboundary Water Management Agreement met in late February 2015 to discuss the existing agreements and the next steps to renegotiating the existing agreement for the Peel basin.

We anticipate meeting with Saskatchewan in late spring 2015 to continue negotiating a transboundary water management agreement. We have officials in Nunavut today and tomorrow talking about the possibility of a similar transboundary water agreement to cover the whole boundary between the Northwest Territories and Nunavut.

As previously indicated and mentioned, our government is seeking a long-term commitment from Environment Canada to conduct water quantity, quality, and biological monitoring within the Mackenzie River basin to assess ecosystem health and support implementation of the transboundary water management agreements.

I'd now like to talk about water stewardship in the Northwest Territories. We recognize that the key to protecting such a precious resource as water lies in partnerships and collaborations with water partners, including those within our borders and those in neighbouring jurisdictions.

To address concerns related to upstream development and climate change, we developed the Northern Voices, Northern Waters: NWT Water Stewardship Strategy in 2010. The strategy was created to safeguard our water resources for current and future generations. It was followed by the Northwest Territories Water Stewardship: A Plan for Action 2011-2015.

We developed a strategy and action plan with the Government of Canada in partnership with seven aboriginal governments, and with input from numerous water partners and the public. Through many meetings with aboriginal leaders across our territories, as well as workshops with federal and territorial government departments, regulatory boards, non-governmental organizations, community members, academics and industry, we crafted the goals and visions for the strategy, along with the other core elements.

The vision for the water strategy is that the waters of the Northwest Territories remain clean, abundant, and productive for all time. The water strategy sets a common path forward for achieving effective water stewardship in the Northwest Territories. It is a key guiding document that identifies our approach to maintaining aquatic ecosystem health, involving communities in aquatic monitoring and research, and ensuring safe drinking water in the Northwest Territories. The strategy integrates western science and traditional local knowledge and is the basis for our mandate of negotiating transboundary water management agreements with other Mackenzie River basin jurisdictions.

I would like to conclude with some words on changes to water management and regulation in the Northwest Territories following devolution, which occurred on April 1, 2014. On April 1, 2014, the Government of the Northwest Territories became the primary land and water manager in the Northwest Territories. As the primary water manager, the Department of Environment and Natural

Resources undertakes a number of water quality and water quantity monitoring programs, including programs that monitor sites in collaboration with communities. Our monitoring programs are designed to address identified community concerns and provide robust technical information for use in making sound resource management decisions.

The Mackenzie Valley Resource Management Act and the new territorial Waters Act define the legal authorities for water management. A co-management regime has been established. Regional land and/or water boards have defined authorities with respect to water licensing for various undertakings throughout the Northwest Territories. GNWT technical experts actively participate in regulatory processes, providing input and advice to land or water boards for their use in their decision-making processes. Data obtained through our water monitoring programs is provided to compliment data collected by project proponents and other parties. Our government has new authorities with respect to the approval of type A water licenses, and type B water licenses where a public hearing has been held. For activities on lands transferred through the devolution and final agreement, the Minister of Environment and Natural Resources must approve all type A water licenses and any type B water licenses where a public hearing was held. Type A water licenses are generally associated with larger projects of longer duration, for example, producing metal, a diamond mine, or an oil and gas production facility.

Type B water licenses are generally associated with smaller projects of shorter duration, such as an advanced mineral exploration project or an oil and gas exploration program. Recent legislative changes to the Mackenzie Valley Resource Management Act have introduced legislative timeframes for ministerial decision-making with respect to water licenses. The minister has up to 45 days following receipt of a board recommendation to render a decision. The minister may, however, under legislation, extend the decision period for an additional 45 days, corresponding to a maximum of 90 calendar days. The first type A water license approved by me as Minister of Environment and Natural Resources occurred on April 24, 2014, 22 days after receiving the board recommendation. Since April 1, 2014, nine type A water licenses have been approved.

My final comment would be of a broader nature. As we talk about a national energy strategy in Canada, I want to once again make the point that you cannot talk about a national energy strategy without talking about some type of national water strategy, because the two are inextricably linked, almost without exception. So as we once again have that national debate, we have to keep in mind that with hydro, with the water for oil and gas development, with the water required in nuclear plants, the two are linked.

Thank you.

•(0855)

The Chair: Thank you, Mr. Miltenberger.

We'll move now to Mr. Don Fox from Fredericton, New Brunswick, representing the Canadian Council of Ministers of the Environment. Welcome, Mr. Fox.

Mr. Don Fox (Co-Chair, Water Management Committee, Canadian Council of Ministers of the Environment): Thank you, Mr. Chair.

I want to start by saying how I came to be here today. The executive director from the CCME secretariat in Winnipeg was asked to present today and tell you folks about the water management committee. Unfortunately, he's meeting today with deputy ministers in Toronto, so he's asked me to fill in.

I'd like to take maybe about 10 minutes and just explain what our group does and how it may fit with what you folks are doing. The Canadian Council of Ministers of the Environment secretariat is in Winnipeg. Of course, we're led by the council of ministers. Under the council of ministers there's a deputy ministers committee. Under the deputy ministers committee is a committee called EPPC, the environmental planning and protection committee. That committee is generally at the level of assistant deputy ministers or their designates, executive director folks.

