



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Transport, Infrastructure and Communities

EVIDENCE

NUMBER 094

Wednesday, December 6, 2023

Chair: Mr. Peter Schiefke



Standing Committee on Transport, Infrastructure and Communities

Wednesday, December 6, 2023

• (1930)

[*English*]

The Chair (Mr. Peter Schiefke (Vaudreuil—Soulanges, Lib.)): I call this meeting to order.

Welcome to meeting number 94 of the House of Commons Standing Committee on Transport, Infrastructure and Communities.

Pursuant to the order of reference of Tuesday, September 26, 2023, the committee is meeting to resume consideration clause-by-clause of Bill C-33, an act to amend the Customs Act, the Railway Safety Act, the Transportation of Dangerous Goods Act, 1992, the Marine Transportation Security Act, the Canada Transportation Act and the Canada Marine Act and to make a consequential amendment to another act.

Today's meeting is taking place in a hybrid format pursuant to the Standing Orders. Members are attending in person in the room and remotely using the Zoom application.

To help us with clause-by-clause consideration of Bill C-33, I'd like to welcome our witnesses back. They include, from the Department of Transport, Sonya Read, director general, marine policy; Heather Moriarty, director, port policy; Rachel Heft, manager and senior counsel, transport and infrastructure legal services; and, of course, Amy Kaufman, counsel.

Welcome to you once again.

Of course, we also have with us our legislative clerk, Monsieur Philippe Méla.

[*Translation*]

I'd like to welcome you once again.

[*English*]

Before we begin, colleagues, I want to inform members that, unfortunately, there was a small error that occurred in the last meeting. I have to bring it to the attention of members once again.

For the subamendment to NDP-15.1, there's a small correction that needs to be made. We had approved "In the case of a port authority specified in subsection 37.3(a)". In the last meeting, I asked you to approve a small change. Unfortunately, that small change was also incorrect. I was just informed by our legislative clerk. He asks us to once again seek unanimous approval to replace "subsection 37.3(a)" with "paragraph 37.1(3)(a)".

Do I have unanimous consent from all members?

Some hon. members: Agreed.

(On clause 120)

The Chair: We will now resume our discussion on BQ-5.

I'll open the floor. I see Mr. Strahl's hand is raised.

I'll turn the floor over to you, sir.

Mr. Mark Strahl (Chilliwack—Hope, CPC): Thank you very much, Mr. Chair and colleagues.

In the last meeting, I asked a number of questions of the witnesses. I'm hoping that, in the 48 hours since we last met, some of the ones they didn't have answers for... I'm going to ask them again, in case, in those 48 hours, they've firmed up their answers or have been able to gather the information I asked for.

Most of these were answered by Ms. Read.

I asked whether, apart from thermal coal, there were other commodities or goods prohibited from being loaded or unloaded in section 62 of the Canada Marine Act.

I want to give Ms. Read an opportunity to answer that, if she has a firm answer today.

• (1935)

The Chair: Thank you, Mr. Strahl.

I'll turn it over to Ms. Read.

Ms. Sonya Read (Director General, Marine Policy, Department of Transport): The answer to that question about whether anything else is banned—in terms of import or export under those regulations—is no.

Mr. Mark Strahl: Okay.

I went on to ask how many direct jobs would be lost at the Vancouver port, specifically at Westshore Terminals, if this amendment was to pass unamended. I wonder whether you've had a chance to gather that information.

Ms. Sonya Read: My understanding is that Westshore Terminals have 250 full-time employees.

Mr. Mark Strahl: Okay.

I also asked if there had been an economic impact study done on a thermal coal ban, in terms of the timeline proposed by BQ-5.

Were you able to find any information on that?

Ms. Sonya Read: We would have to defer to colleagues at Environment Canada with respect to that question.

Mr. Mark Strahl: Okay.

Another question I asked was, would the ban on thermal coal being advanced, immediately after this amendment takes effect, apply only to the port of Vancouver?

I guess the question is this: Is thermal coal exported through any other Canadian ports?

Ms. Sonya Read: Yes. Currently, coal is exported through the port of Prince Rupert. Some thermal coal, we understand, is exported through Thunder Bay.

Mr. Mark Strahl: Okay, so—

Ms. Sonya Read: There may also be private sector ports. They would not be impacted by regulations under the Canada Marine Act.

Mr. Mark Strahl: We have Vancouver, the port of Prince Rupert and Thunder Bay. Do you have the volumes by tonnage of thermal coal that was exported in 2022 through each of those ports?

