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# Standing Committee on Environment and Sustainable Development

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Chair: Mr. Francis Scarpaleggia





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• (1625)

[English]

**The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)):** This meeting is called to order.

Welcome to meeting number 25 of the House of Commons Standing Committee on Environment and Sustainable Development. Pursuant to the order of reference of Wednesday, March 24, 2021, the committee is commencing consideration of Bill C-230, an act respecting the development of a national strategy to redress environmental racism.

To ensure an orderly meeting, I would like to outline a few rules. Members and witnesses may speak in either official language, because, among other things, interpretation services are available for this meeting.

Dr. Waldron, I guess you have seen that you can choose to listen to the floor version, the English version or the French version.

For members and witnesses, please wait until you are recognized before clicking on your microphone icon to unmute your mike. The rest is pretty much common sense.

Each witness, Ms. Zann and Dr. Waldron, will have five minutes for opening comments. Then we'll go to a round of questions—actually two rounds of questions, because this first hour is dedicated to our two witnesses. Then we'll have some departmental officials for the second hour.

We will now start.

Ms. Zann, congratulations on getting your bill through second reading to the committee. The floor is yours for five minutes.

**Ms. Lenore Zann (Cumberland—Colchester, Lib.):** Thank you, everybody, for being here, and thank you for your comments in the House at second reading. They were very interesting.

I'd also like to thank Dr. Waldron for being here today, because she really has been the inspiration for me for presenting this bill, Bill C-230, the National Strategy to Redress Environmental Racism Act

Colleagues, like systemic racism, environmental racism is something that, sadly, has been part of the fabric of Canada for too many years. Environmental racism refers to the fact that communities of colour are disproportionately burdened with health hazards due to policies and practices that have been forced upon them and forced them to live in proximity to sources of toxic waste, such as dumps, toxic waste sites, sewage works, mines, landfills, power stations,

chemical plants, major roads and emitters of airborne particulate matter. As a result, these communities suffer greatly and they suffer greater rates of health problems attendant on hazardous pollutants.

Although the term “environmental racism” seems new to some, it was actually coined in 1982 by African American civil rights leader Benjamin Chavez, who described it as “racial discrimination in environmental policy-making, the enforcement of regulations and laws, the deliberate targeting of communities of colour for toxic waste facilities, the official sanctioning of the life-threatening presence of poisons and pollutants in our communities, and the history of excluding people of colour from leadership of the ecology movements.”

Public awareness has grown about this issue in the last number of years and there is no doubt in my mind that the time has come for government to act both to acknowledge and address the issue. Surely we owe this to all Canadians.

I am sure that as lawmakers we all can agree it is a human right for all Canadians to have clean air and water in their communities. I know our government is working very hard to make sure that happens.

I did become aware of this issue only about seven years ago when I first met Dr. Ingrid Waldron when she explained what her research and data collecting was proving about the existence of environmental racism in Nova Scotia. If anyone still questions the reality of environmental racism, I really recommend Dr. Waldron's book, *There's Something In The Water*, or to watch the Netflix documentary based on the book.

The short summary of the bill requires that the Minister of Environment, in consultation with representatives of provincial and municipal governments of indigenous communities and other affected communities develop a national strategy to promote efforts across Canada to redress the harm caused by environmental racism. It also provides for reporting requirements in relation to the strategy and collecting data, including on the socio-economic circumstances and the physical and mental effects on communities across Canada that are affected by environmental racism.

We know that these effects are wide-ranging, from skin rashes and upset stomachs, to more serious illness, such as respiratory illness, cardiovascular disease, reproductive morbidity, including pre-term births and babies born with Down's syndrome, as well as various cancers that disproportionately affect women.

There is evidence that many chronic diseases in indigenous communities, for instance, are not primarily due to genetics or internal factors, but actually to external factors, that is, what's in the air, in the water, in our environment.

I am grateful to members who have already supported my bill thus far, including the member for Saanich—Gulf Islands, who seconded Bill C-230.

I would suggest that this is an example of what Canadians truly want to see in their government, especially in these dangerous times, parliamentarians working together to improve life for all Canadians.

Bill C-230 is a bill that would make Canada an international leader in addressing environmental, social and public health issues that impact indigenous, Black and other racialized and vulnerable communities from coast to coast to coast.

This issue has become even more urgent, I would say, in light of the growing public awareness of systemic racism and the epidemic of racism, misogyny, gender-based violence and femicide that the COVID-19 pandemic has stoked, since it has disproportionately impacted vulnerable communities.

• (1630)

Please do the right thing, colleagues, and support Bill C-230.

The strategy must include measures to: examine the link between race and socio-economic status and environmental risk; collect information and statistics relating to the location of environmental hazards; collect information and statistics relating to negative health outcomes in communities that have been affected; and assess the administration and enforcement of environmental laws in each province.

It must also include measures to address environmental racism, including: possible amendments to federal laws, policies and programs; the involvement of community groups in environmental policy-making; compensation for individuals or communities; ongoing funding for affected communities; and access of affected communities to clean air and water.

With that, colleagues, I will leave it there.

Dr. Waldron will continue.

**The Chair:** Dr. Waldron, the screen is yours.

• (1635)

**Dr. Ingrid Waldron (Associate Professor, School of Nursing, Faculty of Health, Dalhousie University, As an Individual):** Dear members of the environment and sustainability committee, I would like to thank you for inviting me to speak to Bill C-230, and environmental racism more broadly.

I would like to begin by addressing arguments—persistent arguments over the years—that since race is not a biological fact, sys-

temic racism could not possibly exist in Canada. Indeed, it is the case that race is neither genetically programmed nor a biological fact. For example, there are no genetic characteristics possessed by all Black people but not by non-Black people. There is no gene or cluster of genes common to all white people but not to non-white people. Different races are not marked by important differences in gene frequencies.

However, while race is not a biological fact, it is a fact that race has been and continues to be used to categorize and divide people based on physical traits such as skin colour, hair texture, facial features, etc., and to include and exclude based on these physical traits. Society is racialized and race is part of that social reality. Race developed over the years as a principle of social organization and identity formation. Humans create divisions and produce racial categories. Race has social currency and is used as a basis to deny certain groups access to various resources, services and opportunities.

Systemic racism is indeed a reality in Canada and around the world. Systemic racism refers to the laws, rules and norms woven into our social systems that result in the unequal distribution of resources, such as the denial of access, participation and equity to racialized people for services such as education, employment and housing. Racism—systemic racism—manifests in the policies, practices and procedures within our systems that may directly or indirectly promote, sustain or entrench differential advantage or privilege for people of certain races.

In other words, race is a material reality—I should know, I am Black—that has consequences for people on the ground. The material reality and consequences of racism for indigenous, Black and other racialized groups in Canada include higher rates of unemployment, higher rates of income insecurity, higher rates of poverty, segregation in poor neighbourhoods, poorer health outcomes and disproportionate exposure to environmental hazards due to the placement of dangerous projects by government. Environmental racism, then, is a form of systemic racism because it manifests in environmental policy-making and decision-making in ways that disproportionately burden certain communities through the placement or siting of environmentally dangerous projects in their communities.

Why is Bill C-230 important? It is urgent that we address over 70 years of environmental racism that has disproportionately impacted those communities—communities whose social and economic well-being and health have already been compromised by long-standing structural determinants of health, such as unemployment and under-employment, over-policing and over-incarceration, income insecurity and poverty, food insecurity and housing insecurity. Bill C-230 would provide the government with a framework to examine how race, socio-economic status and residence in remote areas that are near environmental hazards intersect to shape health outcomes in these communities.

Bill C-230 would also provide affected communities with opportunities to be involved in environmental policy-making and decision-making, which they have been excluded from. It is important that the communities that are most burdened by the siting of hazardous projects in their communities be given opportunities to have a say in what happens in their communities.

In conclusion, it is important to state that in the case of environmental policy-making, a rising tide does not lift all boats. The approach to environmental policy-making in Canada has reflected a kind of universalism that suggests if environmental burdens experienced by all Canadians are addressed, those who are most affected by those burdens will benefit. The notion that environmental policy should not focus on specific racial groups dismisses the long history of placing these hazardous projects in our most vulnerable communities. It is an approach that has failed, since polluting industries continue to be disproportionately located in these same communities.

The truth is that policies work best when they are strategic and directly target the social ills in communities that are most affected. Therefore, it is crucial that we have legislation that centres race in environmental policy-making and decision-making, since the communities that are disproportionately harmed are those that are racialized. Once again, race is real. It has material realities. My hope, then, is that Bill C-230 is that legislation.

Thank you.

• (1640)

**The Chair:** Thank you, Dr. Waldron.

We'll go to our first round of questions.

It will be led off by Mr. Albas for six minutes, please.

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** I'd like to thank the witnesses for being here today. MP Zann, I'd like to specifically thank you for the work you do for your constituents.

MP Zann, in your opening comments—I wasn't planning on asking about anything outside your bill—you mentioned the importance of clean air and clean water for every Canadian. Yesterday, your minister—

**Mr. Raj Saini (Kitchener Centre, Lib.):** Mr. Albas, I'm sorry, but I'm getting the French translation on the English channel.

**The Chair:** Let's take a pause.

**Ms. Lenore Zann:** So am I.

**The Chair:** You're getting the French on the English.

Can you hear me in English now?

**Mr. Raj Saini:** Yes. I can hear you in English now.

[*Translation*]

**The Chair:** When I speak in French, can you hear the English interpretation?

[*English*]

**Mr. Raj Saini:** No, I didn't get that.

**The Chair:** Okay, there's an issue. We'll take a quick pause.

Maybe our clerk can communicate with—

**Mr. Raj Saini:** I hear it now, Chair.

**The Chair:** It's good. We're back on track.

**Mr. Dan Albas:** These things happen, Mr. Chair. I appreciate MP Saini jumping in there.

**Mr. Raj Saini:** Mr. Albas, perhaps you could start from the beginning, because I missed about 15 to 20 seconds of your opening remarks.

I always want to listen to what you say.

**Mr. Dan Albas:** Okay.

MP Zann, thank you for your time here today.

In your opening comments, you mentioned clean air and clean water. Yesterday, the Minister of Environment tabled a bill which would amend the Canadian Environmental Protection Act. Part of the promise your government made was that there would be clean air and clean water standards—national standards—yet there was wasn't anything in there.

Are you disappointed in your government?

**Ms. Lenore Zann:** No. I'm actually thrilled to be part of this government. I think it's the greenest government I've ever been a part of, and I've been part of a few now.

I believe this is the right track and that this bill can dovetail nicely with changes to the Canadian Environmental Protection Act. I think this is the beginning, and I look forward to seeing where we go.

**Mr. Dan Albas:** So you believe that when you say things and then do not follow through on them it's a good thing.

**Ms. Lenore Zann:** I don't think we should politicize this at all. We should stick to what the facts are—

**Mr. Dan Albas:** I'm asking about CEPA.

**Ms. Lenore Zann:** We're not talking about CEPA. We're talking about Bill C-230. Let's stick to that.

**Mr. Dan Albas:** In your opening comments, you mentioned that every Canadian has a right to that, and that's something your government said, that in the CEPA legislation, it promised it would commit to putting forward national standards for clean air and clean water.

Now you've said you're proud of being part of a government that promises something but doesn't deliver. Isn't that a problem?

**Ms. Lenore Zann:** Don't put words into my mouth, colleague, please. That's not what we're here for today. Thank you very much.

**Mr. Dan Albas:** Okay. Well, we'll get back to your bill, then, since you don't want to answer in regard to your government. I guess I'll save that for Minister Wilkinson.