Under those three committees there are committees that do work on specific items, and I'm currently the co-chair of the water management committee, WMC. The water management committee's mandate is that it manages intergovernmental approaches to water issues in Canada. The water management committee's work includes recommending priorities for cooperative action on existing and emerging water issues and coordinating the delivery of activities under CCME's strategic vision of water.

So, currently WMC is working under a strategic vision that was developed in approximately 2013. The vision right now has four goals. The strategic vision of water, the actual vision of it, is that "Canadians have access to clean, safe and sufficient water to meet their needs in ways that also maintain the integrity of ecosystems". The mission of that vision is that "CCME facilitates forward-thinking research and integrated policy, standard and/or guideline development, that contribute to the sustainable management, protection, restoration and conservation of Canada's water".

Currently there are four main goals under the strategic vision:

Goal 1: Aquatic ecosystems are protected on a sustainable watershed basis....

Goal 2: The conservation and wise use of water is promoted....

Goal 3: Water quality and water quantity management is improved, benefitting human and ecosystem health....

Goal 4: Climate change impacts are reduced through adaptive strategies.

Under those four goals, the water management committee has developed specific projects, and those specific projects are led by a group of folks all across Canada who are experts in those particular projects. We make sure those specific projects fit under the four main goals of the strategic vision for water.

I just want to tell you quickly, at a high level, what six of those projects currently are. I'm not expert enough in every one of those projects to go into the scientific details of them, but I'd at least like to

give you a bit of a flavour for the types of work that the water management committee does.

Current project number one concerns groundwater. Between 2010 and 2013, the water management committee developed and pilot tested an approach for assessing the sustainability of groundwater resources at a local, regional, or Canada-wide scale. A high-level framework was developed. That framework is called the groundwater sustainability assessment approach, GSAA. There's a current project to develop a guidance document to support the GSAA framework.

Project number two concerns environmental flow needs, EFN. Environmental flow relates to water flows that are required to sustain an ecosystem. There was a final report produced called the "Approaches, Successes and Challenges of EFN Assessments". That assessment was a world-wide assessment and then an assessment across Canada as to what folks currently have in terms of environmental flows and perhaps what's needed in the future regarding environmental flows. The last task under that project title was to have a series of webinars for folks who specialize in that, to review several case studies that were submitted as part of that final report under environmental flow needs.

•(0900)

The third project currently going is under the title "nutrients as a resource." That particular project was designed to analyze management frameworks for reducing nutrients going into waterways, specifically through recovery and recycling. The project was designed to try to get a flavour for the current state of recovery and recycling of nutrients across Canada and around the world, and to provide an inventory of current programs in Canada.

Another project came under the general title "water pricing." This particular project was directed to the water management committee by the council of ministers when it met last June. It had a presentation specifically about water and about some projects that were ongoing in British Columbia at the time.

One of the discussion items there was water pricing. The council of ministers directed our group to figure out what's going on across Canada in terms of water pricing. A final report was just submitted, April 23, 2015, so it's fairly recent.

The end result of that project was to outline 11 principles of water pricing that could be used across Canada. Five principles are designed to influence behaviour of water users. Six principles were designed to generate public revenue. No one pricing principle fits all water management situations across Canadian jurisdictions. That project, hopefully, will be wrapping up fairly soon.

Another project had the general title "climate change, water security, flood and drought." There was an implementation framework for climate change adaptation planning at a watershed scale. That framework was designed and submitted as a document. The framework provides watershed managers with a structured, step-by-step process to identify and reduce climate vulnerability and risk. The group of experts we have pulled together to do that particular project is currently scoping out whether more work could be done under that general topic, particularly under the topics of flood and drought.

The last bit of work the water management committee is involved with is on the development of national water quality guidelines. The specific item it is currently working on is a silver guideline for freshwater aquatic life. It's scoping out what type of guidelines will be needed in the future, for example, with regard to hardness, estrogenic compounds, etc. It's scoping out its priorities and currently developing work plans and budgets.

That group is a long-standing group under CCME. For folks who are really familiar with water quality, it's the group that has developed over the last many years the CCME water quality guidelines that are used around the world.

In terms of the annual report, I would like to end by saying that the water management committee does not manage the waters of Canada, but we develop tools that can be used for water managers. In the annual report submitted under the Canada Water Act, for example, there's a section on water quality across Canada, which uses the water quality index that was developed by the CCME group.

So, there are linkages between the group and what you folks are interested in under the Canada Water Act.

Thank you.

● (0905)

The Chair: Mr. Fox, I will point out to committee members that you did provide a slide deck. However, because it's available only in English, we were not able to distribute it to committee members. However, if there are committee members who would like access to that, I think we would be able to provide it to them individually later on. It is very helpful.

It would have been helpful to have it earlier, so we could have had it translated, but those are some of the challenges we face as a committee.

We're going to proceed now to seven-minute questioning round beginning with Mr. Woodworth.

Mr. Stephen Woodworth (Kitchener Centre, CPC): Thank you very much, Mr. Chair.

My thanks to both witnesses. I'm sorry that you can't be here with us in person, but your evidence has been extremely useful, and it's hard to know just where to begin.

Mr. Fox, perhaps I'll start with some very simple questions about the CCME. First of all, are the territories included in that group?

Mr. Don Fox: Yes, as well as the federal minister. It includes all the environment ministers across Canada.

Mr. Stephen Woodworth: Our other guest today is Mr. Miltenberger from the Northwest Territories. He's the environment minister there and would be a participant in the CCME, or at least his department would be. Is that correct?