That's just thermal coal, if you have it...

Ms. Sonya Read: With respect to the port of Vancouver coal, 39.8 million tonnes of coal are exported. In the case—

Mr. Mark Strahl: Right, but a lot of that would be metallurgical coal, which is not impacted—steel-making coal that the government has not yet decided to phase out.

I'm looking for the delineation between thermal coal and metallurgical coal. I think that is an important distinction here. They're very different and used for very different things. One's used for electricity generation, which is being phased out, while the other is used for steel-making, which is only going to increase.

Thermal coal, specifically, is what I'm hoping we might have information for.

Ms. Sonya Read: We don't have that breakdown.

Mr. Mark Strahl: Okay.

We now know it would impact workers in Vancouver, workers in Prince Rupert and workers in Thunder Bay, but we don't know the number of workers and we don't know the specific volume, so, we're still, I would argue, voting on this without all of the information we need, or discussing it without all of the information we need.

We heard that in Vancouver, Westshore Terminals is planning to transition to potash transloading from rail to marine, but that is going to take a number of years and a significant investment, in the millions of dollars.

Do we know if the ports of Prince Rupert and Thunder Bay have similar plans to offset the loss of thermal coal exports at their ports?

Ms. Sonya Read: We don't have full information for all of the individual terminals. We are aware that the terminal in Prince Rupert has plans with respect to transitioning away from coal, based on the expected ban that was announced. With respect to Thunder Bay, I don't have any information, unfortunately.

● (1940)

Mr. Mark Strahl: We don't know if those jobs would be permanently lost or if they would eventually transition to something else, based on the timeline.

I also ask if Transport Canada entered into discussions with ILWU for Vancouver. I'm not sure which union handles the thermal coal at Thunder Bay or the port of Prince Rupert.

Do you know which union represents the workers who will be impacted at the ports of Prince Rupert and Thunder Bay?

Ms. Sonya Read: I believe it's ILWU at Prince Rupert. I'm not sure of the bargaining agent at Thunder Bay. To the best of my knowledge, I'm not aware of any conversations with the union in that regard.

Mr. Mark Strahl: Transport Canada hasn't had discussions, nor has it....

Are you able to confirm whether Transport Canada has spoken to anyone in the Vista mine in Hinton, Alberta, or anyone in Hinton, Alberta, about the economic impact that accelerating the phase-out would have on that mine, its workers and the town?

Ms. Sonya Read: I'm not aware of any conversations that Transport Canada would have had, but I would defer to colleagues at EC-CC about whether or not they've had conversations.

Mr. Mark Strahl: Okay. Thank you.

I wanted to ask you as well how many railcars, on an annual basis, would be carrying thermal coal to the port of Vancouver or to Westshore Terminals. How many railcars do we think would be impacted by this accelerated phase-out?

Ms. Sonya Read: I don't have that information, unfortunately.

Mr. Mark Strahl: Okay. I think it would be significant, if we're talking about the millions of tonnes here. Westshore's annual report for 2022 said that there were 16 million tonnes of thermal coal moved, all of it by rail. Prince Rupert shows over two million tonnes. That's 18 million tonnes of thermal coal just on the west coast. I don't have information for Thunder Bay because until today, I didn't realize there was thermal coal exported through Thunder Bay.

If an average carload of coal weighs 105 tonnes—that's what Statistics Canada indicates—the math would indicate that there are about 170,000 rail cars per year that would be exposed if there was an accelerated cut-off. Does that sound possible? Does that sound about right?

Ms. Sonya Read: The information that we have for coal in general is that it would be over 417,000 carloads of coal, but I don't have the breakdown between thermal and metallurgical.

Mr. Mark Strahl: Okay. It's significant anyway, I think it's fair to say.

Has Transport Canada had any discussions with supply chain partners about what the impact of this accelerated phase-out would be on their operations? We've obviously heard from Westshore, which indicates that an accelerated phase-out would cost it billions of dollars.

Have you talked to CN Rail, CP Rail or any of the other supply chain partners as to what they expect their operating losses would be, should this accelerated phase-out be adopted by this committee?

Ms. Sonya Read: We have not.

I would defer to colleagues at ECCC regarding conversations around that.

Mr. Mark Strahl: Okay.