I would simply like to ask you about your bill.

Do you believe in adding another strategy that will probably take a number of years followed by more government delays? I think that won't solve the problem. Obviously, action will.

Why do you think a delay by focusing on a strategy is a better plan than actually getting to work on specific problems?

**Ms. Lenore Zann:** Thank you for the question.

I'd like to say in response that I listened very intently to your speech in the House where you denied systemic racism and told me I should be ashamed of myself for suggesting that racism exists in Canada. So I'd like to put it back to you and ask, have you changed your mind now, and do you accept this premise?

**Mr. Dan Albas:** Well, considering we are inspecting your bill, I gave representation specifically on the difference between the first nations and how they're treated under the Indian Act in my region of the Okanagan and how the same penalties would be hundreds of thousands of dollars if they were done on one side of the river channel versus the other. I simply said that there are two different ways of dealing with issues of environmental protection and pointed to those gaps.

Again, you are talking about a strategy rather than concrete action.

Your government promised to solve all boil water advisories and has failed to do so. Solving problems is the government's problem.

When questioned by a resident of Grassy Narrows who was begging for help, the Prime Minister said "No, thanks for the donation."

No one doubts the Liberals' ability to hire consultants and draft reports. What is needed here are results. Why not push for action now, not action in a few years when a strategy is done?

• (1645)

**Ms. Lenore Zann:** This is the beginning of action. It's the same as when we did the missing and murdered women. We needed a report on that. We need data in order to deal with the issues facing us today.

If you're more concerned about how much money it's going to cost to actually deal with these issues, that's a very sad thing. We need to do the right thing, and we need to listen to our constituents.

Yes, racism does exist and environmental racism does exist. We need to deal with it, and that's why we're here today.

**Mr. Dan Albas:** Liberal members are fond of saying that we don't care about vulnerable Canadians, but what we want is to have them see results. A consultant-drafted strategy will take two years. Your government has spent over \$6 billion, the highest amount, on consultants. It won't help anyone but Liberal-connected consultants and insiders.

Meanwhile, first nations all over Canada don't have clean water. I would suggest that we pull up our sleeves and get to work on helping people on problems for which people need solutions right now, not in two years, right now.

Could you please tell me who will be directly helped by your bill right now?

**Ms. Lenore Zann:** I'm going to ask Dr. Waldron to answer that question.

**Mr. Dan Albas:** Mr. Chair, I'm asking MP Zann. She's a witness here.

**The Chair:** Well, I mean it—

**Mr. Dan Albas:** Mr. Chair, I get control of my time. I've asked an MP for her results. It's her bill.

**Mr. Lloyd Longfield (Guelph, Lib.):** On a point of order, I think we have to listen to the chair.

**The Chair:** I'm going to stop the time for a second.

I take your point, Mr. Albas, but you do understand that—

**Mr. Dan Albas:** Mr. Chair, it is my five minutes, and I've asked the member a question.

**The Chair:** Yes, but your time is stopped, so I'm not taking time away from you.

By way of analogy, sometimes—

**Mr. Dan Albas:** Mr. Chair, whose time is it?

**The Chair:** Well right now, it's [*Inaudible—Editor*] time—

**Mr. Chris Bittle (St. Catharines, Lib.):** Point of order, Mr. Chair.

**The Chair:** The time is stopped.

**Mr. Yvan Baker (Etobicoke Centre, Lib.):** Can we hear what the chair has to say?

**Mr. Dan Albas:** The chair can assert himself just fine. I've asked the member a question. The member is not—

**Mr. Chris Bittle:** Point of order, Mr. Chair.

**Mr. Dan Albas:** Mr. Chair, who is in charge of the meeting here?

Do the witnesses get to direct who answers what? That's not fair.

**The Chair:** I didn't disagree with your point; I just want to make an analogy. Sometimes when officials come and we ask an official a question, the official will defer to another official, and we don't seem to have a problem with that.

**Mr. Dan Albas:** She can choose not to answer. That's fine, and we'll just end this round.

**The Chair:** Yes, it's up to you, Ms. Zann, if you want to answer the question.

**Mr. Chris Bittle:** Point of order, Mr. Chair.

**The Chair:** Mr. Bittle, go ahead.

**Mr. Chris Bittle:** I'm a bit disappointed with Mr. Albas. I had an intervention not too long ago, and he was outraged that I didn't respect the authority of the chair. Him talking over you is not appropriate, and this whole line of questioning is bizarre on a bill that we all agree to—

**Mr. Dan Albas:** That sounds like debate, Mr. Chair.

**Mr. Chris Bittle:** Well, it wasn't debate when you were speaking, Mr. Albas.

I'm the one who has the floor. You like to interrupt everyone, and that's a little disappointing.

Mr. Chair, I would hope that Mr. Albas would respect your ability to—

**The Chair:** I'm not taking time from anyone right now.

Ms. Zann, Mr. Albas would like you to answer the question. If you don't want to answer the question, that's fine. He didn't address it to Dr. Waldron. If Mr. Albas wants, Dr. Waldron can answer the question, but it's his time. If you don't want to answer, then he can take an answer from Dr. Waldron.

**Ms. Lenore Zann:** Thank you, Chair.

I didn't say I didn't want to answer.

**The Chair:** Ms. Zann, do you want to answer?

**Ms. Lenore Zann:** Yes.

To be honest, it's been so long now with all this bickering back and forth, I don't even remember the question. What was the question?

**Mr. Dan Albas:** I'd be happy to ask it again, MP Zann.

**Ms. Lenore Zann:** Please do.

**Mr. Dan Albas:** I said that people need solutions right now, not in two years. This is a strategy. Who will be helped by this bill right now? As I said, we have boil water advisories that need to be fixed.

• (1650)

**Ms. Lenore Zann:** I completely agree with you on the boil water advisories. In fact, our government is doing everything it can to stop the pollution going on right now that is preventing people from getting clean water.

Here's the deal. The majority of environmental groups, first nations people and Black communities across this country are cheering for this bill right now. They would like to see it in place, because it will make a difference in their lives, and that's why I'm here.

**The Chair:** Thank you.

Mr. Baker, you have six minutes.

**Mr. Yvan Baker:** Thanks very much, Chair.

Ms. Zann, congratulations on your bill.

Dr. Waldron, thank you for being here. I'm going to ask you about your bill during my time in questioning.

Ms. Zann, I have a few questions I want to ask you. I'm going to ask you to help me budget the time. We'll see how it goes.

Could you articulate for us to begin with how, if enacted, Bill C-230 would help reduce or eliminate environmental racism in Canada?

**Ms. Lenore Zann:** Thanks very much, MP Baker.

I started a long time ago with Ingrid Waldron talking about environmental racism in Nova Scotia. We were able to clock and map the entire province where we could see the disproportionate number of communities that were placed on or beside toxic sites. They were indigenous and Black communities.

Dr. Waldron has done further research now and discovered that, in fact, this is the case across Canada. It is our intent with this bill to be able to consult with communities right across the country who are affected and to document what are the health effects, what are the health disaffects that have been produced by the proximity to these toxic places.

If you don't have the data, you can't do anything. Unfortunately, women and racialized people have been basically ignored for too many years. It's time for us to start to collect that data now and then we can act to prevent this from continuing.

**Mr. Yvan Baker:** Thank you.

If you had that data, can you give me an example of how that could lead to resolving this issue of environmental racism?

**Ms. Lenore Zann:** Yes. For instance, here in Nova Scotia there was a poster child for environmental racism, which was a pulp mill that was putting toxic waste into a beautiful, once pristine lagoon where indigenous peoples had gathered for picnics and swimming and gathering clams and things for thousands of years. For the last 60 years, it was the containment for effluent from the pulp mill. This was contributing to cancers and breathing problems of people in the area. Our government here in Nova Scotia recognized that, and we passed a bill, the Boat Harbour Act, to close off that effluent and to tell the company that they needed to come up with another solution rather than continuing to pollute that area. That has now happened.

This is the type of thing we need to start looking at. We can't continue putting our waste into fresh water and into places where it is going to be affecting the health of people. The health of people and the environment needs to come first.

**Mr. Yvan Baker:** Yes, absolutely.

I have two more questions with about two and a half minutes.

I think some of my constituents are watching. Certainly some of yours will be watching, and many of our respective constituents are watching. As you indicated in your remarks, Ms. Zann, not everyone is familiar with this concept of environmental racism. Could you define for us what the term “environmental racism” means for our benefit but also for the benefit of folks watching?

**Ms. Lenore Zann:** Yes. I mentioned it at the beginning of my time. It's the disproportionate number of toxic waste sites, dumps and other corporate polluters that are placed on or beside racialized communities, mainly Black and first nations communities, but other communities as well that lack socio-economic power and therefore the power to be able to speak out.

**Mr. Yvan Baker:** Thank you.

During debate on Bill C-230 in the House, the government signalled its support for your bill. The government also highlighted areas where it would seek amendments to address some concerns it had with the bill. These included incorporating principles of environmental justice, which environmental racism is an aspect of; addressing issues that would be more appropriately taken on by the provinces or impact provincial jurisdiction; and providing certain flexibility in the development of a national strategy to avoid pre-judging the outcome of the work that would be undertaken. Are you open to amendments to your bill in these areas?

• (1655)

**Ms. Lenore Zann:** Yes, absolutely. Anything that will strengthen the bill I'm definitely in favour of.

I also want to recognize that Quebec has a sovereignty that it is concerned about protecting. I would like to address the concerns of the MP from the Bloc Québécois about that and say that I'm definitely open to amendments that would be in keeping with consulting with the provinces and making sure that they feel comfortable with this. I know that they care about environmental issues, so I would hope that they will reconsider their stance on this and come on board.

Thank you.

**Mr. Yvan Baker:** I don't think I have enough time for another question, but I will just congratulate you on your bill. As someone who has worked on private members' bills in the past, I know how much work they take and how hard it is to move them through the process. You've moved the bill a long way through this process, and I congratulate you on that. You are fighting for equality for all Canadians, as far as I'm concerned, and I really respect that, so thank you.

[*Translation*]

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

[*English*]

**Ms. Lenore Zann:** Thank you.

[*Translation*]

**The Chair:** Ms. Pauzé, you have six minutes.

**Ms. Monique Pauzé (Repentigny, BQ):** Thank you, Mr. Chair.

Ms. Zann and Dr. Waldron, thank you for being with us today. You are absolutely right to say that health and the environment are closely linked.

Yesterday, the government and the Minister of Environment introduced a bill on modernizing the Canadian Environmental Protection Act, which includes two important provisions: the right to a healthy environment and the protection of vulnerable populations.

Ms. Zann, don't you feel that the government's bill, which is broader in scope—it seems to have a more binding application and is intertwined with current environmental policy—sort of makes your bill obsolete?

**Ms. Lenore Zann:** Thank you very much for the question.

[*English*]

I think that the government's bill yesterday is a very good step forward, and I'm very pleased to see it. Obviously, a private member's bill takes a lot longer to get through the House. It has to go through all of these various levels and then go to the Senate. You just never know; it might even get stalled in the Senate. It's a lot harder to get a private member's bill passed, so I'm very pleased to see what happened yesterday.

Again, I think that this bill would dovetail nicely with CEPA, with the changes to CEPA. However, I believe it's important that we, as a government, put the emphasis also on race, as Dr. Waldron expressed, because this has not necessarily been—

[*Translation*]

**Ms. Monique Pauzé:** I'm sorry, but I'd like to talk about Quebec.

In Quebec, the right to live in a healthy environment that respects biodiversity has been recognized since 2006, and is included in the Canadian Charter of Rights and Freedoms.

