

Minister of the Environment



Ministre de l'Environnement

Ottawa, Canada K1A 0H3

NOV 9 2007

Postmarked Nov 13th

Mr. Paul Wilkinson
The Green Coalition
391 Touzin Avenue
Dorval, Quebec
H9S 2N3

Dear Mr. Wilkinson:

I am pleased to provide Environment Canada's response to your Environmental Petition no. 212, to the Interim Commissioner of the Environment and Sustainable Development, regarding the potential impacts on Golf Dorval of local industrial development and expanded operations at Pierre Elliot Trudeau Airport. Your petition was received in the Department on July 10.

Enclosed is Environment Canada's response to questions 4, 5, 7, 13 and 18, as they relate to the Department's mandate. In some cases, these responses give a comprehensive answer and contain input from other departments. I understand that the Minister of Fisheries and Oceans, the Minister of Transport and the Minister of Health will also be responding separately to questions that fall under their mandates.

I appreciate this opportunity to respond to your petition, and trust that you will find this information helpful.

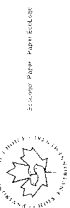
Sincerely,

John Baird, P.C., M.P.

Enclosure

c.c.: The Honourable Loyola Hearn, P.C., M.P.
The Honourable Lawrence Cannon, P.C., M.P.
The Honourable Tony Clement, P.C., M.P.
Mr. Ronald C. Thompson, Interim Commissioner of
the Environment and Sustainable Development

Canada



**Environment Canada's Response to Environmental Petition no. 212,
regarding the potential impacts on Golf Dorval of local industrial
development and expanded operations at
Pierre Elliott Trudeau Airport**

Question 4: Will the Department of Fisheries investigate the situation to determine the extent of the damage and to see if the fish habitat can be reinstated? If so, when? If not, why not?

Response: Under the *Fisheries Act*, the main mandate of the Department of Fisheries and Oceans (DFO) with respect to fish habitat protection is to ensure that any work undertaken in aquatic habitats does not result in a net loss of the productive capacity of fish habitats and does not contravene subsection 35(1) of the *Fisheries Act*, which states the following:

No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat.

Under subsection 35(2) of the Act, DFO can authorize the alteration, disruption or destruction of fish habitat. However, this authorization must take into account DFO's Policy for the Management of Fish Habitat. The Policy helps to ensure that development is carried out sustainably; in other words, without reducing the net productive capacity of fish habitats. It is important to note that DFO does not authorize the work, but rather the effects on fish habitats resulting from it.

If there is a risk of harmful alteration, disruption or destruction of a fish habitat, the proponent is responsible for ensuring that the work is carried out in compliance with the fish habitat protection provisions of the *Fisheries Act*. If a project is submitted to federal authorities for review, DFO will implement its fish habitat protection policies.

Some of your concerns relate to the water quality of streams running through the golf course. Where necessary, the *Fisheries Act* includes certain provisions which stipulate that it is prohibited to deposit a deleterious substance in water frequented by fish. In this regard, it is the responsibility of Aéroports de Montréal to ensure that the environmental quality of lands under its responsibility is preserved (see answers to Questions 2 and 3). In cases of presumed infraction, Environment Canada will take the necessary action to ensure compliance with subsection 36(3) of the *Fisheries Act*.

Question 5: 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?

Response: Environment Canada is responsible for the application of the *Migratory Birds Convention Act, 1994* and related regulations. Data from the Department'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, Environment Canada 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.

However, as stated in the reply to Question 4, it is the responsibility of Aéroports de Montréal, through its environmental management procedures, to implement required measures to protect the environment.

Question 7: Will Environment Canada require that federal government priorities be adhered to with respect to the environment and as outlined in the *Canadian Environmental Protection Act, 1999*?

Response: According to Transport Canada's information, Aéroports de Montréal environmental obligations are stated in the ground lease entered into with Transport Canada. As operator of the airport, Aéroports de Montréal must comply with applicable acts and regulations pertaining to environmental issues, including the *Canadian Environmental Protection Act, 1999*. Environment Canada will ensure compliance with acts and regulations for which it is responsible.

Question 13: Will the Minister of the Environment explain how, if indeed, "The Government of Canada is committed to implementing pollution prevention as a national goal and as the priority approach to environmental protection", why it is permitting the destruction of a green space whose demise will ultimately lead to increased traffic and pollution?

Response: Pollution prevention is the federal government's priority approach under the *Canadian Environmental Protection Act, 1999*. As airport operator, Aéroports de Montréal must comply with applicable acts and regulations in carrying out its expansion project. Environment Canada will ensure compliance with acts and regulations for which it is responsible.

Question 18: Will the Minister of the Environment seek to implement a Kyoto-like plan of buying “credits” to save and preserve Golf Dorval for the next generation? How and when will he do so? If not, why not?

To date, no public system has been set up in Canada for the purchase of greenhouse gas emission credits. Moreover, under the terms of the Kyoto Protocol, such a system would compensate only actual greenhouse gas emissions and would apply to measures aimed at quantifiable reductions. Environment Canada is not currently planning to set up a Kyoto-style credit trading system to preserve Golf Dorval or green spaces in general.