Certainly in Vancouver—and I would assume Prince Rupert would be the same—we're dealing with a lot of coal that is mined outside of Canada. It's coming from Powder River Basin in Montana and Wyoming. There would be contracts, as was discussed earlier this week. These contracts and the planning and infrastructure required are planned out, often decades in advance, and we heard, obviously, that this is the case when we're dealing with our most important trading partner, the United States.

Has Transport Canada done an analysis of what the impacts of the proposed accelerated export ban would be on Canada's trade obligations?

• (1945)

Ms. Sonya Read: No, we haven't done that analysis to date.

Mr. Mark Strahl: Okay.

Have you done the analysis on what the value would be of the coal contracts that would be cancelled or lost as a result of this accelerated phase-out? Do you not have that information either?

Ms. Sonya Read: We don't have that information right now. We would have to work with other departments to get that information.

Mr. Mark Strahl: Do you know if U.S. officials have been consulted on this proposed change, and if so, if they have communicated concerns to Transport Canada or any other government agency that you're aware of?

Ms. Sonya Read: I am not aware of any consultations with U.S. officials with respect to this proposed amendment.

Mr. Mark Strahl: Okay.

That is 90% of the coal coming from the United States, and there have been no consultations about what the proposed impact would be on that trading relationship and on those contracts, and about what exposure there would be to the government and taxpayers as a result of actions that would be taken as a result of those actions.

Do you know if there has been an analysis by Transport Canada or the Government of Canada of the World Trade Organization implications for this proposed accelerated ban?

Ms. Sonya Read: I wouldn't be well placed to answer that question. I would have to defer to colleagues in other departments regarding any analysis under the WTO rules.

Mr. Mark Strahl: I see. I think it's fairly clear that this has not been in Transport Canada's file, that this was never envisaged to be

a part of this legislation, because I know that the public servants who serve the government in this country would do their due diligence and would have done all of that work, had they believed that the Canada Marine Act, in section 62, would be the method by which the government would choose to accelerate its own timeline for a thermal coal phase-out. I believe that there's too much professionalism, and that they would not leave a minister and the government and the taxpayers of Canada this exposed. They would have done their homework. In fact, it would have been a part of the bill to start with, had this been something the government intended to move forward with.

I want to go back now. The legislation we're dealing with, Bill C-33, comes out of a consultation process that was undertaken by the then minister in the ports modernization review. I'm wondering if we can go back to that to determine this. Did the transport minister... In the summary of the evidence, in the summary of the hearings and what you heard from people who participated in the ports modernization review, was an accelerated thermal coal ban one of the priorities? Was that a priority of the people who engaged in the ports modernization review? Did this come up?

• (1950)

Ms. Sonya Read: This was not raised in the context of the ports modernization review.

Mr. Mark Strahl: Okay.

I would also like to draw attention... The further we get into this, the more ridiculous it seems that the government members would be supporting this amendment. I can understand how a Bloc member can, with no affected workers and a different goal in mind, but I'm very surprised that the Liberal members on this committee would allow this amendment and indicate their support for it, when it so clearly has not been part of the consultations done by the minister in advance of this legislation. Quite frankly, the work has not been done to justify any of the job losses proposed. It seems, in fact, that the information on the proposal in amendment BQ-5 has not been considered at any level—international, national, provincial or local—or by the unions involved.

I can tell you that when President Rob Ashton of the ILWU was before this committee, he did not bring it up. It was not brought to his attention. I can assure you that, had it been brought to his attention, he would have strongly advised that he would be fighting for the 350 jobs that will be impacted at the port of Vancouver alone. He certainly told us that. Since the government announced its intention to move forward with this Bloc amendment and support it... The fact that he was here and was not asked about it, or given an opportunity to provide his input on it... I think he would be quite surprised that he and his workers are being taken for granted. That's 350 in Vancouver. We don't know the numbers that will be affected in Prince Rupert or Thunder Bay. Maybe it's a handful. Maybe it's hundreds. That analysis has not been done, yet members of this committee are prepared to support an amendment that could throw the entire system into chaos and advance this thermal coal ban.

Again, no one is disputing that this is going to happen. What we are talking about is a professional, reasonable process that respects workers, the investments made, the contracts signed and the discussions that are currently ongoing in Ottawa, which are being undermined by members of this committee, who should and do know better. They're telling the workers one thing at one table and are prepared to come here and sandbag them at another. It's quite outrageous.

I want to go back to when the former minister introduced this bill. The whole point of Bill C-33 was this: "Strengthening the Port System and Railway Safety in Canada Act: Minister...introduces a new bill to make our supply chain stronger".