To the extent that this right is quasi-constitutional in scope and protects all Quebecers, I question the appropriateness of including in the legislation sections that have the same purpose but less legal weight.

Don't you think the bill should have been enshrined in the Canadian Constitution rather than in the preamble of an act? It seems to me that it would carry a lot more weight if it were included in a quasi-constitutional charter rather than in the preamble of an act, no matter how good it is.

**Ms. Lenore Zann:** Thank you for your question.

[*English*]

First of all, I want to commend Quebec for so many of the progressive things that it does there, including in arts and culture, early childhood education, affordable child care. I'm a big fan of what it does there, and the [*Technical difficulty—Editor*] is so important.



Again, I do think it's important that we introduce a bill that would address the issues of systemic racism and environmental racism that have been affecting Canada. I want to work with the Province of Quebec. We want to work with the Province of Quebec to make sure that we can make things better right across Canada and in Quebec. I would be open to your suggestions as well.

Thank you.

• (1700)

[*Translation*]

**Ms. Monique Pauzé:** Thank you.

You'll understand that because of the Quebec exception, Bill C-230 and Bill C-28 are of less interest to Quebec than to the rest of Canada.

I'll ask you another question. One of the fundamental principles guiding the action of my political party is the defence of Quebec's environmental sovereignty. This isn't just the position of the Bloc Québécois, but also the position taken by the governments of Quebec throughout history.

Basically, it's Quebec laws that protect the environment in Quebec. We think these laws take precedence over Canadian laws because our territory belongs to us and because the federal government doesn't have to encroach upon Quebec's environmental responsibilities. I'm thinking of the drinking water in particular.

Bill C-230 directly challenges the enforcement of environmental laws in the provinces and even purports to assess their enforcement and monitoring. Did you think about this crucial aspect when drafting this bill? Are you sensitive to the constitutional reality of Canada and the official position of the state of Quebec?

If so, how do you reconcile this understanding of the division of powers in Canada with the provisions in your bill?

**Ms. Lenore Zann:** Absolutely.

[*English*]

I definitely accept and recognize Quebec's special situation. I think it would be incumbent upon us, as a government, to directly work with you and work with Quebec to try to make this bill work for you as well. Again, I think it's important to set a symbol for the rest of the world that Canada means what we say when we're going to deal with racism, particularly systemic racism and environmental racism. It doesn't matter where in Canada it is, it has taken place, and environmental racism is a real thing.

I open my arms and say let's work together and make this work for all of us.

[*Translation*]

**The Chair:** Mr. Bachrach, you have the floor.

[*English*]

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

Thank you so much, Ms. Zann, for bringing forward your bill. Congratulations.

Thank you, Dr. Waldron, for your presentation. I know five minutes doesn't come close to being enough time to get into all of the impacts and the meaning behind the bill in front of us.

**Ms. Zann:** The definition of “environmental racism” that you present is such a succinct one. I think any Canadian would understand it intuitively as being an egregious problem.

When I think about environmental racism in the region I represent in northwest British Columbia, I think about the disproportionate impact of global climate change on indigenous people who rely on resources like wild salmon, especially those in indigenous nations like the Wet'suwet'en, the Gitksan, the Tsimshian, the Heiltsuk, and the Nisga'a, which are all up and down the north and central coast of British Columbia. I talk to people every single week who are heartbroken at the changes they're seeing in the environment around them. They want justice for their kids and want to see action so that these resources come back in more abundance.

I wonder if you could unpack this a bit for me, because with the definition you presented, it seems like a toxic waste site near a racialized community is very different as a problem from something like global climate change and its impact on indigenous people. Perhaps you could share with us your thinking about how climate change is dealt with by your bill and how it might be strengthened to better consider the disproportionate impacts of climate change on indigenous people.

• (1705)

**Ms. Lenore Zann:** I am totally open to anything that will strengthen this bill, as long as it doesn't water it down and weaken it.

Dr. Waldron and I have discussed at length the fact that climate change and environmental racism are inextricably connected. Women are connected too because it has affected women disproportionately. Climate change, which is obvious with the rapid change in our climate, and the pandemic which is happening now are affecting racialized people and women more. This shows that they're all connected.

That's why I believe in a bill like this, which puts a spotlight on the fact that racialized people have been ignored for too long and their health has been affected more disproportionately than white people's health. We need this bill to bring attention to this issue, because it's been ignored for too long.

**Mr. Taylor Bachrach:** Thank you, Ms. Zann.

Dr. Waldron, I wonder if you'd like to comment on climate as a form of environmental racism.

**Dr. Ingrid Waldron:** There's a burgeoning climate justice movement in Canada and around the world. That movement demonstrates quite clearly that environmental racism and the placement of polluting industries in certain communities is inextricably linked to climate change in several ways.

The kinds of emissions that come out of polluting industries actually have implications for climate change. The same communities that are disproportionately impacted by environmental racism are the same communities that are disproportionately impacted by climate change. The long-standing structural inequities that Black and indigenous peoples in this country experience—separate from climate change and environmental racism—actually put them at risk. People don't often talk about what exactly puts people at risk. It's not just geography. It's not just where indigenous people live. It's about the structural inequities, whether it be poor housing, neighbourhoods with poor-quality public infrastructure, food insecurity, housing insecurity, income insecurity or under-education. Those are the structural inequities that put communities at risk for climate change, as well as for the placement of polluting industries in their communities.

When we talk about the after-effects, because of the long-standing structural inequities they've faced, these communities find it much harder to fight back against climate change, to come back from climate change and to address climate change because, as Lenore mentioned earlier, those are the communities that have less clout. They have less political, economic and social clout. They don't have the networks. They don't have this thing we call social capital that allows them to come back from climate change quickly.

Part of the definition of environmental racism is not simply the location of polluting industries in those communities. There's a five-part definition of environmental racism. Lenore talked about the disproportionate location, but it's also about the lack of political power these communities have for resisting the placement of industrial polluters in their communities. It's about the implementation of policies that sanction the harmful, and in many cases life-threatening, poisons in these communities. It's about the disproportionate negative impacts of environmental policies that result in differential rates of clean up.

It's also about the history in Canada of excluding indigenous and racialized communities from mainstream or environmental groups, boards, commissions, regulatory bodies and decision-making bodies. Essentially, this is about systemic racism. It's about the issues and the structural inequities independent of climate change and environmental racism that put these communities at risk in the first place.

At the back end, it's about the fact that the lack of clout makes it much more difficult for them to come back and address it. These are issues that are inextricably linked. In Canada, I think people are starting to see those links.

We then talk about the identities, race, gender and the fact that women around the world bear the brunt of climate change impacts, particularly in developing countries.

We also need to think of policy. We need to look at those intersections of race, class, socio-economic status and gender. In Nova Scotia, I've noticed that it's the indigenous women who seem to be on the front lines. They are the ones doing much of the work in terms of addressing it because it's part of their culture and of their tradition.

• (1710)

**The Chair:** Unfortunately, our time is up for the NDP segment.

**Mr. Taylor Bachrach:** Thank you, Dr. Waldron.

**The Chair:** You'll have an opportunity, Dr. Waldron, to continue with your line of thinking, perhaps in response to other questions.

We'll go now to the second round.

Mrs. McLeod, you have five minutes, please.

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Thank you.

I do want to pick up on the area of provincial jurisdiction. Madam Pausé spoke to that particular concern.

We have a Constitution in Canada. Not only Quebec has special concerns. I think it's fair to say that every province, whether it's Alberta or British Columbia, wants to have their jurisdiction respected. For you to say that measures will be undertaken and that you're going to assess the effect of environmental laws in each province, to me that's terribly “father knows best”. I don't see the provinces appreciating that kind of intervention into what is clearly their area of jurisdiction. That's my first area of concern.

As I said, it's not just Quebec. You talked about Quebec, but you didn't say that maybe there are other provinces that won't really appreciate that. Are you willing to remove that section, period? It clearly interferes in provincial jurisdiction. It's clearly “father knows best”.

Quite frankly, British Columbia has done some very good things over the years. For the federal government to impose upon them their thoughts is, I think, very patronizing.

**Ms. Lenore Zann:** Thank you very much for your question.

Actually, all the bill talks about is consultation. It's right in the bill. It says:

In developing the strategy, the Minister must consult with representatives of provincial and municipal governments, of Indigenous communities and of other affected communities, as well as with any other affected persons and bodies.

It's about consultation, not about telling the provinces what to do. This is about gathering the information and then reporting back to government with recommendations.

**Mrs. Cathy McLeod:** Certainly, assessing the environmental laws in each province is from my perspective a little bit more.

As the next area I'd like to talk about, there has been a sort of reference made to the missing and murdered indigenous women. I sat on a special committee for over a year. I read more than 70 different studies on that issue that had been formally done. We have recommendations. I acknowledge that the inquiry was ultimately supported by all parties, but then there was to be an action plan. This is something people have been asking for all along, an action plan. Of course, it has been delayed. It was supposed to be out last June. We're still waiting for an action plan.

What I worry about is what my colleague worries about. Instead of having something specific that is going to make a real difference, such as that participation will be X on this committee.... In British Columbia, one of the first nations had their own environmental assessment process as part of planning around a mine. Instead of doing something that actually is going to make a difference, however, what we have is "wait, dialogue, wait and see". Some things should be very specific.

With regard to the example of murdered and missing indigenous women, you held that as a good example, but I still see no action plan, no action and there are horrific incidents still happening in our communities across the country. It certainly doesn't give me any relief that this bill would move us in a positive direction.

**Ms. Lenore Zann:** Well, I have to agree with you. What is happening is outrageous and disgusting with respect to the way women are treated. The femicide, toxic masculinity, all of these issues, need to be addressed and addressed now. This bill obviously isn't going to go that far. This is about environmental racism, but they're all connected.

You're concerned about whether the government is going to tell the provinces what to do. Actually, what we're doing is consulting with the provinces and affected communities, then making recommendations as to how we can change things.

• (1715)

**Mrs. Cathy McLeod:** As for the way I'm seeing things, I can use some examples.

There are environmental projects that have actually been approved by the process. Your government shut them down, when indigenous people were keen for them to move forward. I can give you example after example of projects.

What you're talking about is not economic opportunity; this is about decision-making and having structures in place for appropriate decision-making and including communities.

Again I'll use first nations as an example, because certainly in British Columbia in the riding I represent, they need to play a critical role in saying yes or no to projects. What I'm hearing is a process that is again paternalistic.

**Ms. Lenore Zann:** It's called consultation.

**The Chair:** We're unfortunately out of time.

We'll go to Ms. Saks for five minutes.

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

I would like to thank my colleague Ms. Zann for this important bill, which has been brought forward to committee.

Dr. Waldron, I've been reading up on your work. I am pleased to see you here today.

I'd like to pick up on some of the questioning of my colleague Mr. Bachrach to allow Ms. Waldron to unpack it perhaps a bit more. I think this is an important point as to why we're here today discussing Bill C-230.

Could you speak to the manifestations of systemic racism as it affects environmental policy, since we are going to go through a process of unpacking policy?

We have dark episodes in our very own Canadian history that are more easily identifiable, such as the residential school system. Environmental racism truly may be a less direct or less visible issue, and Canadians may not really understand why the matter is so important and why my colleague Ms. Zann felt it was important to bring it to the House and to committee.

How might systemic racism become manifest in our environmental policies?

