



Ottawa, Canada K1A 0N5

OCT 29 2007

Mr. Paul Wilkinson  
391 Touzin Avenue  
Dorval (Québec) H9S 2N3

Dear Mr. Wilkinson:

I am pleased to send you Transport Canada's reply to your petition (petition # 212) submitted to the Commissioner of the Environment and Sustainable Development in regards to the Montreal-Trudeau Airport expansion project in Dorval. I understand that the federal departments of Environment, Health, and Fisheries and Oceans will provide answers to the questions falling within their respective jurisdictions.

**Q1 - What will the Minister of Transport, Infrastructure and Communities do to ensure that proper consultation with individual members of the community, environmental groups and other interested parties takes place, as per the requirement of the CEAA? We have tried repeatedly to meet with the president of ADM, but to no avail. Will Transport Canada please provide the guidelines and standards required when dealing with the public?**

On July 31, 1992, Transport Canada transferred the management, operation and development of the Montreal-Trudeau Airport to Aéroports de Montréal (ADM) under the terms of a 60-year lease. Moreover, because the Montreal-Trudeau Airport expansion project is an ADM responsibility and Transport Canada will not have to issue any authorizations, the *Canadian Environmental Assessment Act* (CEAA) does not apply to my department for the purposes of this project.

In accordance with the Public Accountability Principles of Canadian Airport Authorities, the ADM Board of Directors is required to set up a community advisory committee. The advisory committee meets at least twice a year and its objective is to facilitate effective dialogue on Montreal airport issues, including planning aspects, operational issues and consideration of issues raised by municipalities, and, where necessary, reviews of and changes to the Master Plan for the airports and the Land Use Plan. I would also like to mention that Transport Canada ensures that ADM complies with these accountability principles.

**Q2 - Has Transport Canada/ADM conducted an Environmental Assessment in accordance with CEAA? If yes, would you please provide us with a copy of the study? If no, please explain why not.**

No. As mentioned above, the CEAA does not apply to Transport Canada for the purposes of the ADM project.

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**Q3 - Will the owner of the land please explain what steps have been taken to protect the wetlands and the streams and what safeguards have been implemented to protect the fish and other natural life that inhabit the ponds and streams in the golf course?**

Under the lease between ADM and Transport Canada, ADM is responsible for the environment on the Montreal-Trudeau Airport lands. Transport Canada, through its annual Airport Authorities Lease Monitoring Program, ensures that ADM has the necessary procedures in place to properly manage the environment. Until now, Transport Canada's assessments in this area show that ADM's environmental management complies with requirements.

**Q5 - Can the Minister of Transport explain what actions he has taken to ensure that the wildlife residing in Golf Dorval is protected? What will happen to the fauna and migratory birds? Where will they go?**

It is up to ADM, as airport operator, to comply with applicable acts and regulations when carrying out its expansion project. Please be aware that the presence of birds on an airport site is not encouraged because it compromises safety owing to the risks of collision between birds and aircraft using the airport.

Environment Canada is responsible for the application of the *Migratory Birds Convention Act*, 1994 and related regulations. Data from Environment Canada's Canadian Wildlife Service indicate that there are no colonies of migratory birds in the vicinity of the proposed activity, and that there are no species at risk listed under the *Species at Risk Act* or wetlands in the area in question. Based on the available information, departmental officials do not foresee any significant effects on species at risk, migratory birds or wetlands, in the area in question, as a result of the described activities.

**Q6 - Who stands to benefit from the creation of industrial sites on the northern part of Golf Dorval? Is there a conflict of interest involved with the decision makers in determining the fate of Golf Dorval? Are managerial bonuses tied to economic performance alone, rather than to the principles of Sustainable Development? If yes, why?**

ADM must ensure that airport development complies with the Land Use Plan (LUP). As Minister of Transport, I approved this Plan. The north part of Golf Dorval is located on the airport site and is part of a lot identified on the LUP as "commercial and industrial." For the time being, only the northern and southern portions of this lot have been taken back by ADM; however, the entire lot could eventually be needed for airport requirements. It should be noted that the use of this lot as a golf course by the City of Dorval has always been temporary and that the lot was always intended to fulfil airport requirements. Therefore, no intervention by Transport Canada is necessary in that regard.

**Q8 - Will the Transport Minister enforce ADM's adherence to the protocol and make ADM accountable for its commitment to our community as evidenced by its being a signatory to the *Montreal Community Policy Statement on Sustainable Development* as trumpeted on its website under the heading "*Coexisting with Its Communities*"? If not, why not?**

ADM's commitment to the community, in accordance with the Public Accountability Principles of Canadian Airport Authorities, was explained in the reply to Question 1. As for ADM's commitment to the Strategic Sustainable Development Plan for Montreal, the latter does not come under the authority of my department.

**Q9 - Will the Minister of Transport require ADM to answer all questions posed by the public, and to acknowledge receipt of letters sent, and ensure that appropriate documentation is maintained substantively, as required by the terms of ADM's lease with Transport Canada? If not, why not?**

ADM has already confirmed to Transport Canada that its policy is to answer all correspondence that it receives.

As for the documentation that ADM must keep in accordance with the ground lease, Transport Canada conducts a regular audit through its annual Airport Authorities Lease Monitoring Program. Until now, Transport Canada's assessments in this area show that ADM complies with the undertakings in the ground lease.