I'll go through the list of what the bill aims to do:

- amend current legislation and modernize the way Canada's marine and railway transportation systems operate;
- remove systemic barriers to create a more fluid, secure, and resilient supply chain;
- expand...Port Authorities' mandate over traffic management;
- position Canada's ports as strategic hubs that support national supply chain performance and effectively manage investment decisions for sustainable growth;
- improve the government's insight into ports and their operations; and
- modernize provisions on rail safety, security, and transportation of dangerous goods.

Together, these measures seek to improve the supply chain, including the competitiveness of Canada's transportation system and operations that are safe, secure, efficient, and reliable. The proposed measures would support the flow of essential goods and would implement tools to mitigate risks and impacts of future supply chain challenges.

I guess the question is this: How does advancing the thermal coal export ban by several years improve the supply chain?

• (1955)

How does it improve the competitiveness of Canada's transportation system and operations that are safe, secure, efficient and reliable? How does it support the flow of essential goods and implement tools to mitigate risk and the impacts of future supply chain challenges?

Of course, the answer is that it does the opposite of that. I would argue that it actually throws a wrench into the supply chain. There are 170,000 cars that the rail companies have contracted to move goods until 2030, and suddenly that's slammed shut, and by several years they lose that traffic. They lose those trains. They lose those jobs. They lose that revenue.

I have no idea, nor does the government have any idea, how they will make up for that, or what the impacts on the supply chain will be.

Once again, we have heard evidence here that this is not well thought out, that this is not the place that the government, if it wants to change its mind and accelerate its thermal coal ban.... Again—I repeat it again and again—no one is disputing that thermal coal exports will be banned, but what is in dispute is the timeline.

By all measures, by all of the answers we've received, we don't even know what this will do, let alone what the long-term impacts will be. We don't know what it will do today. We don't have the in-

formation on the impacts today. I think it's completely irresponsible to consider moving forward with this amendment, given what we know and given what we don't know, which is significant, given what we've just been told.

Once again, I would urge members to think closely about what this will do and what we have been told this will do. This is not Conservative propaganda here. This is what we've been told by the longshore and warehouse union at the port of Vancouver.

We've been told that the impact on them would be devastating. We've been told that these are family-supporting jobs. We've been told that the company has been very responsive in working with them to try to find a way forward and to replace the jobs that will be lost by the thermal coal ban, by moving to a different commodity, but this takes time. It takes time that the government has promised to them.

The ILWU is very upset at the prospect of 350 of their members being out of work because the government has decided to support a Bloc Québécois amendment. That is what we're trying to put a stop to today. That's why we're talking about this, because of the impacted workers who have been told they have time to transition to a new commodity. On the one hand, they've been told the government will give them time to make that transition, and on the other.... The government is speaking out of both sides of its mouth.

They're telling the workers, "We've got your back. Don't worry. There will be a transition. We'll let you have time to make this changeover," and then on the other side now, at transport committee, tacked on to a supply chain efficiency bill, a ports modernization bill, we have a government that is willing to throw those workers under the bus, because we've heard again and again that no matter how you dress it up, this will result in several years of less opportunity at those terminals at Vancouver, the port of Prince Rupert and Thunder Bay.

We've heard that very clearly. No matter how long the regulatory process is supposed to be dragged out.... We have no guarantee of that. We've seen this government use orders in council, use the power of the cabinet, to make unilateral regulations on a whim. We saw it when they banned 1,500 firearms, including many hunting rifles. They just did that on their own. There was no regulatory process involved there. That was the cabinet making a decision on their own.

We take no comfort in the fact that the regulatory process is slow, because the government has shown that when they want to make a change, they can make it quite quickly; they can be unilateral, and they can make a change on a whim based on what the Prime Minister's Office wants to have happen.

• (2000)

We take no comfort in the fact that it usually takes three years to come up with regulations. It might take three years, three months or three days, depending on what the government decides. This amendment gives the authority to the cabinet to make those changes as soon as this law receives royal assent.

We've gone from 2030, in the mandate letter to the Minister for Environment and Climate Change, which is what that department and Natural Resources Canada have been negotiating with.... The companies, including Westshore Terminals, and the workers have been at the table discussing how this transition is going to go. I would have assumed that those negotiations were taking place in good faith, but when we have something like this that completely undermines it, that has to be questioned.