**Dr. Ingrid Waldron:** The spatial patterning of industries primarily in indigenous and other racialized communities is an outcome of systemic racism that has been inscribed within environmental policy and is not dissimilar from any other policy, whether you're talking about health policy, policy in education, or immigration policy. It stems from the people who get to make decisions. The people who get to make decisions are never people who look like me typically, or just one or two.

This is once again about power. When we look at departments of environment, the people who have the most power, the people who get to write policies are those who are middle class and white. Directly or indirectly, knowingly or unknowingly, as people we hold the least perceptions about other people. We certainly hold beliefs about those who are "othered".

Those ideologies, beliefs and perceptions that we hold about those who are considered to be "other" get inscribed within environmental policies in very subtle ways. That's why we call it systemic racism, because it's not overt. It's not direct. It's subtle. It's silent.

The way it gets inscribed within environmental policy is through ideologies that determine who matters and who doesn't. That's very difficult for white people to admit to, I understand, but we all hold what we call unconscious biases. When you write those policies, in very subtle ways you want to make sure that your group is protected.

That was highlighted to me during a presentation I gave at Dalhousie when a white student stood up and said to me after I gave a talk, "So what are you proposing, Dr. Waldron, that they put it in our community?" When she said that, I thought, "Ah, there we go."

We may not want to admit that, but we hold ideas about who matters, who doesn't matter, who has value and who doesn't have value. If we are honest with ourselves, we know that people who look like me, and indigenous people in this country and around the world are seen as having less value and less worth.

**Ms. Ya'ara Saks:** I understand.

**Dr. Ingrid Waldron:** We are not the individuals you choose to protect over your group. That's how—

**Ms. Ya'ara Saks:** Okay. I don't want to interrupt you, but I'd like to continue with the questioning.

We are talking about the agency and communities to be able to change our perspectives. The benefit of this bill and the assessment process that is proposed would allow us to look at some of those things.

Do you see Bill C-230 as providing a benefit in addressing systemic racism through this series of assessments on the provincial level and also on the federal level? Our federal government, as part of its throne speech, made a commitment to look at systemic racism. This is an integral part of that, as I said.

I would like to hear from you and also Ms. Zann, depending on my time left. The chair will let me know.

• (1720)

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

**Ms. Ya'ara Saks:** Okay.

**Dr. Ingrid Waldron:** This is another form of systemic and environmental racism. We have racism in housing. We have racism in health. We have racism in education. We have racism in every single social structure in this country and in every country around the world.

I'm not sure if I remember your question.

**Ms. Ya'ara Saks:** Would Bill C-230 provide us a way to begin to address systemic racism in terms of the environment?

**Dr. Ingrid Waldron:** Yes.

As Lenore said, you can't address a problem unless you know what the problem is. The collection of race-based data for this bill, the collection of race-based data by race and socio-economic status, environmental risk, and also health outcomes is very crucial. We know what's happening.

I work on qualitative issues. I have the stories of the communities, but we also need the statistics, right? Those two things, the stories that many of us have shared over the years as well as the statistics provide a context for government to say, "Okay. This is what is happening and now we can address it."

**The Chair:** We'll have to move on.

Madam Pauzé, please, you have two and a half minutes.

[*Translation*]

**Ms. Monique Pauzé:** Good afternoon.

Dr. Waldron, I'd like to address you.

Ms. Zann spoke earlier about the study that you conducted across Canada.

I'll address the issue of nuclear waste, which is particularly close to my heart. I don't know if you're familiar with the Chalk River Laboratories, which aren't far from Ottawa, and all the dealings around the disposal of radioactive waste in Labrador.

We certainly understand that remote indigenous communities need energy. However, nuclear energy means nuclear waste. Small modular reactor projects are often presented as partnership opportunities with these communities.

Canada used its declaratory power to make nuclear energy a federal jurisdiction. What is your position on the government's responsibility with respect to nuclear waste management?

[*English*]

**Dr. Ingrid Waldron:** Is that for Dr. Waldron?

[*Translation*]

**The Chair:** The question is for Dr. Waldron.

**Ms. Monique Pauzé:** I did say that I was addressing Dr. Waldron.

**The Chair:** That's right.

[*English*]

Go ahead, Dr. Waldron.

**Dr. Ingrid Waldron:** I have no idea where it should go, but I do know that it shouldn't go in an indigenous community again, right? That's what, I guess, environmental assessments are for, right? Environmental assessments are about determining where particular projects go. Thus far, environmental assessments have not been equitable. They haven't considered existing vulnerabilities in indigenous and other communities. They haven't considered what we call the social determinants of health.

The question of where something should go is not my role, because I'm a professor, but it's the role of the people who make those decisions. What I'm asking for is that the people who make those decisions, through an environmental assessment or whatever tool they use, make decisions that consider existing vulnerabilities in these communities. These communities have had, as I said, long-standing structural inequities due to colonialism, and they should make sure that what they do doesn't further compromise their social well-being and health.

I have no idea where it should go, but what I'm asking, and what this bill can do, is ensure that government makes much more considered decisions in that assessment. Look at the full context of these communities, the social, economic and political context and their health and vulnerability, before they make decisions that will further compromise the well-being of these communities.

[*Translation*]

**Ms. Monique Pauzé:** I'm sorry to interrupt you, Dr. Waldron, but I don't have much time left.

Do I have a few seconds left, Mr. Chair?

**The Chair:** You have enough time to make a comment, but not to get a response.

**Ms. Monique Pauzé:** I'll make a comment directed at Dr. Waldron.

Dr. Waldron, I'd like you to send us the documentation on the projects you were able to analyze across Canada. Ms. Zann said that your study didn't just focus on just Nova Scotia, so I'd like to know what's been done in other parts of the country.

• (1725)

[English]

**Dr. Ingrid Waldron:** No, that's a bit incorrect.

**The Chair:** It's not a question; it was a comment. We don't have time for an answer.

If you could provide this information to the committee, Madam Pauzé would appreciate it.

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

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

Dr. Waldron, you mentioned something about the social determinants of health and also this idea of clout and decision-making power. You've identified indigenous-led environmental assessments as a key way of addressing environmental racism. I wonder if you could expand on why that's an important strategy.

The second part of my question is around the presence of poverty in communities. Obviously, poverty is also a powerful social determinant of health and interacts with this idea of decision-making power. Often these toxic sites come with revenue, especially in a modern context, and how those decisions play out potentially complicate this question of environmental health.

**Dr. Ingrid Waldron:** Some indigenous communities have asked for indigenous-led environmental assessments because they felt excluded. There's this term, as you know, "participatory democracy". It's not simply about including people in decision-making, but also the way you do that in culturally specific ways.

Indigenous-led environmental assessments would allow not only indigenous people to have a say at the get-go, not at the end, not in the middle, but right at the start, on what's happening in their own communities, but it would also be done in a way that respects indigenous ecological theory or model. In your western understanding of the environment, in our understanding of your western-trained individuals, we see a separation between land and body and animals and plants. That's the classic Euro-western understanding of the world. Indigenous people and African people see it very differently. They have a much more holistic understanding of our world. They see the connection between the land and the body and animals. Everything is one. If you desecrate their land, you are harming them. You are harming their bodies, their communities, their health and their well-being.

An indigenous-led assessment would allow for the incorporation of what is called the indigenous ways of knowing. One of the reasons I think we do what we do is that we have a very different understanding from indigenous people about the fact that if you're harming the land, you are going to harm me as a community. People who are trained in Euro-western ways of knowing don't really get that. They don't understand that. That's why we have the separation between.... We have psychology departments. This separation from the body, we see the mind as very separate in Euro-western philosophy.

An indigenous-led assessment would be about all of that. It would be about not just allowing them to be in the process from the get-go, but making sure it's done in culturally specific ways, making sure you're doing it in their communities, making sure you're communicating the information to them in culturally specific ways, making sure they get to have their indigenous ways of knowing, indigenous epistemologies incorporated into environmental assessments.

Poverty is a strong determinant of health. All the communities we're talking about are not only racialized, they're also low-income or poor, and they also live in remote areas. The intersection of poverty and race and residential patterns makes for the lack of power that these communities have to fight back against environmental racism.

**The Chair:** Thank you.

We'll go to Mr. Redekopp, please.

**Mr. Brad Redekopp (Saskatoon West, CPC):** Thank you.

I want to go back to talking about water. It's important for our committee. Shortly we're going to be doing a study on that, and of course clean water is huge. I would suggest it's a primary objective of any environmental legislation. In fact, in the first committee meetings we had a year ago, we met with the University of Saskatchewan Global Institute for Water Security to talk about this very thing.

Ms. Zann, do you believe all Canadians should have access to clean water, regardless of their income level or ethnic background?

**Ms. Lenore Zann:** Without question, yes, I do.

**Mr. Brad Redekopp:** Okay, great. Earlier this year the Auditor General released a report on access to safe drinking water in first nations communities. The findings were that Indigenous Services Canada did not meet its commitment to eliminate long-term drinking water advisories in first nations communities, and efficiencies in some water systems had not been addressed.

Indigenous Services Canada had not amended the operations and maintenance funding formula for first nations water systems since it was first developed 30 years ago. The salary gap had contributed to problems in—

• (1730)

**Mr. Chris Bittle:** I have a point of order, Mr. Chair.

**The Chair:** Yes, Mr. Bittle.

**Mr. Chris Bittle:** We're really venturing off relevancy to this bill.

**Mr. Brad Redekopp:** We're talking about—

**Mr. Chris Bittle:** Mr. Redekopp, I have the floor.

Sorry, Mr. Chair.

**The Chair:** Go ahead, Mr. Bittle. I think I see where you're going with this, but yes, continue for a few more seconds, and then I'll respond.

**Mr. Chris Bittle:** I know Mr. Albas did that at the start, but unless there's a tie-back to this bill, we seem to be avoiding the relevancy, which is the bill at hand. I think Mr. Redekopp should really—

**Mr. Dan Albas:** I have a point of order, Mr. Chair. I'd like to add to the point on relevancy.

**The Chair:** Sure.

**Mr. Dan Albas:** The member herself raised clean air and clean water in her opening statement. Other chairs have ruled that if someone speaks to them in their initial presentation, it is within it. I imagine Mr. Redekopp is going to be getting back to the bill itself, but I do think he deserves the ability to state his case.

**The Chair:** It's a valid point in the sense that indigenous communities have been pushed into areas that don't have the best source water and so on, and it's the whole question of how this funding formula is developed. I think it's all relevant.

I would urge Mr. Redekopp, once he's made the point, to stop there instead of going into a litany of all the ills that he thinks our government has committed, but whatever...

Just go ahead, Mr. Redekopp.

**Mr. Brad Redekopp:** Thank you, Mr. Chair.

I understand how the Liberals do not like to hear these things, but it is the truth. Of course, I would suggest that we've already, through testimony, heard that the indigenous communities are one of the main ones targeted by this legislation. Also, clean air and clean water are the primary things we're talking about with environmental things.

The Auditor General went on to say that many first nations communities are particularly vulnerable to infectious diseases, such as the virus that causes the coronavirus disease, because of social, environmental and economic factors.

The Liberal government has completely failed to keep the environment clean on first nations reserves. How do you think this will change if this legislation happens to get passed?

**Ms. Lenore Zann:** Thank you to my colleague Mr. Redekopp.

I want to say, first of all, that I know Saskatoon is very fortunate to be situated on the South Saskatchewan River. There's a plentiful supply of water there.

The problem with the first nations water did not start with this government. It started a long time ago. Successive governments have not done enough to try to alleviate this problem. We are doing our very best and in the middle of a global pandemic as well.