Hon. J. Michael Miltenberger: Yes. We work with other—

Mr. Don Fox: Yes, that's correct.

Mr. Stephen Woodworth: Very good. Thank you very much, Mr. Miltenberger.

What is the role of the Government of Canada, let's say, with respect to the study on groundwater from 2010-13 by the water

management committee of the CCME? What role would the Government of Canada have in a study like that, Mr. Fox?

Mr. Don Fox: The Government of Canada could, for example, make available scientists who would sit on the committee. Under the water management committee of CCME, when we have a project to do, we put together a project team. That particular item was carried out by a project team of those who are experts specifically in groundwater. For example, Environment Canada groundwater scientists could have participated on that project team with input and conference calls, etc.

● (0910)

Mr. Stephen Woodworth: Very good.

By the way, I want to say that in any reading I've done or contact I've had with the Canadian Council of Ministers of the Environment, I've been very, very impressed. I think it's a little-known secret. I wish more Canadians knew about the work that you folks do, because it's all excellent.

In fact, along that line, I was impressed to hear that the water quality guidelines that the CCME developed are used around the world. When were those guidelines actually developed? Do you know?

Mr. Don Fox: I have been associated with the CCME water work for approximately the last 13 years. The knowledge I have about when it started is that it would have been around 1987, I believe, in the first round of what we call the CCME binders, the two-volume binders that were printed and sold certainly across Canada but also around the world. I've been told, and I do believe, that those guidelines were used and valued around the world.

Each guideline in those binders is developed one at a time, over time. For example, we're currently developing a silver guideline, so that will be new. For example, an aluminum guideline was developed in the late 1980s.

Mr. Stephen Woodworth: Right. So it's an evergreen process, a work in progress.

Mr. Don Fox: Yes.

Mr. Stephen Woodworth: I'd like to ask Mr. Miltenberger a few questions about the Mackenzie River and also the transboundary agreements. I understand that the Governments of Canada, B.C., Alberta, Saskatchewan, Northwest Territories, and Yukon signed a Mackenzie River Basin Transboundary Waters Master Agreement in July 1997, which establishes a Mackenzie River Basin Board, among other things. Am I right in that understanding?

Hon. J. Michael Miltenberger: You are correct.

Mr. Stephen Woodworth: Does the Government of Canada have any continuing role in some of the transboundary water negotiations that you were mentioning earlier with British Columbia, the Yukon, and Alberta, for example? Is it a partner in those negotiations?

Hon. J. Michael Miltenberger: There are two things. The federal government has a continuing role with the broad agreement in the Mackenzie River Basin Board, which enables bilateral agreements to be negotiated. They currently chair that. It's a board that needs revitalizing, because the ministers haven't met since 1997.

In regard to the transboundary agreements, they are between the particular provincial and territorial jurisdictions. The federal government, and mainly Environment Canada, of course, plays a critical role in its broad national obligation to do the monitoring of water quality and quantity issues. I talked a bit about that in my comments. They have a critical role there, and then they have a critical role on the board, where they are a key player. The federal government was instrumental, in fact, in pulling the Mackenzie River Basin agreement jurisdictions together to get this agreement signed.

Mr. Stephen Woodworth: Excellent. Thank you.

Mr. Miltenberger, I was interested in your comment that you are looking for a further agreement with the Government of Canada for water quality and quantity monitoring in the Mackenzie River basin. I'm not sure what role the Mackenzie River Basin Board has in relation to water quality and quantity monitoring.

Can you help me out with that?

Hon. J. Michael Miltenberger: Yes.

The Mackenzie River Basin Board Transboundary Waters Master Agreement was signed by all the involved jurisdictions, including the federal government. That agreement enabled the setting up of the board. It also triggered the responsibility to negotiate these bilateral agreements.

Since 1997, things had been pretty well dormant. There was only one bilateral that was negotiated, in about 1999; that was between the Yukon and the Northwest Territories. It's only been in the last three years where there has been a concerted, intense effort to get the bilateral agreements negotiated and the concern about the water has mounted.

The federal government has a key role at the Mackenzie River Basin Board level. They have a key role in all of the jurisdictions—Saskatchewan, B.C., Alberta, Northwest Territories, Yukon—because they have some very important water monitoring infrastructure that we were looking to make sure stays there as we move forward. They talk about including biological indicators, making sure that the networks and their infrastructure are expanded to do that. We will also be putting our resources into the mix with them as well.

The other critical point with these agreements is that we now share all that information across the Mackenzie River basin, which is one of the biggest basins in the country. It gives us a much more comprehensive look at baseline data in terms of water quality issues, water quantity issues. We're moving to groundwater, air monitoring, all these very critical areas.

• (0915)

The Chair: Thank you, Mr. Woodworth and Mr. Miltenberger.

Mr. Bevington, please.

Mr. Dennis Bevington (Northwest Territories, NDP): Thanks, Mr. Chair.

Thanks to the witnesses for joining us here today.

Mr. Miltenberger, you did mention that this is one of the largest basins in Canada, but it's also one of the most heavily industrialized areas and is likely to continue that way for the foreseeable future.

Is that not the case?

Hon. J. Michael Miltenberger: Yes, the upstream of Alberta, B. C., definitely—and Saskatchewan.