Once again, on this amendment, while perhaps it is something people can support—that there's a thermal coal ban coming, so why don't we just use the Canada Marine Act to make it happen...? I don't blame Mr. Barsalou-Duval for putting it forward, but I think we've proven, through questions, answers and the lack of information, that the work has not been done to justify its passage. We are not fighting for anything but the process that will protect the workers, that will ensure that they have the transition time they've been promised and that the companies can do their work.

That is going to happen. If you talk to people in the industry, no new thermal coal mines in North America are being approved. This phase-out is a *fait accompli*. However, this timeline, which has suddenly been thrust upon this committee through Bill C-33, is disrespectful to the workers who will lose their jobs and to the companies that are talking to the government in good faith on one hand while this is happening on the other hand.

I really think that, again, this exposes Canada to a number of risks, of lawsuits that could cost into the hundreds of millions or billions of dollars. If we're talking about multiple-year contracts that are cut short by multiple years, Canadian taxpayers can expect to pay. That is not something this bill envisaged. It's not something former minister Alghabra spoke about in the House. It's not something Minister Rodriguez spoke about when he came before this committee.

This is a government playing politics and trying to jump on board to look like it is concerned about the environment and look like it wants to move this forward, but we've seen numerous examples where that is simply not the case, where there's no plan. This is another example of having no plan, a fly-by-the-seat-of-the-pants approach, which, again, has a devastating impact, on workers.

It might sound great, in an Ottawa committee room, to do this, to move ahead and to accelerate the timeline, but it doesn't sound great to the people in Delta or to the workers in Tsawwassen and Ladner, who face the prospect of losing their jobs because this will come too quickly for the adaptation to occur. The planning is already well under way.

I would say that the government—the Liberals and the NDP especially, as there are no Bloc MPs in British Columbia—will have to answer to those workers, and the hundreds more workers who aren't in the ILWU but will be impacted by any shutdown of Westshore Terminals. They can't just wait around with an empty terminal for years while the potash mine gets going and the volumes get ramped up. This is complex stuff that takes billions of dollars of investment and years of planning. For all that to be undermined by a one-line amendment thrown in on a clause in a bill that didn't intend to deal with this is unacceptable.

• (2005)

It seems that the government has made up its mind that it's going to go ahead with this, but it's a shame, and it's a shame that it isn't listening to the workers and the communities that will be impacted but, for political purposes, is charging ahead with this.

I won't assume to know why, but I think it probably has to do with keeping the peace with the coalition, and that's not any way to govern the country.

Again, this is irresponsible. It is something that has not been thought out. Consultations have not been done. Legal analysis has not been done. Economic impact studies have not been done. It will throw supply chain partners into chaos. It will negatively impact many of the partners we rely on to move our goods and the workers we entrust to keep our ports up and running.

If the government, the Liberals, want to go ahead with this, they can answer to the ILWU who, trust me, will have a lot of questions.

Thank you, Mr. Chair.

The Chair: Thank you very much, Mr. Strahl.

Next we go to Mr. MacGregor.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Thank you very much, Mr. Chair. As everyone can see, I'm filling in for Mr. Bachrach today.

I think I might have a solution to amendment BQ-5.

I was listening to Mr. Strahl's speech, and I took note of the fact that he said that a lot of the players in this are expecting a professional and reasonable process, and I think much of the industry and the workers involved are working with an expected timeline, so what I'm going to do, Mr. Chair—and hopefully this solves some of the problems and issues that Mr. Strahl identified—is to take my opportunity—and I will give a lot of credit to Mr. Bachrach for doing the leg work—to propose a subamendment to BQ-5.

I think Mr. Bachrach's team has submitted that to the clerk, so hopefully it can be circulated. What I can do, Mr. Chair, is read my subamendment into the record. I'll just wait until I get some direction from the clerk.

The Chair: We haven't received anything, according to the clerk.

Mr. Alistair MacGregor: It was just sent.

The Chair: Is it in both official languages?

Mr. Alistair MacGregor: Yes.

The Chair: We're going to suspend for about two minutes, just to double-check that we have it and that it's distributed to all members.

• (2005)

(Pause)

• (2010)

The Chair: I call this meeting back to order.

I'll turn the floor back over to Mr. MacGregor.

Mr. Alistair MacGregor: Now that everyone has their copy, it essentially rewrites (1.1) so that it states:

(1.1) The Governor in Council may make regulations respecting the prohibition, by December 31, 2029, of the loading and unloading of thermal coal to and from ships in a port.