We are working on it and we will continue to work on it. We will make sure that the water problems that are unfortunately a problem right now in many of our first nations communities are addressed.

**Mr. Brad Redekopp:** Certainly the pandemic has been an issue for the last year, but for the first four and a half years there was no pandemic and there were lots of opportunities to get this done—

**Ms. Lenore Zann:** Yes, and there were 15 years of a Conservative government before that, or 12 years, so why didn't they do something?

**Mr. Brad Redekopp:** The question for you, then, is this. You've introduced this as a private member's bill. Did you do that because you're concerned that the Liberal government, the way it is, would not address this issue any other way?

**Ms. Lenore Zann:** No, of course not.

I introduced it because it was a private member's bill that I had introduced in Nova Scotia with the help of Dr. Ingrid Waldron. I believe this is a very important issue.

On my very first day in Ottawa, after being sworn in, I went straight to the legislative department, the lawyers, and asked how I would do a private member's bill about this. I was lucky to win the lottery and be one of the first 25 or so members of Parliament to actually get to introduce a private member's bill. That's how it happened.

**Mr. Brad Redekopp:** Dr. Waldron, given what we just spoke about with the lack of progress by this government on clean drinking water, should this legislation pass and be implemented, are you concerned that the government would be able to actually implement any of this in a positive way?

• (1735)

**Dr. Ingrid Waldron:** No, I'm always a hopeful person. That's just my personality.

I think the bill is very pointed. It's obviously just a bill. It's a page long. It's not extremely detailed, but it speaks to all of the issues that are important to me in terms of the collection of data, the intersections of race and socio-economic status.

I feel that in this environment people are willing to listen more. With everything that happened last year, I'm very hopeful there will be movement on this. There is a different understanding about the issue. I think awareness has been raised over the past several years. The environment is right. I think the government is very interested right now in collecting information on systemic racism more broadly.

I just feel there's a right time, and I have a personality that is always really hopeful. I'm so happy that I met Lenore, because she's just like I am. She's persistent and consistent. She is hopeful.

I believe that you attract negativity if you are negative. I am very positive about this. I don't know what the process is like, but I think at some point, this year, hopefully, it's going to move ahead.

I believe in Lenore. I'm here. I don't know whether or not I'm able to support, but I'm here if anybody wants any support or help.

**Mr. Brad Redekopp:** Well, hope is a wonderful thing, but hope is not a management tool.

**The Chair:** Okay.

We will go now to Mr. Longfield. Maybe he will speak about hope as well.

**Mr. Lloyd Longfield:** Hope and hard work; they go together very well.

**The Chair:** Hope and hard work. Yes.

**Mr. Lloyd Longfield:** Thank you, Mr. Chair.

Dr. Waldron, it's just a thrill to have you at our committee.

Thank you so much, Lenore, for bringing us all together and for bringing this forward.

I was speaking with a class at the University of Guelph last week, Ajay Sharma's POLS 4280 class. I said we were going to be talking about environmental racism and they were excited. They said they don't usually hear governments putting those two things together.

Dr. Waldron, I was thinking as you were speaking about Africville in Halifax and how for several hundred years now it's located by rail tracks. I have visited the original settlement community. There's a garbage dump, industrial site, train tracks; the cheapest dirtiest land you could find to put people on is where the Black community was located.

We have intersections between municipal decisions on zoning, provincial decisions on environmental issues on site, and then possibly some federal guidelines in terms of setting direction for the country on what's acceptable and what's not acceptable in terms of how these locations are determined.

In your work have you been tying in the municipal, provincial and federal, or so far municipal and provincial. How does that look?

**Dr. Ingrid Waldron:** No, I haven't looked necessarily at the federal, but my work has mostly focused on the provincial and the Department of Environment.

With Africville it was the City of Halifax, of course, which created that problem. It was both a problem of gentrification or urban renewal as well as environmental racism. There has been a focus on provincial, but I am starting to venture more into other areas.

I formed a new coalition late last year, a national coalition, with various environmental and climate change groups. We're hoping to do mapping across Canada. I have done that mapping for Nova Scotia, but I'm trying to look more broadly at Canada.

I would say that for the past nine years it has been very focused on Nova Scotia, but I hope to change that.

**Mr. Lloyd Longfield:** Thank you for that.

I have very little time. Time always goes so quickly.

I have been fortunate to have met Sheila Watt-Cloutier, an Inuit writer and activist. In her book *The Right to Be Cold*, she talks about the persistent organic pollutants that she has been advocating against for a number of years where Inuit's food supply is contaminated from southern pollutants.

With the work you're looking at, Ms. Zann, have you looked into Inuit communities apart from the urban discussions that we have just been having?

• (1740)

**Ms. Lenore Zann:** I happen to be on the indigenous and northern affairs committee where many witnesses have talked about

many different things. I wouldn't have time to go into all of them here, but I'm very aware of what's going on in Canada's north.

**Mr. Lloyd Longfield:** As we do our study maybe we can compare notes in terms of witnesses who might be helpful who have contributed to some of that study work.

I want to finish off with the role of the federal government in terms of setting directions. Health care is provincial. Delivery of services quite often falls within the municipality through public health. The federal government sets overall directions. It's similar with climate change initiatives. There are parallels where we work with Quebec, British Columbia, Alberta and other provinces to set directions. Is this also part of the mapping?

Ms. Waldron, have you looked at the political connections that need to be established in order for the federal government to play its role? You have already looked at the provincial government in Nova Scotia in a lot of detail. Could we include that in our study?

**Dr. Ingrid Waldron:** Yes. That's a difficult question for me to answer. I think I'm stumped.

**Mr. Lloyd Longfield:** Okay.

Ms. Zann, then, if you wouldn't mind, because of my limited time.... I don't want to be rude.

**Ms. Lenore Zann:** Let's make it clear. Dr. Waldron, as she has said, is a professor. She's not a politician and it's not her job to politicize or anything like that.

**Mr. Lloyd Longfield:** Right.

**Ms. Lenore Zann:** That's our job. Our job is to try to talk to the provinces and the municipalities and to do the consultations with the first nations, the Black communities and the communities that have been affected. When you start talking to the communities in your ridings, you'll be surprised at how much environmental racism actually has been taking place for so long.

**Mr. Lloyd Longfield:** Yes, and boil water advisories—

**The Chair:** Go ahead for one more comment, Mr. Longfield, and then we'll have to move on.

**Mr. Lloyd Longfield:** An elder in Sioux Lookout who we were working with on boil water advisories said, "Just stop polluting the water and we won't need to worry about boil water advisories."

**The Chair:** Thank you.

**Ms. Lenore Zann:** It's true, that.

**The Chair:** Okay, this takes us to the end of this panel.

I don't know if the other witnesses are already on the call or if we have to take a brief pause to have them log in.

**The Clerk of the Committee (Ms. Angela Crandall):** They are ready to be logged in, sir.

**The Chair:** Okay, let's log them in.

Thank you so much, Dr. Waldron, for your testimony and, Ms. Zann, for yours as well.

Of course, you are free to stay on the line if you wish. It's entirely up to you.

**Ms. Lenore Zann:** Could we stay and listen?

**The Chair:** Of course, yes.

**Ms. Lenore Zann:** Oh, great. I promise not to say anything.

Thank you, Dr. Waldron.

**The Chair:** Thank you very much.

**Ms. Lenore Zann:** Thanks, everybody.

**The Chair:** In terms of the second panel, it's very subjective here. I have in front of me the speakers all the way to a sixth round, but I will start, if you don't mind, committee, with a six-minute round again. I'm going to try to make sure that we continue down the list, but I'll sort of adapt it to the six-minute round followed by the five-minute round if that's okay with the committee. That way the Bloc and the NDP get more time, in principle.

If I mess up, let me know. I'm not too proud to admit that I may have gotten it wrong.

Are Mr. Morin, Ms. Farquharson, Ms. Neve and Mr. Roberge on the call now?

**The Clerk:** Yes, they are. Would you mind suspending for a minute, sir?

**The Chair:** Yes, let's suspend.

• (1740) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1747)

**The Chair:** To get these two rounds in, we'll probably end up going to 6:40 p.m. instead of 6:30 p.m. I'm sure no one really objects.

We'll start with Ms. Farquharson for five minutes.

You don't have to take the whole five minutes, of course, and you will be followed by Mr. Morin. Again, you don't have to take the full five minutes, but it's available to you.

Ms. Farquharson.

**Ms. Laura Farquharson (Director General, Legislative and Regulatory Affairs, Department of the Environment):** Good afternoon. I am Laura Farquharson. I am director general of the legislative and regulatory affairs directorate of the environmental protection branch at Environment and Climate Change Canada.

I'm accompanied by my colleagues from ECCC: Pascal Roberge, director of the program integration division for the national pollutant release inventory at the science and technology branch; and Silke Neve, director of the information and indicators division of the strategic policy branch. As well, David Morin is here from Health Canada. He is the director general of the safe environments directorate at the healthy environments and consumer safety branch.

[Translation]

We are pleased to appear today to participate in your study of Bill C-230.

As you know, this bill requires the Minister of Environment and Climate Change to develop a national strategy to redress the harm caused by environmental racism, in consultation with provincial, territorial and municipal governments and indigenous and other affected communities, persons and bodies.

This bill comes at a time when, as public servants, we are seized with issues around diversity, equity and inclusion and with combating systemic racism, and when Canadian citizens are becoming increasingly seized as well.

[English]

In my remarks, I'll focus on some of the proposed or existing legislative or policy frameworks that, to some extent, address the subject matter of this bill. Then I will turn to David, who will speak about Health Canada's role in protecting the health of Canadians from environmental risks.

[Translation]

You discussed the definition of environmental racism.

While there is no commonly accepted definition of environmental racism, it generally refers to racial discrimination in environmental policies, practices and actions, and includes the way in which minority groups may bear a disproportionate burden of adverse health and environmental impacts from environmental pollution. Think, for instance, of landfills or polluted air.

Existing federal legislation and recent amendments ensure the government seeks to protect the environment and health of all Canadians, including vulnerable populations.

• (1750)

[English]

Yesterday, as you know, the government tabled Bill C-28, which aims to strengthen the Canadian Environmental Protection Act, 1999, with a particular focus on recognizing a right to a healthy environment as provided under that act.

If passed, the Minister of Environment and Climate Change and the Minister of Health will be required to develop an implementation framework to set out how a healthy environment will be considered in the administration of the act. Among other things, the implementation framework will elaborate on principles such as environmental justice and non-regression. Interested persons, such as stakeholders and partners, will have an opportunity to participate in the development of the implementation framework.



In addition, the ministers are required to conduct research, studies or monitoring activities to support the government in the protection of a right to a healthy environment. This requirement could, for instance, assist in addressing environmental justice issues. For example, it could include the collection and analysis of data to identify and monitor populations and communities that are particularly vulnerable to environmental and health risks.

Additional amendments proposed in the bill tabled yesterday would recognize in the preamble the importance of considering vulnerable populations and cumulative effects. They would codify a number of new elements, including defining “vulnerable population”; requiring the Minister of Health to conduct biomonitoring surveys, which may include vulnerable populations; ensuring that vulnerable populations and cumulative effects are taken into account when developing and implementing the new plan of chemicals management priorities; and requiring that the ministers consider available information on vulnerable populations and cumulative effects when conducting and interpreting risk assessments.

To turn to another area of work, ECCC has been working closely with Indigenous Services Canada—

**The Chair:** We're at five minutes, so we have to go to Mr. Morin.

There will be time to answer questions and get the points across.

