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Senate unlikely to vote on sweeping, controversial environmental assessment bill until May or June

The Senate Environment Committee will be grappling with Bill C-69 until at least mid-April and likely later, and Senators hope to tour cities big and small as part of their work.

Peter Mazereeuw

Senators on the Environment Committee are roughly six weeks apart in talks to set an end date for their study on the government's environmental assessment reform bill, C-69, which will likely bring it up for a final vote in the Upper Chamber in late May or June.

The three groups represented on the committee are looking at finishing off the study in either mid-April, mid-May, or late May, said Independent Senator Rosa Galvez (Bedford, Que.), the committee chair.

"Now the steering [committee] is trying to find a compromise, but that's the range," she said.

Conservative Senator Michael MacDonald (Cape Breton, N.S.), a deputy chair on the committee, said he believed the committee would progress to a clause-by-clause examination of the bill—the last stage of a committee study—"certainly before the end of May."

Sen. MacDonald said Bill C-69 was, so far, on a timetable similar to the government's marijuana legalization bill, C-45, which was passed near the end of June last year.

The Conservatives oppose C-69, and want the bill killed or comprehensively amended, Conservative Senator Don Plett (Landmark, Man.), who oversees committee work as the Conservative Senate caucus whip, told *The Hill Times* last month. The Conservatives will be in no rush as they examine and debate the bill in the Senate, he said.

The Senate is almost certain to send the bill back to the House of Commons with amendments, as numerous Senators from the Independent Senators Group and Conservative caucus—which collectively hold 85 of the Senate's 105 seats—have said they believe the bill must be amended.

Bill C-69 is one of the most high-profile pieces of legislation in either Chamber of Parliament right now, and the subject of intense lobbying and public relations campaigns by environmental NGOs, labour unions, and natural resources industry groups. The bill would overhaul the environmental assessment process required for natural resource infrastructure projects, such as pipelines, before they can be approved, and makeover the federal rules around building on Canadian waterways.

The massive bill would make changes to more than 30 existing laws, and has been criticized by conservative politicians including Conservative Party Leader Andrew Scheer (Regina-Qu'Appelle, Sask.) and Alberta United Conservative Party Leader Jason Kenney, as well as voices on the left including Green Party Leader Elizabeth May (Saanich-Gulf Islands, B.C.) and Council of Canadians chairperson Maude Barlow. The bill, like the legislation it is replacing, gives the federal environment minister broad discretion to delay or block proposed projects if they decide doing so is in the public interest. A spokesperson from Environment Minister Catherine McKenna's (Ottawa Centre, Ont.) office defended the inclusion of those powers in the bill last year, arguing they ensure an accountable, elected official has the final say over those projects, which can be controversial in the eyes of the public.

Senators weigh in with travel destinations

The Senate Environment Committee began its study of C-69 last week, hearing testimony from government officials working for organizations that would be affected by the bill. After several hours of in-camera debate on Feb. 5, the committee agreed to hold public hearings on the bill across Canada, and to assign its three-member steering committee to work out the details of that travel. The steering committee includes Sen. Galvez, Sen. MacDonald, and Senate Liberal Jane Cordy (Nova Scotia).

The steering committee sent a survey to the remaining 11 members of the Environment Committee, asking which towns or cities they wish to travel to, which witnesses they want to testify, and when they are available to travel, said Sen. Galvez.

Putting together a timetable for the trip will be a complicated task for the steering committee. Some Senators are members of other Senate committees that will be working on important bills at the same time, and so may be obliged to stay in Ottawa on some weeks unless they find a colleague to substitute for them. Including this week, the Senate has six break weeks scheduled before the start of May, and another week starting May 20. It may be possible to travel during the break weeks—that hasn't yet been determined, said Sen. MacDonald—but some Senators have already said they have other obligations scheduled during those weeks, said Sen. Galvez.

The steering committee does not yet have a budget for the travelling hearings, which ultimately must be approved by the Senate Internal Economy Committee. First, it must decide how many of the 14 Senators on the committee will be willing and able to participate in the trips, and how many places the committee will visit, said Sen. Galvez. The steering committee has been instructed to plan a trip that includes stops in the West, East, and Quebec.

Sen. MacDonald said major centres and those with ties to the natural resource industry should be on the list, specifically naming Quebec City, Saint John, St. John's, Edmonton, Calgary, Regina, and Halifax.

UCP leader Mr. Kenney has attacked Bill C-69 publicly, casting it as an effort to block pipelines from transporting oil out of Alberta for export. Mr. Kenney's party is polling comfortably ahead of Premier Rachel Notley's NDP in the province, with an election due on or before May 31.

When asked whether the Senate Conservatives wanted to hold hearings on C-69 during Alberta's election campaign, Sen. MacDonald said, "I never even thought about the election campaign in Alberta. I don't see what that has to do with the study."

"We have heard some comments about that," said Sen. Galvez, the Independent committee chair. "And of course we don't want to use C-69 as a tool for political reasons, we have to remain non-partisan when we study C-69...we have to be very careful, and very mindful of, for example, the time."

Independent Senator Mary Jane McCallum (Manitoba) said she wanted the committee to visit "the communities that have been devastated by energy" as part of its tour, specifically naming La Loche and Uranium City in Saskatchewan, Gimli and the Lake St. Martin First Nation in Manitoba, and Fort Mackay in Alberta.

People in those small communities don't have a voice at the national level the same way that people in cities do, she said.

Independent Senator Paula Simons (Alberta) agreed with Sen. McCallum, saying during the Feb. 5 committee meeting that "if we only go to major cities, we'll hear from the same sorts of people that we would have heard from" in Ottawa, such as the Canadian Association of Petroleum Producers.

Non-affiliated Senator David Richards (New Brunswick) said the committee should go to places that will be affected by Bill C-69, including the West and Atlantic Canada.

"Half of the people who I grew up with [in New Brunswick], either they or their son...and sometime their daughters too, were out West working. And they were working there because there was no work at home," he said.

"It doesn't matter [where] in Atlantic Canada [the committee goes], because there's no great, major city. And they're only two hours apart from one another. So people can travel and meet there. And so if we go to the Miramichi, and we go to Saint John and a few other places, I think that's good," he said, adding he couldn't speak for provinces other than New Brunswick.

Interest groups from across the political spectrum are attempting to put pressure on the Senators as they buckle down to study C-69. Investment banker and former Conservative Party leadership candidate Rick Peterson has organized an advocacy group called Suits and Boots specifically to drum up public pressure in opposition to the bill. A coalition of Canadian resource industry lobby groups and building trade labour unions have teamed up to form the Save Canadian Jobs Coalition to do the same. Meanwhile, a handful of environmental NGOs have said they will try to lobby the Senators to pass the bill expeditiously, including West Coast Environmental Law, which issued a statement last week urging the Senators to visit B.C.—where the provincial government is fighting to block the Trans Mountain pipeline from Alberta—during their travels.

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