Furthermore, Mr. Chair, there would be a new (1.2), which would read as follows:

(1.2) If no regulations are made under subsection (1.1) within 48 months after the day on which this section comes into force the Minister must cause a report stating the reasons that no such regulations have been made and establishing a schedule for making regulations to be laid before each House of Parliament on any of the first 10 days on which that House is sitting after the expiry of that 48-month period.

Just briefly, to the rationale, I think this helps clarify the timeline for the regulations spanning thermal coal to come into force. It kind of mirrors the government's commitment and would result in a transitional period taking place before 2030, which I think adds that degree of important fairness for workers.

The rationale for the proposed new subsection (1.2) would require regulations to be made within 48 months to allow time for the transitional period.

I'll cease there, Mr. Chair.

The Chair: Thank you very much, Mr. MacGregor.

On the list we have Mr. Lewis, followed by Mr. Barsalou-Duval and then Mr. Muys.

We'll turn the floor over to Mr. Lewis.

I see Mr. Strahl's hand up. I will add your name to the list as well, sir.

Mr. Lewis, the floor is yours.

The Chair: Okay. I'll move on to Mr. Lewis.

We're talking about the subamendment now.

• (2015)

Mr. Chris Lewis (Essex, CPC): Thank you, Mr. Chair. It's always good to be back at committee.

I do appreciate my colleague, the member from the NDP, with regard to this subamendment. I really, truthfully do, Mr. Chair, because I think he's realizing and recognizing the fact that there are hundreds of good-paying jobs at stake here.

I really thank our government officials for being here this evening as well. Mr. Strahl asked some very pointed questions, and as the shadow minister for labour, of course, I have to ask these questions, too. Whether it's the subamendment or the amendment we're speaking to, it always goes back to the jobs.

The one thing I know for darn sure, Mr. Chair, is that we are hemorrhaging and bleeding jobs in this country. There are businesses that are begging for workers. To not have answers and make an assumption, make a decision and vote on something that is going to affect up to 350 families arbitrarily—the food on the table of the families—is, quite frankly, wrong, Mr. Chair.

I have been told all along that we're talking about 350 jobs.

Ms. Read, thank you very much for your testimony tonight. I believe you said 250.

Can you please tell me where your numbers come from and how that would change from the numbers that I... I was literally on the phone yesterday with the ILWU, trying to get the facts.

Can you please tell me where those numbers come from?

Ms. Sonya Read: The information I have is that they have 250 full-time employees. They may have other employees.

In terms of background, I don't have the footnote. I don't have the source in front of me.

Mr. Chris Lewis: I can appreciate that, Ms. Read. Thank you very much for that.

I'm going to take it one step further. Mr. Strahl asked you how many jobs would be lost, and your answer was that they have 250 employees.

Does the government not know or does the agency not know how many would be lost?

Ms. Sonya Read: At this time, I wouldn't be able to answer that question.

My understanding is that it would actually depend on the transition plans of the terminal. I would defer to colleagues at ECCC or NRCan, who may be more familiar with that process.

Mr. Chris Lewis: Could you please give me a time frame as to when you may have that answer?

Ms. Sonya Read: I would have to check with other departments in respect of where they are in those conversations.

Mr. Chris Lewis: Thank you.

We see the legislation in Bill C-58 that has been brought to the House. I'll be honest with you. If I were the minister of labour for the Liberal Party of Canada right now, I'd be some ticked off that we're even talking about this at transport committee. How do you on one side throw a bone to labour and say that you're labour-friendly, and then on the other turn around and not do the due diligence, the justice and the really hard work of asking the really hard questions about who's going to be affected by this.

These are potentially 350 families sitting around a kitchen table with no food on their table, no pabulum for their children's bottles, no diapers on their babies' bums, all because we need to accelerate a plan.

The Bloc Québécois member is now laughing at me. This is very serious stuff, sir. These are people's lives we're talking about. To accelerate a plan and not have a plan to go forward is quite frankly wrong and disgusting, and to smile and laugh about something like that is quite frankly wrong. I take major offence to that.

Mr. Xavier Barsalou-Duval: Thank you.

Mr. Chris Lewis: Thank you.

An accelerated phase-out thermal coal plan with no plan is nothing less than the wrong decision for our ports.