Mr. Dennis Bevington: You have all kinds of activities going on there: big hydro dams, agricultural development, a huge forestry industry in northern Alberta, the oil sands.

How do you envision the future with this agreement? With Alberta, do you see some strong need for implementation of this agreement?

Hon. J. Michael Miltenberger: Absolutely.

Everything is tied to the implementation, and built into the agreement is the process we're supposed to follow with making sure that we meet and how we monitor all the details. These are very comprehensive agreements.

The agreement with Alberta is almost a hundred pages long, with appendices—it's very detailed. It is far different from the one that was done back in 1999 with the Yukon, which is probably a total of five pages. It's critical that we do the work to follow up on all of the detail that's laid out in the appendices, in terms of what is to be monitored and how we are to keep an eye on these things collectively.

I would point out, to the credit of Alberta and the Northwest Territories... Mr. Fox talked about environmental flow needs. We've agreed with Alberta in the transboundary agreement that the amount of water that would be taken out for human use is 1.9% or 2%, so that means that 98% of the water has been identified to meet the needs of the aquatic ecosystems in Alberta and the Northwest Territories. It is one of the first transboundary agreements to actually do that and in fact nail down those environmental needs first and foremost.

Mr. Dennis Bevington: Within this basin, there has been a lot of controversy over the last number of years with the oil sands, and out of that the federal government has established this oil sands monitoring program.

Could you tell me what the role of the downstream jurisdiction is in that oil sands monitoring program?

Hon. J. Michael Miltenberger: We were involved when that initiative started. Of course, as I mentioned, we're interested and concerned to see that it continues, there's a life to that monitoring initiative. We see it as critical, especially now if they're going to add biological monitoring and indicators to that.

So we've been involved, and wherever we can, we get to the table to make sure we have a say. With Alberta, we are the ultimate downstream jurisdiction between them and the Arctic Ocean.

Mr. Dennis Bevington: To date, your involvement has been satisfactory with this agreement?

• (0920)

Hon. J. Michael Miltenberger: They've had a seat for us at the table, so we've been able to make our case. As we've done that work, we've also done the work with the transboundary agreement with Alberta. That is a very comprehensive agreement, groundbreaking; we've made very significant progress to address our concerns as well as Alberta's through that cooperation agreement.

Mr. Dennis Bevington: This agreement between the provinces and the federal government was first initialled in 1997. It's good to see that in 2015 a number of these bilateral agreements have finally been signed and agreed to. I think the Government of the Northwest Territories has to be commended for carrying that work forward after almost 20 years.

What do you think sparked the work on this agreement? And can you describe the barriers you had to achieving the agreement?

Hon. J. Michael Miltenberger: In the last number of years, across every jurisdiction of the country, there's been increasing public interest and concern about water. In the Northwest Territories we're no different. It was very clear to us that it was an issue.

I referenced Northern Voices, Northern Waters, our water stewardship strategy. We knew we needed to get our thinking clear about water. It wasn't just as simple as dividing it up and worrying about some basic quality issues. It was much more complicated than that. We spent four years doing our water strategy to get our thinking clear. That formed the basis of our negotiations with Alberta, B.C., Saskatchewan, and Yukon, as it will with Nunavut.

It was a challenge. As I pointed out when we signed the agreement with Alberta, in most other parts of the world these issues are either litigated or fought over. We, on a collaborative basis with Alberta, got to the table. It was a process that pushed both jurisdictions very hard to find common ground in interest-based negotiations. It was tough. It took basically three and a half years. We spent a lot of money on this, but it was very important.

These types of negotiations are not without their challenges. We have a similar one—

Mr. Dennis Bevington: I have one further question, if I could. Did the Province of Alberta enter into a public process similar to that of the NWT in developing their position on this?

Hon. J. Michael Miltenberger: Alberta used its own process. We had one that involved, right from the start of the stewardship strategy, working with the aboriginal governments as part of the process, through the development of the water strategy and into the negotiations with a steering committee. Alberta has their own process and they use their own approach to deal with aboriginal involvement.

The Chair: Thank you, Mr. Bevington.

We'll move to Mrs. Ambler, please, for seven minutes.

Mrs. Stella Ambler (Mississauga South, CPC): Thank you, Mr. Chair.

Thank you, Dr. Fox and Mr. Miltenberger, for appearing to help us in our discussion and study of the Canada Water Act.

Mr. Miltenberger, I'm interested in your comments about water stewardship, in particular the 2010 strategy with regard to the conservation of water. I'd like to ask about those partnerships that you listed.

I'm wondering if you could tell us a bit more about those partnerships, how it works in practice, whether it's the Government of Canada, aboriginal groups, or NGOs. What kind of partnerships are we talking about? How do they better enable you to do your work in the area of water stewardship?

Hon. J. Michael Miltenberger: Northern Voice, Northern Waters was a critical piece of work for us and it involved the federal government. I have it here on my desk. My signature is on it and former Minister Chuck Strahl's. It was a critical document that gave us the political licence to move forward. While there are two public government signatures on here, the development of the strategy involved all the aboriginal governments up and down the valley and in the Northwest Territories, plus the public, of course.

It's very comprehensive and that set the basis for the negotiations that have subsequently followed with the transboundary agreements.

• (0925)

Mrs. Stella Ambler: Which NGOs would be involved in these water stewardship programs?

Hon. J. Michael Miltenberger: We pulled together from across the country some of the best water people we could find. There was lots of interest from various NGOs.