Mr. Morin.

**Mr. David Morin (Director General, Safe Environments Directorate, Healthy Environments and Consumer Safety Branch, Department of Health):** Thank you, Mr. Chair, and members of the committee. Good afternoon.

As my colleague, Laura Farquharson, indicated, my name is David Morin. I am the director general of the safe environments directorate at Health Canada.

[*Translation*]

I welcome this opportunity to discuss Health Canada's role in protecting the health of Canadians from environmental risks.

Specifically, I would like to spend the next few minutes speaking to Health Canada's activities related to the health of indigenous peoples and racialized communities and the environmental health risks they face. This includes risks associated with exposure to toxic chemicals, air pollution and water pollution.

[*English*]

Exposure to toxic chemicals represents an ongoing health risk facing indigenous peoples and racialized communities, as well as other vulnerable populations.

In response, Health Canada has been working to better integrate specific considerations for vulnerable populations when conducting chemical risk assessments and implementing risk management activities under the Canadian Environmental Protection Act. These improvements include the establishment of a vulnerable populations panel to help better understand the real-life exposures of vulnerable populations to chemicals.

In parallel with these efforts, Health Canada has also undertaken science and research initiatives targeting the environmental health risks facing Canada's indigenous populations. For example, Health Canada, in partnership with the Nishnawbe Aski Nation as well as Indigenous Services Canada and other partners, recently completed the Sioux Lookout zone children's environmental health study.

[*Translation*]

The multi-year study was undertaken to characterize indoor and outdoor air quality in first nations communities in Canada because of the high levels of respiratory illness, such as bronchitis and pneumonia, in children.

• (1755)

[*English*]

The study provides valuable insights into the linkages between housing, indoor air quality and health.

We now better understand the current state of housing in the Nishnawbe Aski Nation, but we also have a better understanding of issues related to air quality.

Finally, since 1991, Health Canada, along with other federal departments, has supported the northern contaminants program. The objective of this program is to reduce or eliminate contaminants in traditional foods and to provide information on contaminants to individuals and communities so they can better protect themselves. This program includes biomonitoring of contaminant levels in northern populations.

[*Translation*]

I wish to thank the committee for the opportunity to highlight examples of activities Health Canada has undertaken to address the environmental health risks faced by segments of the population.

Thank you very much for your attention.

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

We'll now start the first round of questions. The next speakers are Mr. Albas, Mr. Saini, Ms. Pauzé and Mr. Bachrach.

Mr. Albas, you have six minutes.

[*English*]

**Mr. Dan Albas:** Thank you, Mr. Chair.

I want to thank the officials for being here today and for the work they do on behalf of all of our constituents.

The implication of this bill is that the government isn't doing this work now. When developing policy, do you ignore the “link between race, socio-economic status and environmental risk”?

**Mr. David Morin:** Thank you very much for the question. It's a very valid one.

Absolutely, when we do work, for example, chemical risk assessments, we definitely factor in exposure of chemicals that we are assessing to vulnerable populations. By vulnerable populations I mean those populations that could face greater exposure to the types of chemicals we are looking at.

In many cases the assessments have resulted in our identification of areas where risk management actions have to be taken. That has then been put into regulations or management actions to address those exposures of concern. As I mentioned, several of them have been targeted because of the vulnerable populations identified in the risk assessments we've conducted.

**Mr. Dan Albas:** Does Health Canada say, “Yes, we already do this”?

**Mr. David Morin:** We probably do not do it to the extent that's described in this act, but we do certainly factor in vulnerable populations and exposure of vulnerable populations when we do our risk assessments.

**Mr. Dan Albas:** Thank you.

I'll go to Ms. Farquharson at ECCC.

**Ms. Laura Farquharson:** To the extent that David is talking about a chemicals assessment, that program is something which ECC and Health Canada work together on.

As well, I would say that on the framework side of things, major policies are developed through a gender-based analysis plus lens. Although the title of that is “gender-based”, the goal of using that analytical tool is to pay particular attention to intersectional analysis of race, indigenous identity, disability and sexual identity, among other characteristics.

**Mr. Dan Albas:** A lot of this is already taken under current law, then.

**Ms. Laura Farquharson:** It's—

**Mr. Dan Albas:** You nodded, so that's all I need to see.

I'll go to Ms. Neve, please.

Do you collect information relating to the impact of environmental hazards and assess the enforcement of provincial laws?

**Ms. Silke Neve (Director, Information and Indicators Division, Strategic Policy Branch, Department of the Environment):** In the role I play, which is the director of the information and indicators division, I am primarily responsible for a program called the Canadian environmental sustainability indicators, which essentially works with data that's generated by other programs. Yes, the department does collect information on emissions of substances and also on the environmental quality.

**Mr. Dan Albas:** What about the enforcement of provincial laws?

• (1800)

**Ms. Silke Neve:** [Technical difficulty—Editor] program, I can speak to what we work with, and predominantly we're looking at federal enforcement at this stage, but I'll ask Laura to comment on the provincial side.

**Ms. Laura Farquharson:** I think the—

[Translation]

**The Chair:** Ms. Pauzé, do you have a point of order?

**Ms. Monique Pauzé:** Yes, it seems that interpretation is impossible because of Ms. Neve's Internet connection.

**The Chair:** Madam Clerk, are we hearing Ms. Neve's comments correctly?

[English]

**The Clerk:** She'll have to speak a bit more. She didn't speak long enough.

[Translation]

**Ms. Silke Neve:** Okay.

To answer the first question, we do have data on the release of harmful substances to the environment.

As for the question about promoting compliance with the act, the program I'm working on, we have the federal information, but not the provincial information.

[English]

**Mr. David Morin:** If I may answer, I think one important—

[Translation]

**The Chair:** One moment please.

[English]

Mr. Albas, you seem to—

**Mr. Dan Albas:** I really want to make sure that this is not all going to go under my time, Mr. Chair, because there is a lot of going back and forth with the same fix and feeds.

**The Chair:** The clock has been stopped.

When Madam Neve spoke in French, did you hear it in English?

**Mr. Dan Albas:** Yes, I did, thank you.

**The Chair:** Good.

Let's keep going.

**Mr. Dan Albas:** Again, the assessment of enforcement of provincial laws is the one point that I would like to have addressed.

**Ms. Laura Farquharson:** That is not something we would generally do, assess the administration enforcement of environmental laws.

**Mr. Dan Albas:** Really, it's up to auditors general in those provinces, I think, quite honestly, but I may be wrong.

If these two departments are already aware of these real problems and are working on them, why do we need to spend two years working on a report to tell these officials what they are already doing? Could someone explain that? Is it just the will of Parliament?

**The Chair:** Who would like to answer that?

**Ms. Laura Farquharson:** I don't think it's our place to comment on the value of the bill.

**The Chair:** That's fair enough, Ms. Farquharson.

That would have been a good question for Ms. Zann, but she's not on this panel.

**Mr. Dan Albas:** How many minutes do I have left?

**The Chair:** I'll give you a little extra. Why don't you take 45 seconds including the answer?

**Mr. Dan Albas:** You know what? I'll do another round, Mr. Chair.

**The Chair:** You're up again, I think.

**Mr. Dan Albas:** I do appreciate the officials and how difficult it is to work from home and to have everything there. I appreciate their trying to work with all of us.

**The Chair:** We have Mr. Saini for six minutes, please.

**Mr. Raj Saini:** Thank you very much, Mr. Chair.

I also want to thank the witnesses for attending today and enlightening us on these very important topic under challenging circumstances.

Mr. Morin, I would like to start with you.

Bill C-230 establishes a vulnerable populations panel to help better understand and address the effects of toxic chemicals on vulnerable populations. Will that panel help to address some of the concerns raised in this bill, and do you [*Technical difficulty—Editor*] that is a step towards ending environmental racism in Canada?

**Mr. David Morin:** Thank you very much for the question, Mr. Saini. I'm not sure I fully understood it. The connection temporarily froze.

**Mr. Raj Saini:** Would you like me to repeat it?

**Mr. David Morin:** Please, yes.

**Mr. Raj Saini:** Bill C-230 establishes a vulnerable populations panel to help better understand and address the effects of toxic chemicals. [*Technical difficulty—Editor*]

**The Chair:** You're cutting out again.

**Mr. Raj Saini:** Will that panel help to address some of the concerns raised in this bill, and do you see that as a [*Technical difficulty—Editor*]?

• (1805)

**Mr. Dan Albas:** I have a point of order, Mr. Chair.

**The Chair:** Yes, Mr. Albas.

**Mr. Dan Albas:** Again, I really don't want to interrupt here, but if the member cannot be heard because of technological reasons, maybe he could log out and come back. If not, then perhaps we can send Mr. Saini's questions to the officials through the clerk and have them on the record.

**Mr. Raj Saini:** Can [*Technical difficulty—Editor*]?

**The Chair:** Mr. Saini, we can't hear you, so—

**Mr. Chris Bittle:** May I propose, Mr. Chair, that we go to the next speaker and then just come back to Mr. Saini?

**The Chair:** Okay, let's try that.

**Mr. Chris Bittle:** He could log out and log back in, perhaps.

**The Chair:** Mr. Saini, why don't you log out and log back in?

**Mr. Raj Saini:** Can you hear me now?

**The Chair:** Yes, we can. Take another run at it.

**Mr. Raj Saini:** Okay. Let me repeat the question.

Bill C-28 would establish a vulnerable populations panel to help better understand and address the effects of toxic chemicals on vulnerable populations.

Would that panel help to address some of the concerns raised in this bill, and do you see that as a step towards ending environmental racism in Canada?

**The Chair:** We heard all that.

**Ms. Laura Farquharson:** This is Laura. I think I can start, although I know you directed the question to David Morin.

**Mr. Raj Saini:** It's okay.

**Ms. Laura Farquharson:** Bill C-28 recognizes a right to a healthy environment for every individual, as provided under CEPA, and then requires the development of an implementation framework to elaborate on the way that right will affect the administration of the act. There's no requirement to create a vulnerable populations panel, but perhaps it was that implementation framework that you're referring to.

At the same time, though, there are a number of specific references to vulnerable populations in the bill, and there are probably two ways in which Bill C-28 addresses the issue underlying this bill.

The first is in the research requirements. Amendments would require the Minister of Health to conduct biomonitoring surveys, and the bill specifically says that those could be in relation to vulnerable populations.

Also, there's explicit recognition that the government's duty to exercise its powers must be undertaken in a way that protects the environment and human health, including the health of vulnerable populations.

Both ministers must consider available information regarding vulnerable populations and cumulative effects when conducting and interpreting the results of certain risk assessments and in developing the plan of chemicals management priorities.

Maybe I'll stop there. That's probably enough. Those are all ways that, I think, get at some of the issues that underlie this bill as well.

**Mr. David Morin:** If you'd like, let me add from a Health Canada perspective to what my colleague Laura just mentioned. We have over the past many years started including vulnerable populations in the risk assessments we do.

One exercise we did established a vulnerable populations panel. This allowed us to better understand and appreciate the range of vulnerable populations that exist and how each could individually be affected by chemical exposure and what their particular uniqueness is.

Really, what makes the difference in our true ability to factor in vulnerable populations, then, resides in the availability of data to get a sense of what levels of particular chemicals we are seeing in vulnerable populations and where they happen to be located with respect to sources of exposure to chemicals. It is that combination.

It's great to have a panel to identify and expand our understanding of vulnerable populations. It is largely driven by the data that's available. Definitely, as we go forward, the establishment of panels such as that will help broaden our understanding of the issue as we take into consideration the perspectives and the views of a range of other vulnerable populations.