Chair, I've spent many days on the west coast with the ILWU and with the BCMEA during the strikes, understanding and realizing that it is a very vital area for Canada in terms of moving our commodities and driving our exports and our imports, our cars, and everything else the government wants to talk about. They are the ones doing the work, and now, potentially, we're going to take them out at the knees. I think that's pretty sad.

I want to take it a step further. My riding of Essex—I'm so darn proud to represent Essex—is right next to the busiest international border crossing in North America, right down by Detroit.

Through you, Mr. Chair, to our officials, it was very concerning to me that there were no answers for Mr. Strahl with regard to whether we had spoken to our U.S. officials yet.

Through you, Mr. Chair, can any of you kindly expand on this at all? Has there been absolutely no conversation with our U.S. officials on this?

• (2020)

Ms. Sonya Read: I would have to defer to colleagues at NRCan or ECCC in respect to conversations that have taken place with U.S. officials in this regard.

Mr. Chris Lewis: Are you comfortable going forward with this before you have those conversations with those colleagues?

Ms. Sonya Read: I wouldn't be in a position to answer that question. I'm sorry.

Mr. Chris Lewis: Who would be, Ms. Read? Who would be the one to ask for that answer?

Ms. Sonya Read: As an official at the table, it actually isn't my place to expand on whether I'm comfortable or not comfortable in respect of a particular provision being brought forward for members to discuss.

Mr. Chris Lewis: Okay. Thank you very much. I appreciate that. I am truthfully being very respectful. I'm trying my best to be very respectful to you. I think if I don't ask these questions, then I'm not doing the due diligence.

I'm incredibly concerned, Mr. Chair.

Are we just going to turn around and slap the United States of America in the face, not have a conversation about this, when so much of their thermal coal actually comes up through the States on our train system and gets exported? Are we going to just turn around and pass an amendment and then affect potentially 350 jobs? Let's extrapolate that and say it's 1,200 or 1,500—

An hon. member: [*Inaudible—Editor*]

Mr. Chris Lewis: Mr. Chair, please, I have the floor.

I'm incredibly concerned about this, and I have every right in the world to be concerned about it.

Chair, can you please call the member to order? Mr. Badawey is—

The Chair: I would ask all members to ensure that when a member is trying to speak, they are able to do so.

Mr. Vance Badawey (Niagara Centre, Lib.): Mr. Chairman, I truly, truly apologize.

The Chair: Thank you, Mr. Badawey.

Mr. Lewis, the floor is yours.

Mr. Chris Lewis: Thank you very much, Mr. Chair.

I'm glad, Mr. Badawey, that you find this discussion a joke as well. Apparently, you don't care about the workers down in Hamilton. Thank you. Thank you very much.

Amendment BQ-5 has the potential to have, and would likely have, a major, major effect on our Canadian economy and a major effect, perhaps, on U.S. relations with Canada. Until we get all the answers we're looking for, I don't see a path forward that's going to work. Quite frankly, I don't see one.

Again, Mr. Chair, I want to talk about the ILWU. Yesterday I was on a phone call with the ILWU. You know, I believe it to be true—and I only believe it to be true; I don't know for sure—that they actually might have reached out to other folks from the other parties as well and asked them to reconsider this. I'm not exactly sure where that landed as of yet, but if you're a friend for labour then you're a friend for labour. You can't be a friend for one side of labour and not a friend for the other side of labour.

In my capacity, I will just suggest, Mr. Chair, that I really believe we've come far too short. The answers have not fallen on the table. We're asking far too much, with no results to date. I think we need to continue to have these discussions. When we get the answers, will it be 250 families who perhaps won't have Christmas presents under the tree, or will it be 350? We don't know that. Until we get the answers, though, we need to know.

If people around the table want to laugh, that's fine, but I'm not laughing. I'm not laughing; I'm darn serious, and I think it's despicable and disgusting that others are.

With that, Mr. Chair, I'll cede the floor.

Thank you.

• (2025)

The Chair: Thank you very much, Mr. Lewis.

[*Translation*]

It's now Mr. Barsalou-Duval's turn.

Mr. Barsalou-Duval, you have the floor.

Mr. Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ): Thank you, Mr. Chair.

I think we have a lot of time to talk about Amendment BQ-5. I see that a lot has been said, and I have a feeling we'll be talking about it for a little while yet. That said, for the benefit of the people listening—and I hope there are a lot of them—I'm going to take the time to explain the ridiculous situation we find ourselves in.