For example, one of the big ones was the Rosenberg Foundation, which is an international water-based foundation. We had the local groups, and all the NGOs up north that are represented. CPAWS and all these other folks, and all the environmental groups were involved and provided feedback on this. They were encouraging us to get it done. They worked with the aboriginal governments at all their various water conferences they had by bringing forward their concerns about water.

Mrs. Stella Ambler: Thanks, I appreciate that and the examples. I thought it was probably a comprehensive list, and I'm glad to hear that it was indeed.

You mentioned, Mr. Miltenberger, that your goal is clean, abundant, and productive water. I'm wondering what the overall state of water quality in your region is and what effect the Canada Water Act had on that.

Hon. J. Michael Miltenberger: We think we still have some of the best water in the world, and we want to keep it that way. It's important for us to get our thinking clear and have these agreements. The world is becoming.... There is a lot of activity to the south of us, as Mr. Bevington pointed out. The Canada Water Act is an important piece and the NWT Water Act is our own territorial legislation.

We need to push all the parties, including the federal government, to keep paying very close attention to water.

As I pointed out in my closing comments, the issue of water and energy are inextricably linked, not to mention that there is the dramatic impact of climate change and global warming. We're in year four of a record-breaking drought up here. We had an incredible fire season last year and we are anticipating another one. We burned an area bigger than Belgium last year, so water is very important. The Water Act has to keep up with the times. We have to start talking nationally about this.

Mrs. Stella Ambler: Thank you.

Dr. Fox, you mentioned your goals and those of the water management committee of the CCME. They are much the same as Mr. Miltenberger's: clean, safe, and efficient water.

My question for you would be the same. What's the state of water quality in your region, and what effect has the Canada Water Act had on that?

Mr. Don Fox: In terms of the CCME water management committee, we don't analyze waters across Canada. We don't do that, but we develop the tools that folks can use. The water quality index is used in the annual report. It is used through the Canada Water Act.

For New Brunswick, we do participate with Environment Canada in something that hasn't come up today, CESI, the Canadian environmental sustainability indicators. To my knowledge, all folks across Canada participate with Environment Canada in the CESI program. We do participate in that from New Brunswick. We contribute water quality data. In this region water in general is excellent, and as far as I know across Canada water is excellent. We take pride in that.

I agree with the last comment that we need to ensure that happens into the future, and there are some challenges with climate change and economic development.

Mrs. Stella Ambler: So where do you think that we could find improvement in the Canada Water Act? Based on the comment that you just made, how can the Canada Water Act contribute to your goals and comments?

• (0930)

Mr. Don Fox: I would have to think a little bit further on how to improve the Canada Water Act. I would have to reflect on that a little bit, but I would say that currently the act does allow for this cooperative approach. My read of the Canada Water Act is that it actually pushes and promotes that cooperative approach. I think that it is key, at least in our region, to cooperate. It allows for cooperation interprovincially when there are waters that cross provincial boundaries and it allow for the federal/provincial cooperation as well.

Mrs. Stella Ambler: Thank you.

The Chair: Thank you, Ms. Ambler.

Mr. McKay, please, for seven minutes.

Hon. John McKay (Scarborough—Guildwood, Lib.): Thank you to you both.

Mr. Miltenberger, looking at your portfolio responsibilities—finance, environment, and natural resources—you must be a very busy lad. We appreciate your time.

I see that you've just presented a budget, and if I'm reading it correctly, your gross budget is about \$1.8 billion. What component of that budget is for the Department of the Environment?

Hon. J. Michael Miltenberger: It's about \$60 million.

Hon. John McKay: Okay, \$60 million.

Am I right to say that it's \$1.8 billion overall?

Hon. J. Michael Miltenberger: Yes.

Hon. John McKay: Okay, thank you.

What's the revenue to the government for fracking wells?

Hon. J. Michael Miltenberger: Right now, none, because we don't have any active exploration going on.

Hon. John McKay: Have any of the licences been granted? You talked about licence A and licence B. Have any licences been granted?

Hon. J. Michael Miltenberger: There have been to Conoco and Husky, but with the drop in oil prices a lot of plans were reviewed. There were some licences, but the business decision has been not to proceed.

Hon. John McKay: So the licences are outstanding, but at this point nothing is actually happening in the NWT.

Hon. J. Michael Miltenberger: No. I mean we're continuing to do work. We're going to change the regulations and we want to institute best practices. We're working on the groundwater. We're working on a lot of environmental and wildlife issues, making sure that we have our thinking clear because there is a lot of concern in the public about the fracking, even though there's none here. But we see what's going on all around us and to the south of us, so we're doing the work necessary to make sure that we can provide that assurance to our constituents that if and when the oil industry turns around, fracking can be managed in a way that minimizes the risk.

Hon. John McKay: It's a pretty serious issue for the chemical soup that seems to be going into these things.

I'm pleased to hear that you're reviewing your regulations. One of the issues has been the claim by various companies to proprietary protection for the mix of chemicals that go into the fracking hole. Will your regulations assert any jurisdiction over the proprietary mix?

Hon. J. Michael Miltenberger: We are doing everything we can to ensure that there's full disclosure. I've met with the oil companies along with other ministers and raised the issue that we're going to insist on that. There's not a large pushback from the industry or the folks who were around the table. They know it's a reality that if they want to get the social licence, they've got to be prepared to disclose. We want to know—and so do the people—what's going into the ground. So as we're doing our consultation, I know that's one of the big discussion items.