**Q10 - Will the Minister of Transport explain why there is no record of the Question & Answer segment of ADM's AGM, especially in light of Mr. Cherry's repeated statement, "This is your public consultation."?**

Public meetings are an excellent forum where members of the public can ask questions and express their opinions. The manner in which these meetings are conducted is subject to ADM's general regulations, which stem from the Public Accountability Principles of Canadian Airport Authorities. According to these principles, ADM is not required to take note of questions that are raised and/or to make them public.

**Q11 - What will the Minister of Transport, Infrastructure and Communities do to ensure that proper consultation with individual members of the community, environmental groups and other interested parties takes place? If there is to be none, please explain why?**

Transport Canada fulfills its obligations with respect to community consultations when community consultations are required for projects involving the department. In the case of the Montreal-Trudeau Airport expansion, no public consultations are required on the part of Transport Canada.

**Q12 - Will the Minister of Transport explain the rationale for ignoring the wishes of more than 20,000 of his fellow citizens and allowing the development of these industrial sites to proceed? If not, why not?**

Firstly, the ground lease with ADM must be respected and, secondly, even if a petition has been drawn up in regard to the Montreal-Trudeau Airport expansion project, one cannot ignore the benefits that a major international airport brings to the Greater Montreal area.

**Q14 - The Minister of Transport, as landlord and overseer, is responsible for the actions of its tenant, ADM, and is accountable directly to Parliament for the department's performance against the objectives set out in the strategy for Sustainable Development. Will he explain why environmental and social factors, outlined in the CEAA, were not integrated into the decision making process that will result in the demise of a community treasure in favour of industrial land speculation?**

As mentioned in the reply to the first question, no environmental assessment under the CEAA is required for the purposes of the ADM project. I would also like to point out that the Sustainable Development Strategy is specific to the Department of Transport and does not apply to ADM. ADM has adopted an environmental management system that Transport Canada monitors under its annual Airport Authorities Lease Monitoring Program. Moreover, it is ADM's responsibility as airport operator to comply with applicable acts and regulations when carrying out its expansion project.

**Q15 - Does the Minister of Transport have a plan to save the trees that will be displaced by hangars and maintenance shops and to transplant them? The reason is obvious. If not, why not?**

Under the lease between ADM and Transport Canada, ADM is responsible for the environment on the Montreal-Trudeau Airport lands. Transport Canada, through its annual Airport Authorities Lease Monitoring Program, ensures that ADM has the necessary procedures in place to properly manage the environment. It should be remembered that this lot was always intended for airport use.

**Q16 - Will the Minister of Transport explain why Quebec Environment Ministry rules and regulations are being ignored by his "Branch Office" in Montreal? Why does he not even try to comply? Don't Quebec environmental regulations matter? If not, why not?**

In the context of environmental assessments, the provincial legislation in this matter does not apply to Transport Canada. However, we should explain to you that the federal government has adopted a Code of Environmental Stewardship that requires federal departments to adopt environmental practices that are complementary to and compatible with provincial regulations. This Code of Environmental Stewardship promotes departmental compliance with the strictest criteria and encourages sound environmental management by the department.

**Q17 - Given that the Department of Health has budgeted considerable sums of money to promote health and fitness activities, will the Minister intercede to prevent a marvellous recreational venue from being destroyed? Using a Kyoto-like analogy, when some industries cannot fully comply with its objectives because of their type of operation, said industries can “purchase” credits from sources that are below Kyoto norms. Conceptually, keeping a significant part of Golf Dorval in perpetuity would be like a “credit” in favour of the airport. Why don’t Transport Canada and Health Canada work together to “purchase credits” in favour of the airport, to recognize the fact that it will always remain a significant source of noise and air pollution for neighbouring residents? It would further promote one of ADM’s three basic missions : “to coexist in harmony with the surrounding environment, particularly in matters of environmental protection”.**

Please note that the Kyoto Protocol pertains to greenhouse gases and not to sources of noise.

To date, no public system has been set up in Canada for the purchase of credits with respect to greenhouse gas emissions. Moreover, Transport Canada cannot force ADM to participate in such a credit-exchange system.

**Q19 - Will the Minister of Transport agree to visit Golf Dorval and to meet with members of the Green Coalition, SOS Dorval, the Mayor of the City of Dorval, a representative from ADM, and a representative from the Quebec Environment Ministry at a time of his convenience, but respecting the urgency of the matter?**

My department is not involved in this project. As mentioned above, ADM is developing the Montreal-Trudeau Airport in accordance with its 2003–2023 Master Plan and the Montreal-Trudeau Airport expansion project is being carried out in compliance with the Land Use Plan. Therefore, the department does not feel it is necessary to meet upon this particular matter.

Thank you for bringing your concerns to the attention of the Commissioner of the Environment and Sustainable Development. I hope that you will find this information useful.

Yours truly,

A handwritten signature in cursive script, appearing to read "Lawrence Cannon".

The Honourable Lawrence Cannon, P.C., M.P.

c.c.: Commissioner of the Environment and Sustainable Development  
The Honourable John Baird, Minister of the Environment  
The Honourable Loyola Hearn, Minister of Fisheries and Oceans  
The Honourable Tony Clement, Minister of Health