**Mr. Raj Saini:** Let me follow up on that, Mr. Morin.

We've heard examples in which it's clear that racism has played a significant role in where environmental destruction takes place and what is done about it. [*Technical difficulty—Editor*] as a result of this bill in order to prevent similar things from happening again.

• (1810)

**The Chair:** Who was that for?

**Mr. Raj Saini:** It's a follow up for Mr. Morin, but either/or.

**Mr. David Morin:** Laura.

**Ms. Laura Farquharson:** Was the question how does Bill C-28 address the siting of industry?

Sorry, it did break up a little bit. Was that the essence of the question?

**Mr. Raj Saini:** What processes do you see changing as a result of this that would be in order to prevent similar things from happening again?

It's more of a general question.

**Ms. Laura Farquharson:** I think the amendments require a lens for decision-making under the act. It requires you to look at it from the perspective of making sure that people equally enjoy a healthy environment and don't disproportionately bear the burdens, especially for irrelevant reasons like race.

[*Translation*]

**The Chair:** Thank you very much.

I'll now give the floor to Ms. Pauzé.

You have six minutes.

**Ms. Monique Pauzé:** Thank you.

I'd like to thank everyone here to help us move forward.

My question is for Ms. Farquharson.

There's an "Interpretation" section in Bill C-230.

However, it doesn't provide a definition of the concept of environmental racism. It seems to us that the introduction of a new concept in the act, especially if it stems from a particular theory, deserves a definition. In society and in academia, concepts evolve, but those that are in legislation should always be understandable, known and recognized.

What are the challenges or implications for you of implementing policies resulting from legislative provisions that present concepts that aren't clearly defined?

[*English*]

**Ms. Laura Farquharson:** I'll just talk generally about the need for definitions in legislation. Clearly, if parliamentarians have a clear idea of what they want to get at in particular, that should be defined in the legislation. When there are not definitions in the legislation, it can be difficult to know exactly how to implement that in the way that parliamentarians intended.

Of course, there are lots of sources for trying to find out what the definition should be. At the same time, as you noted, on a subject matter like this where there is no definition in federal law and you have to gather it from academics and others who are talking about the subject matter, that also means it's evolving. In some sense you may want some flexibility on a definition, so that it can evolve and grow through the consultation that you have.

I guess I'm saying that yes, it can be difficult—

[*Translation*]

**Ms. Monique Pauzé:** I understand. So definitions need to be as clear as possible.

Do you think that if Canada had legislation that would establish the right of all citizens to live in a quality environment, as is the case in Quebec because of the Charter of Human Rights and Freedoms, would it be appropriate to establish other laws to specify that the rights of certain citizens in this area are being violated and that the government must take action?

In short, do you think it's wise to guarantee the same rights to everyone and to ensure that the act is applied and that universal rights are respected?

**Ms. Laura Farquharson:** I don't know if my opinion is relevant in this situation.

**The Chair:** It's more a question of legal interpretation, I guess.

• (1815)

**Ms. Monique Pauzé:** That's why I put my question to Ms. Farquharson, since she's with Legislative and Regulatory Affairs. I thought she was the best person to answer.

Basically, should we guarantee rights to a healthy environment for all, or should we divide each right?

In Quebec, it's a quasi-constitutional right because of the Charter of Human Rights and Freedoms.

**The Chair:** If I may, even though certain rights are set out in charters, we want to give ourselves analytical tools to ensure that those rights are respected. I think the nuance is there. That's my opinion.

**Ms. Monique Pauzé:** I totally agree with you, Mr. Chair. It's the regulations that must make it possible to apply the legislation properly.

Ms. Farquharson, could you expand on that?

**Ms. Laura Farquharson:** We try to use a number of tools in almost every societal issue we deal with.

**The Chair:** Bill C-230 is indeed a tool to enforce charter rights.

**Ms. Monique Pauzé:** I come back to Bill C-28, which states the right to a healthy environment and the protection of vulnerable populations. Do we not have tools there to deal with injustices?

**The Chair:** It's a relevant question.

**Ms. Laura Farquharson:** We have tools under the Canadian Environmental Protection Act.

**The Chair:** We must now go to Mr. Bachrach.

[English]

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

Thank you to our witnesses.

I'd like to start out by picking up on a theme in your presentation. You talked a fair bit, Ms. Farquharson, about vulnerable populations. What struck me was the contrast between that and what we were hearing from Dr. Waldron when she talked about disproportionately affected communities. To me the term "vulnerable populations" makes it sound as if there's an inherent weakness that makes them especially prone to the impacts, whereas what I was hearing from Dr. Waldron was more that the sitings of these toxic sites are intentional policy decisions made by decision-makers.

I'm wondering if one unique contribution to this private member's bill that Ms. Zann has brought forward would be the introduction and proliferation of different language around these communities that are disproportionately affected.

**Ms. Laura Farquharson:** That is a really good point.

I suppose we're at the beginning of these discussions as a society. Different language is being used to describe the same thing or slightly different things.

On the development of that definition of "vulnerable populations", I might turn to David to describe where that came from, if that's of interest.

**Mr. David Morin:** Absolutely. If it's of interest, I can certainly provide elaboration on that.

Essentially what we did was we embarked on a consultation to get a sense of what exactly vulnerable populations are, from a Canadian perspective. We had the work that we do under CEPA and under the chemicals management plan. We established a vulnerable populations panel. We brought forward a range of different representatives who represented different groups of vulnerable populations. We listened to them. We heard them. We also looked internationally to get a sense of what other jurisdictions identified as definitions of vulnerable populations. We essentially then pulled together a consultation document that went out for discussion, in terms of vulnerable populations. That is, ultimately, how we landed on the definition that we currently have, or that is proposed, with regard to vulnerable populations.

The purpose behind that was to really get a sense of the different age groups and the different categories of Canadian people who could be vulnerable, and also get a sense, from an exposure perspective, of what this could mean.

• (1820)

**Mr. Taylor Bachrach:** I appreciate the comments. I would argue, however, that, certainly from the description we've received from Dr. Waldron, they're not vulnerable; they're discriminated against. I think there's a marked difference between those two concepts.

This discussion really highlights for me why this bill makes such an important contribution to our understanding of how decisions around the environment impact communities that have been subject to systemic racism over time.

Maybe just shifting the focus a little bit, all of our witnesses are public servants and they look at these bills through a unique lens. Part of that is the practicality of implementing them and having the bills' contents reflect a change in the way the government makes decisions and in the way that government decisions are experienced by Canadians and by the environment.

When it comes to the contents of the bill, are there specific areas that you feel could be strengthened to make the bill more easily implemented by your department? That question is for any of the witnesses or, I suppose, Ms. Farquharson.

**Ms. Laura Farquharson:** I can address that.

I would say that, in reviewing it, a few things struck us. When I think back to your point about vocabulary or terminology, “environmental justice” is possibly a term that’s used in the bill, but perhaps that might be something....

I suppose there are other aspects [*Technical difficulty—Editor*]

**The Chair:** I don’t know if we’re cutting out, or....

**Mr. Taylor Bachrach:** Maybe I could add on to my question.

**The Chair:** There’s not much time left. There’s maybe just time for a comment, Mr. Bachrach.

**Mr. Taylor Bachrach:** I appreciate the comments we received.

Perhaps I’ll just ask Ms. Farquharson if she’d like to finish her thoughts, and I’ll end with that.

**The Chair:** Ms. Farquharson, do you have anything to add briefly?

**Ms. Laura Farquharson:** I guess I can say that, in general, in bills it’s striking a balance between being specific enough so that you know what you want to do but being flexible enough so that you don’t end up in a situation of box checking or exploring avenues that aren’t within the jurisdiction or that don’t have longevity. You want to make sure that you have something that will last. Those are probably the key points.

**The Chair:** We will go to a second round. Instead of five and two and a half minutes, we’ll do four and two minutes.

We’ll start with Mrs. McLeod, followed by Mr. Bittle.

**Mr. Dan Albas:** I think....

**The Chair:** Is it you, Mr. Albas?

**Mr. Dan Albas:** Yes.

**The Chair:** Go ahead, then, for four minutes.

**Mr. Dan Albas:** I’ll be as quick as I can.

When people think of rights, they think of the charter, for example, that the government cannot do this to you, those kinds of civil rights, etc. There are multiple ones, yet the right to a healthy environment, what does that mean, and are they at the same level?

**Ms. Laura Farquharson:** Bill C-28 recognizes a right to a healthy environment under CEPA, and it’s set out that there will be an implementation framework to delineate how that lens will be used in the administration of the act.

**Mr. Dan Albas:** Will the right to a healthy environment under CEPA only solely apply to the regulatory enforcement of CEPA?

**Ms. Laura Farquharson:** It not only applies to regulatory enforcement; it would apply also to how policies are developed under that act, but the point is, it only applies to that act.

• (1825)

**Mr. Dan Albas:** It’s a limited right, or not even technically that.

**Ms. Laura Farquharson:** Right.

**Mr. Dan Albas:** Usually rights are something that are all encompassing, but that’s an opinion, so I won’t push you any further on that front.

Dr. Waldron did say that often it is the decision-makers who have internal biases that make it difficult for them to be able to make recommendations, because they don’t see the biases.

Will this bill require ECCC to hire consultants so that they have someone who is outside of those biases, or will this work be done by ECCC?

**Ms. Laura Farquharson:** It doesn’t require the hiring of consultants. I suppose unconscious bias is something we all have to work on, and you address that through your own training and awareness, but also through consultation and meaningful engagement of the people who are going to be affected by whatever it is you’re doing.

**Mr. Dan Albas:** Canada is part of the Minamata Convention on Mercury. Lots of Asian factories burn mercury to dispose of it. It doesn’t happen in Canada, but it does happen, and it floats up into the stratosphere and ends up falling on the second-largest land mass in the world. A lot of that ends up getting into indigenous women. It gets into men as well, but at higher levels in women. ECCC did a very extensive study that they revealed last year.

If you have something like that happening, will you then say that this is happening and we need to make recommendations? Aren’t you telling yourself that you have to do better on that? What happens if, again, Global Affairs is responsible for dealing with the convention? Do you then recommend that they do a better job? How does that work?

**The Chair:** Be very brief, please. You have 30 seconds, Ms. Farquharson.

**Ms. Laura Farquharson:** I would say that we’re not unfamiliar. I mentioned gender-based analysis plus in bringing that kind of lens to the thinking, but certainly, as you say, it’s a whole-of-government effort sometimes.

**Mr. Dan Albas:** Will your department hold other departments accountable?

**The Chair:** We have to move on, but it’s an interesting question.

**Ms. Laura Farquharson:** Not under that act.

**The Chair:** We’ll go to Mr. Bittle for four minutes.

**Mr. Chris Bittle:** I don’t want to put her on the spot, but I was hoping to ask Ms. Zann if she had any questions that she wanted to ask.

**The Chair:** She's not on the.... This is a bit of a curveball, Mr. Bittle.

**Mr. Chris Bittle:** She's a member of Parliament, and she's here and can have my time.

**The Chair:** That's true. I understand what you're doing. That's very gracious of you. Okay.

Ms. Zann, do you want to take some of Mr. Bittle's time?

**Ms. Lenore Zann:** Thank you very much. That was unexpected.

I think we have to be careful here. If you take a look around, everybody on screen, including me, is white, and Dr. Waldron is saying there are unconscious biases, and that's why this bill, Bill C-230, is so important. It puts the focus back on the fact that racialized people have been treated differently in the past and we need to make sure that stops.