Hon. John McKay: Mr. Fox, as a kind of a national representative here and having what appears to be extensive experience with the Council of Ministers, can you tell us if this subject matter is under discussion by the Council of Ministers?

Mr. Don Fox: Absolutely, yes. We brainstorm through the year about what the national priorities are and what projects we can work on. For example, oil sands development, fracking, or some specific type of mining are all issues that perhaps need something developed. For example, we have looked at the last three years or so, specifically with our colleagues in Quebec, who did a lot of work and contributed it to the CCME, the types of water quality guidelines that might be needed for the chemicals used in the shale gas industry. So the short answer is yes.

• (0935)

Hon. John McKay: Again, I'm encouraged to hear that. I would hope that the Council of Ministers of the Environment, either provincially or in cooperation with the federal government, moves that up to kind of a regulatory framework, because this is an industry that's coming on full steam in spite of the current downturn of the market.

Now New Brunswick took the decision, I believe—correct me if I'm wrong—to impose a moratorium. What went into that thinking?

Mr. Don Fox: I'm not really the person to have that discussion with. I can sort of give you generalities. Right now there's even debate as to whether the word “moratorium” is appropriate. But certainly there's a thought that we need to reflect on some items before this industry goes full steam ahead.

For example, we need research. For example, we need more contact with local folks. The terminology they're using is “social licence”. New Brunswick has decided to go down the road of doing that legwork upfront. I'm not sure if you're familiar with it, but there's currently a group of researchers who are involved doing research behind the scenes on very specific things—for example groundwater, chemistry, environmental flow needs—and that work is currently ongoing.

Hon. John McKay: Is that the Canadian Council of Academies?

Mr. Don Fox: There is an association there, and there was some work going on there, but there's specific work to New Brunswick as well.

Hon. John McKay: I was reading that report. It says that it's difficult to monitor whether or not the wells are leaking fluid into the ground or releasing GHGs into the atmosphere. It also notes that between one-quarter and one-half of fluid used in fracking returns to the surface, resulting in wastewater management problems, and encourages the development of a regulatory environment.

I assume that the chair is going to give me the high sign fairly shortly. It's not a great insight to say that water flows, but this seems to be an issue that cries out for national treatment, because water flows over boundaries, doesn't respect basins, and goes wherever it wishes to go. I'd like to know at what level the federal government is taking in developing a regulatory regime for fracking.

The Chair: I think that's probably a question that's beyond our current.... The federal government—

Hon. John McKay: No, I think he's just swallowing right now.

The Chair: Can you please give a quick response, Dr. Fox.

Mr. Don Fox: The only thing I can leave you with is from a science perspective, from an engineering perspective. Anything that we could develop at the water management committee that could be used by regulatory folks, we're happy to go into that discussion, put together the team, and actually develop those tools.

Was that a good answer?

Hon. J. Michael Miltenberger: Mr. Chairman, may I just add a quick comment since I sit on the CCME as a minister?

The Chair: If you're responding to Mr. McKay, we'll absolutely give you 25 seconds.

Hon. J. Michael Miltenberger: Thank you.

I just want to point out the function of the CCME and the frustration. I've now been an environment minister for nine years. We meet once a year for a day, chaired by the federal government, and it's very, very difficult. I sit on a number of these other kinds of boards—forestry and resource development—and we meet once a year. You bring all the jurisdictions together; it's very difficult in one day. There's no follow-up. There are no calls during the year. There are all these subgroups that Dr. Fox talks about. But the political reality is that it's very difficult to do meaningful work in that amount of time. The last meeting we had was the first time we had got agreement around the table to actually mention the words “climate change” in a press release. It's a kind of success; that's how we measure success. We're doing stuff on producer responsibility for packaging. There's all this background work, on other water things, that rarely hits the ministerial table.

CCME has a role, but we have fragmented the environment into so many small pieces that it's very, very difficult to do the things you and your members are talking about—fracking water across all its various areas that are impacted across departments, and those types of things.

• (0940)

The Chair: Thank you, Mr. Miltenberger.

Mr. Choquette, please, for five minutes.

[*Translation*]

Mr. François Choquette (Drummond, NDP): Thank you, Mr. Chair.

First of all, I would like to thank Mr. Miltenberger for this information. The fact that there is only one meeting a year is quite troubling, given all the work that is needed on the water issue. That issue, of course, is vital for all Canadians.

I would like to ask Mr. Fox a question about it.

You mentioned the importance of safety in relation to water, and everyone in Canada is in agreement. You also mentioned the quite serious impact that climate change is having on the cycle of flood and drought.

In that connection, I am wondering about melting glaciers. According to a report by the National Climate Assessment in the United States, the acceleration in glacier melt is troubling. In British Columbia, there is concern about the Lloyd George Glacier, west of Fort Nelson, the Castle Creek Glacier, near McBride, and the Tiedermann Glacier, in the Coast Mountains, as well as those in the Columbia River basin.

Of the 200,000 glaciers on the planet, 17,000 of them are in British Columbia and 800 are in Alberta. They are very important for our water resources.

Are you looking at the impact of glacier melt as part of your study on climate change?

[*English*]

Mr. Don Fox: Right now the group that is dealing with flood and drought, climate change, and water security is scoping out what can be done in the future. I do know that flood and drought are key items that folks are interested in all across Canada.

There is concern that things are going to get serious in the future, with perhaps more flooding in certain areas of Canada and perhaps more drought in other areas, so there will be work under that particular topic, but I cannot tell you today that, for example, they are specifically looking at glaciers or melting glaciers. We are looking at things that can be used nationally that would help to prepare for and determine risk to flood areas, for example.

[*Translation*]

Mr. François Choquette: Thank you very much.

Mr. Miltenberger, you mentioned the integrated monitoring plan for the oil sands. Two days ago, I introduced a motion about a study that we should conduct on the joint oil sands monitoring program. If I am not mistaken, you said that it would be good to have more information on the subject.

Can you tell us what additional information you would need in order to better understand the impacts on the Mackenzie basin?

[*English*]

Hon. J. Michael Miltenberger: With regard to the oil sands, in the past there was considerable controversy about the quality of the information, its impartiality, and its validity, so the federal government stepped in. I believe Mr. Baird was the environment minister at the time, and he committed to setting up this additional water monitoring that was going to be seen to be objective, unbiased, and more intense in monitoring things like naphthenic substances, polycyclic aromatic hydrocarbons, and heavy metals—more monitoring that would be seen to have scientific validity and wasn't tampered with.

It's critical that we have that information to tie into all the other water monitoring that's there. We have water monitoring stations along the border in our territory and we want to hook in with Alberta and the federal government's water monitoring. The interest for us is to have the federal government remain a significant presence in that area.

Thank you.

[*Translation*]

Mr. François Choquette: Thank you, Mr. Miltenberger.

Given that we are going to deal with committee business later, I would like to make the following motion now:

That the Committee conduct a study on the impacts of climate change and resulting new resource development and transportation routes on the Arctic, its environment, species, and ecological balance.

The motion was first made on February 5, 2014. We can come back to it at the end of this meeting.

• (0945)

[*English*]

The Chair: Thank you.

We'll move then to Mr. Toet for five minutes.

Mr. Lawrence Toet (Elmwood—Transcona, CPC): Thank you, Mr. Chair.

Mr. Miltenberger, in your opening statement and in one of your answers, you said—and this is a bit of a paraphrase of what you said—that most other places in the world fight over, or litigate on, transborder water issues. In Canada, we have many bilateral and multilateral agreements. I take it that you see this as a very positive step, a positive sign, and a movement forward to water quality and quantity controls here in Canada.

Hon. J. Michael Miltenberger: Absolutely.

Politically, it is one of the thorniest issues for jurisdictions, for sure. In Canada, in Alberta and the Northwest Territories for example, we have different approaches to many things. We came to a table and over a period of three or three and a half years came to what I think is a very progressive agreement. It bodes well if that approach is used and we continue to use it in other areas as well.

Mr. Lawrence Toet: You spoke of some frustrations with a number of meetings. We've seen progress, though, moving forward on a lot of different fronts. You also talked about the federal government stepping in to make sure that the oil sands water monitoring program was a transparent and credible program, and that there was a clear understanding of what was being done so that, for the Northwest Territories as well, you can look at that and be able to say that the data coming out of that monitoring is actually something that you can use in a positive manner.

Hon. J. Michael Miltenberger: Yes.

Mr. Lawrence Toet: You also spoke of the need for an assessment of data from Environment Canada. Can you expand on what type of data you are accessing from Environment Canada and how the Government of the Northwest Territories is using this data?

Hon. J. Michael Miltenberger: The federal government has a long history with water in the north. There are quality and quantity indicators that they measure at the border and at different sites—they have different sites in Alberta—as does Alberta.

Now that we are doing aquatic ecosystem management through these bilateral agreements, all these indicators are critical, not just at the border but also what's happening farther into Alberta, in the Mackenzie basin for example, and B.C. There is a need for good information, because you can't manage what you can't count and can't see.

We are looking at biological indicators, all the quality indicators, the types of substances. What we are measuring for in the water is not just coliform counts and such, but a lot of these exotic metals and chemicals. As for the quantities, we are dealing with groundwater now, as well as air monitoring. We all have a collective responsibility, and we want to make sure that the federal government continues to play a key role in that area and doesn't vacate the field for whatever reason.

Mr. Lawrence Toet: Continuation of the great work that has been done is very important to you, and that's appreciated.

Mr. Fox, you were talking about six different projects that were undertaken by the water management committee. One of the projects that really intrigued me was about nutrients as a resource, the recovering and recycling of nutrients. Could you give us a little more detail on that particular project? What is the progress on that? I think you were also looking at some international jurisdictions on some of that work. Could you give us some detail on that?

Mr. Don Fox: Not being the expert on that particular topic, I can just tell you what I know about how it started.

It started approximately three to four years ago as an idea. I believe it came specifically from folks in Manitoba who, of course, are very concerned about nutrients. It was proposed as a project to the water management committee. How we do business is this: when a project is proposed, the rest of the groups across Canada determine if this is something on a national level, of national interest. It was accepted as a project. It started as a project with a budget given by CCME.

Unfortunately, the specific person who proposed it and who was to be the project lead moved on to another position and was no longer associated with CCME. The project stalled for a period of

time, and now it appears that there is another person who is stepping in to carry it on. Overall, it has moved a bit slowly, but it is going forward. It is designed as something that's a little bit new and unique. This is not done routinely; you don't capture nutrients routinely in Canada. What is being looked at is whether it is possible to implement this in Canada, or in specific jurisdictions.