Also, I think we have to be careful not to say things like, instead of "Black lives matter", "All lives matter". This is a specific bill about race and about the fact that some people have been treated as less important than others. That's why we need to change the way things are done. I would like to make that point. I don't think the bureaucrats can answer that, but that's my two cents' worth.

Thanks.

**The Chair:** We'll go back to you, Mr. Bittle.

**Mr. Chris Bittle:** Thank you so much.

I know officials from ECCC briefly discussed it, but yesterday the government introduced legislation to strengthen the Canadian Environmental Protection Act, delivering on an important commitment. I was wondering if you could help the committee understand, or perhaps explain—I know you got cut off at the end—the linkages between Bill C-230 and Bill C-28, and how Bill C-28 could help address issues identified in Bill C-230.

• (1830)

**Ms. Laura Farquharson:** If the amendments to CEPA that were introduced in Bill C-28 pass, then the Minister of Environment and Climate Change will be required to undertake research and studies, and the Minister of Health will be required to undertake research and studies, including biomonitoring surveys which could focus on vulnerable populations. That gathering of data and the requirement to gather that data, as I think your previous witnesses talked about too, are really crucial to understanding what the issues are and being able to come up with solutions that will work.

I think, as well, we have the right to a healthy environment. That's been recognized under the act, and in that, an implementation framework will be developed.

To the point of how important it is to have people involved in that, it has to be developed in two years. There will be consultation on that, so that we understand what's important to people in developing what a right to a healthy environment means under CEPA.

An implementation framework must address principles of environmental justice, which is obviously a broader term than environmental racism, but I think captures the intersectionality—

**The Chair:** Perfect.

**Ms. Laura Farquharson:** I think you want me to stop.

[*Translation*]

**The Chair:** Ms. Pauzé, you have two minutes.

**Ms. Monique Pauzé:** My thought is this. If we introduce new policies based on new rights, such as the right to a healthy environment, everyone should benefit from it. Furthermore, if the policy is well thought out and targeted, it will correct unequal situations. Those who suffer the greatest injustices will then receive help and support from the government, and even reparation for the harm done. That's my understanding. The rights and the criteria for receiving state protection and support are universal. If the principles are truly applied to everyone, without discrimination, then the policy will have the effect of reducing inequalities based on differences.

Based on your expertise and experience, isn't that what would happen if a bill like C-28, establishing a right to a healthy environment for all, were passed?

**The Chair:** You have about a minute left.

I don't know who's going to answer your question.

**Ms. Laura Farquharson:** I think that's the same question as before, isn't it?

**Ms. Monique Pauzé:** Yes, I was trying to make it clearer.

**Ms. Laura Farquharson:** I think you want to know if I think it would be a good idea to have an environmental right, other than the one that was presented yesterday.

So it's not up to me to answer that question.

**The Chair:** It's a political question rather than a technical question.

**Ms. Monique Pauzé:** Yes. In essence, it's similar to the question of my colleague Mr. Bittle, who asked whether Bill C-28 could address concerns about Bill C-230. If Bill C-28 is well thought out, it should in principle address discrimination.

**The Chair:** The answer was yes, in principle, but Bill C-28 is less about environmental racism. It's about environmental justice. It's a slightly broader concept perhaps.

Now, we'll go to Mr. Bachrach.

Mr. Bachrach, you have two minutes.

[*English*]

**Mr. Taylor Bachrach:** Thank you very much.

Ms. Farquharson, earlier we heard about the concept of indigenous-led environmental assessment as a way of addressing what we've heard in terms of environmental racism.

My question is around the operationalization of that. Part of the bill we're debating today deals with the amendment of other acts. Would an amendment to this bill to require amendments to the Impact Assessment Act be a way of operationalizing this idea of indigenous-led environmental assessment?

• (1835)

**Ms. Laura Farquharson:** I don't think I can answer that question.

**Mr. Taylor Bachrach:** Okay.

**The Chair:** Do you have one more 20-second question, maybe, Mr. Bachrach?

**Mr. Taylor Bachrach:** Part of me wants to ask Ms. Zann if it was something that came up in the drafting of the bill, but that might be a little bit out of order.

**The Chair:** Ms. Zann can ask questions, as I understand it, but not answer them. She is not on the panel.

**Mr. Taylor Bachrach:** That's fine, Mr. Chair.

Perhaps, if I have only a couple of seconds left I'll cede my time, and thank you for the opportunity.

**The Chair:** Thanks, Mr. Bachrach. That helps us move along.

Mr. Redekopp, you have four minutes.

**Mr. Brad Redekopp:** Thank you, Mr. Chair.

My question is for Mr. Morin.

Health Canada is responsible for first nations health care. We already identified that indigenous communities are one of the targets of this legislation.

There was this Auditor General's report, which I won't repeat, but obviously it talked about water. In that report they analyzed from 2015 until now. During that period, how many indigenous Canadians became sick due to the lack of clean drinking water? What types of illnesses did they have, and what are the variances against the population in areas where the provinces and municipalities have jurisdiction? Are there studies that your department has done on that?

**Mr. David Morin:** That is a very good question. Unfortunately, those are questions that would probably best be answered by Indigenous Services Canada. They are the federal department responsible for health care for indigenous populations.

**Mr. Brad Redekopp:** Okay.

This question may be for Ms. Farquharson.

There was discussion about the location of facilities near... We've been talking about facilities that can cause some trouble, whether they're factories or dumps, but we talked about the consequent environmental risk. I suppose you could use more difficult words than that, but these are areas where there are going to be some environmental challenges.

Have there been any studies done by the department to determine if there are indigenous communities that have these factories or environmental risks co-located near them? Have there been studies on that?

**Ms. Laura Farquharson:** I think I am not in a position to answer definitively about that. I don't know.

I do want to clarify in terms of the siting of a number of industries. Obviously, that's in provincial jurisdiction. Some of them are very much in provincial jurisdiction, but I'm sorry, I can't answer the question.

**Mr. Brad Redekopp:** Okay, then let me try a different one.

When it comes to environmental clean-up projects, does your department track any of those, and are some of those near first nations reserves?

**Ms. Laura Farquharson:** It could be, but I am not the person to answer that question. I don't know whether anybody else who is here from ECCC would know the answer definitively.

**Mr. Pascal Roberge (Director, Program Integration Division, Science and Technology Branch, Department of the Environment):** It is Pascal Roberge here, and I am responsible for the national pollutant release inventory.

We are tracking pollutant releases, disposal and transfers for treatment and recycling. Our data helps to inform decisions on protecting the environment by allowing communities to track pollutants in their communities. We have pollutant releases identified through their postal codes. Depending on the community, it's possible to use the NPRI, which is the acronym we use for our inventory, to identify and act on environmental priorities and potentially to study the impacts of pollution on our ecosystem and human health.

**Mr. Brad Redekopp:** Is it possible to provide that information to the committee?

**Mr. Pascal Roberge:** Yes, all data since 1993 is public information. It's on open data, so it is possible to consult it on the government website.

• (1840)

**The Chair:** I imagine, when you're talking about abandoned sites and brownfields that fall under federal jurisdiction, that information might help you decide where we should be cleaning up first.

Mr. Baker, you have four minutes.

**Mr. Yvan Baker:** Thanks very much, Chair.

I'm going to cede my time to Ms. Zann.

**The Chair:** Okay.

Go ahead.

**Ms. Lenore Zann:** Thank you very much. I really appreciate that.



Bill C-230 obviously deals with collecting data from across the nation. My question for the departments would be, when it comes to racialized communities and their closeness to various different pollutants, I don't think this has been information that has been focused upon in the past. Has it? Could anybody answer that, please?

**Mr. David Morin:** I could take a stab at it.

I think you raise a very good question. When we do the work that we do to assess chemicals, to set drinking water quality standards, to set air quality standards, it is data that drives all of this. Certainly, when we do our work, as I mentioned before, on vulnerable populations and we factor in vulnerable populations when we do chemical risk assessments, we need the data. We need the data both in terms of who those vulnerable populations are and how they are located vis-à-vis these sources of exposure to whatever it is of concern, be it chemicals or end of pipe emissions or smoke-stacks.

I suspect that the same sort of approach certainly applies to racialized communities and it is the need to have data. That is what will drive the work that we do.

**Ms. Lenore Zann:** Thank you.

I know that here in Nova Scotia, for instance, standards have changed over the years, and that's how we progress as a society. I do know that when the pulp mill was first placed in Boat Harbour and Pictou Landing First Nation, the government was asked on the day whether or not it would affect anybody if it was placed there, and the response was that only a few Indians would be affected. Obviously, this is a perfect example of environmental racism. One would hope that we don't continue down that path.

Do you think this bill would help to put a focus on the fact that racialized people have not been necessarily counted as being important in the past and that, going forward, we need to be able to change that and make sure that these kinds of issues are addressed and that we don't continue to do that? Do you think this bill could help us to collect the data and the information so that we make sure we don't do this in the future?

**Mr. David Morin:** The short answer is yes. It will certainly raise attention and awareness related to that. You have it in the bill beside you. You talk about information collection. You talk about statistics. You talk about environmental risk. Certainly these are some of those data points that I just mentioned before. Putting your bill aside, I'm looking at the concepts in your bill and I'm drawing parallels with the work that we've done on chemical risk assessment under the Canadian Environmental Protection Act with regard to vulnerable populations. Truly it is awareness, as you've pointed out.

We're all white people on this Zoom meeting. Certainly when we were talking about vulnerable populations, I don't consider myself a vulnerable population and may very well have blinders. It is important to establish a panel to get a sense of what other vulnerable populations there are. I am certain that understanding will evolve over time as we get more information, more data, greater awareness, and then we need the data to be able to do something.

As I said, I'm not necessarily commenting on the bill; I'm commenting on the elements that I read on the paper.

**Ms. Lenore Zann:** Thank you.

**The Chair:** This has been a very interesting discussion. Thank you to the panellists and to the members for their very good questions which brought out some insights.

Thank you to our witnesses. The witnesses are free to disconnect from Zoom.

I have a couple of items of future business that I want to mention.

There's no meeting on Monday because of the budget. Our next two meetings will be to continue the plastics study. Those are April 21 and 26. We are looking for witness suggestions for Bill C-230 by the 26th of April.

I have been advised that the minister is available on May 12 to speak to the main estimates. If there is no objection, I will invite him to come on May 12.

• (1845)

**Mr. Dan Albas:** On that point, Mr. Chair, we also expect the deputy to be there—

**The Chair:** Yes, that's understood.

**Mr. Dan Albas:** —[*Inaudible—Editor*] for her duties as an accounting officer, at least for the second hour.

**The Chair:** Totally.

**Mr. Dan Albas:** If I could also make another suggestion, it would be nice if we limited it to five heads under the minister. If you have 40 people there, it gets to be just a long process—

**The Chair:** Yes.

**Mr. Dan Albas:** —as they figure out who is going to answer which questions, so it should, reasonably, be five. If the government can make a reasonable argument as to why it should be six, it can bring that to the committee and your attention.

**The Chair:** Just for the benefit of Madam Clerk, we'll aim for five: the deputy and four ADMs or whatever.

Thank you, again, for a good meeting.

Congratulations, again, Ms. Zann, on the success of your bill at second reading.

**Ms. Lenore Zann:** Thank you.

Thank you everybody, I really appreciate it.

**The Chair:** Everyone, have a great evening, and we'll see you on the 21st. The meeting is adjourned.

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