That's about my level of knowledge.

● (0950)

The Chair: Thank you. Thank you, Mr. Toet.

Ms. Leslie for the last questions, then we'll move into committee business.

Ms. Megan Leslie (Halifax, NDP): Thank you, Mr. Chair.

Minister Miltenberger, I want to pick up on the frustration you expressed about these meetings with CCME. It caught my attention because recently here in Parliament we actually passed an NDP motion about microbeads and their impacts on our ecosystems in our lakes, rivers, and oceans. When I heard you express your frustration about what's accomplished at these meetings, it worried me, because I've been told by government that they're not actually doing anything on microbeads right now, but not to worry because the issue will be on the agenda for the ministerial meetings this summer. Now I'm worried that this issue probably isn't going to be dealt with.

What do you think the chances are of a new issue being adequately dealt with at a meeting this summer?

Hon. J. Michael Miltenberger: If you consider the timing of the political landscape, there are about six jurisdictions that will be going into election mode, so we'll see. I haven't seen the proposed agenda yet, but it will be interesting to see .

I would point out as well, just to give you a broader sense of scale here, that a few months back we had the first ever meeting of the environment ministers on the issue of biodiversity. It's a time when it's a very, very big issue, but it was our first ever meeting.

Earlier this year I went to a meeting, the first one in three years, with forestry ministers. I asked how we could say in any kind of way, shape, or form that we're managing the forest when we haven't met for three years. There are climate change issues, there are manufacturing issues, there are invasive species issues, and we were there for a day—in three years. It brings into question how valuable and how sincere we are and what our ability, realistically, is to do things.

If you're meeting regularly, it's once a year. If you meet once for the first time ever on biodiversity, and I'm not sure if we'll have another meeting again, those types of things.... How we split up the environment is very problematic.

Ms. Megan Leslie: That's really helpful for our understanding because I'm not at those meetings. While the sincerity and passion of someone like you isn't questioned, when you point out that it is just one day and there are all these important topics, that's important for us to know. Thank you.

I guess, then, I have a question for Mr. Fox on water scarcity. I know that CCME is analyzing Canadian and international approaches to water scarcity and flood management as a first step to water management approaches. Can you share with us what CCME has learned on this file? Are there best practices out there within Canada or internationally? Are there approaches to avoid?

I'd like to understand how Canada's actually doing on this.

Mr. Don Fox: I would really like to help on that. I guess what I would say is that this particular item is handled by a group of experts who deal with flood and drought. I can only give you the high level right now. There is a very nice document submitted to CCME and it will be on the web page.

Thanks.

• (0955)

Ms. Megan Leslie: Sorry, did you say there's a document on the web page?

Mr. Don Fox: Under any of these projects, when a project is done—for example, when they scoped out what is done across Canada or what is done around the world—it's submitted as a document. Eventually that will be made public and put on the CCME web page. I can certainly point you in the direction of where you can find detailed information on that.

Ms. Megan Leslie: You just said the word “eventually”, so is this research not completed yet? I'm on the web page and I've been looking at that piece and I've not seen a document, so has the work not been done yet on this particular file?

Mr. Don Fox: On that particular file, there are two things done. Number one, there was an implementation framework for climate change adaptation planning. That was done, and my understanding is that it is to be made public very soon. I believe it's in translation now.

That particular group—under the rubric of climate change, flood, and drought—is currently scoping out a new project. They have gone down the road of looking at a particular item in detail. Right now, they're re-evaluating what they can contribute on that particular item. All I can tell you today is that it's under the general topic of flood and drought.

They're in a little bit of a re-evaluation and what the next project will be.

The Chair: The Conservative side is up for the next question. No one is on the list. So I'm going to use the chair's prerogative, which I haven't done to this point, ever.

Dr. Fox, you pointed out in your comments that there are eight subgroups that are working. You're a part of the water management committee. There are seven others. I would assume that in addition to the one-day meeting by the Council of Ministers, much of the actual legwork, preparation, reporting, and so on would be done at frequent intervals by these subgroups. Could you identify how often you meet and what kinds of proposals you bring back to the larger group in the Council of Ministers when they meet for that one-day meeting?

Mr. Don Fox: Sure. I'll give you just a little bit of further detail on CCME in general.

There are three senior groups. Of course, there's the Council of Ministers, the deputy ministers' committee, and the environmental planning and protection committee. Although those groups may only meet face to face, say, one day a year, they will also use conference calls throughout the year as need be. Those groups basically brainstorm on what type of work is to be done and what specific projects are to be done.

For example, water pricing was a project that was directed to the water management committee by the Council of Ministers. That particular one came to my committee and we put together a project team and carried out that task. My particular group would have conference calls in the order of once a month and, as a matter of fact, we're meeting next week in Yukon. Our meeting is a two-and-a-half-day meeting and we have two face-to-face meetings a year. So, yes, there is a lot of legwork being done by other committees.

The Chair: Thank you, Dr. Fox.

I just wanted to point out that that was clearly articulated in the slide you presented, and I hope that will be noted in the evidence for today's meeting.

I want to thank our witnesses for being with us today. The information you've given to our committee has been very helpful.

With that, we'll suspend for five minutes and then reconvene for committee business.

[Proceedings continue in camera]

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