The purpose of the proposed amendment to Bill C-33 that we're discussing right now, Amendment BQ-5, is to put an end to the export and import of thermal coal. Why do we want to put an end to this? Because thermal coal is probably the worst way in the world to produce electricity. I don't think there is a worse way. Right now, if I'm not mistaken, 31% of the world's greenhouse gas emissions are produced by coal-fired power plants. Coal-fired power plants alone account for 31% of emissions. Canada is the world's seventh-largest coal exporter. So we're complicit in this. Canada is one of the main countries causing this extreme pollution on a planetary scale.

Interestingly, the government had already announced that it intended to end the export and import of coal at Canadian ports. That was good news. However, the bad news was that this would not happen until 2030. You might say 2030 is better than never.

The Conservatives got scared. They said we couldn't end coal production and that it didn't make sense. Finally, they tell us they agree on the year 2030. I'm surprised. I hope we can see that today, because we're going to put the Conservatives' word to the test. If the Conservatives tell us that they agree on the 2030 date—that's what we've heard—that means that, in theory, they'll vote in favour of a proposal to that effect.

There's a famous coal mine in Alberta. I'd have to find its name. The Conservative member mentioned it earlier today. The people listening to us, and those around the table, may not know it, but this mine currently produces 10 million tonnes of thermal coal a year. In terms of pollution, that's the equivalent of the Quebec car fleet. It's huge. It's enormous. It's monstrous. It's gigantic. A single plant produces as much greenhouse gas with its coal as the entire Quebec car fleet. Yet the Conservatives are rending their garments. They say we absolutely mustn't touch this. How, then, are we going to stop climate change? How are we ever going to mitigate climate change if we don't tackle this and we let one plant produce as much pollution as all the cars in Quebec? It's crazy.

And yet, the Liberals say we shouldn't touch it before 2030. I have the impression—we'll see—that the Conservatives say it should never be touched. If we follow their plan of action, we'll all die of asphyxiation before we manage to pass anything, Mr. Chair. I think that's pretty crazy. I feel like I'm witnessing a crude farce, because I think the Conservatives don't respect people's intelligence. An MP told us earlier that parents won't have any more diapers for their children if we close this plant. He became indignant when I laughed. It doesn't make any sense. People won't have diapers because we're not producing coal anymore. Is that it? It doesn't make sense.

There might be ways of doing things differently. In Quebec, we decided to put an end to certain industries we deemed harmful to the collective interest. We can do the same thing on a state level.

• (2030)

For example, in Quebec, the decision was made to end the use of nuclear energy, and the Gentilly-2 nuclear power plant was shut down. People lost their jobs. That's true. However, there are others who still have jobs there, because the plant has to be dismantled to safely end its operations.

We also decided to end asbestos production, Mr. Chair, because it was causing cancer, killing people, here and abroad. At some point, we got smart, and figured it might not be a bad idea to end production of something that's killing people.

Coal kills people, Mr. Chair. What's more, it's not half of Canada's economy that's based on this industry, but a tiny proportion—

The Chair: Excuse me, Mr. Barsalou-Duval. There seems to be a problem with interpretation. We want to make sure everything works well.

You may continue, Mr. Barsalou-Duval.

Mr. Xavier Barsalou-Duval: Thank you, Mr. Chair.

It's a tiny portion of Canada's economy that relies on the import and export of coal. We all agree that it's not essential to the Canadian economy, but it is essential, for example, in terms of greenhouse gas emissions. So, if we have the political will, we'll say that it has a minor effect on the economy, but a major effect on climate change. It seems to me that the equation is simple: a small gesture can have a very big effect with very few consequences. Isn't that wonderful? There would be few consequences for the economy, but many benefits for the climate. It's all very positive. So there's no reason not to go down this road.

However, where I'm most stunned—I simply can't believe it—is that there's a party, a representative of which is sitting on my left, which is supposedly left-wing and which, officially in its election platform, defends the environment. It tells us that it defends the environment, that we must reduce greenhouse gases, that we must make an effort. But let's look at the amendment tabled by the NDP. I had intended to discuss it. I thought we'd see what kind of compromise we could come up with.

The Americans have already stopped exporting coal through their ports because they figured it didn't make sense. How often we align ourselves with our American partners, whom we so love to take as examples. Logically, we should do the same and put an end to this export of coal, which makes no sense for the planet. We're lagging behind the Americans. Why don't we catch up? I don't understand it.

In fact, there seems to be no will to catch up, at least, not before 2030. What's more, the NDP amendment is even worse than what the Liberals are proposing. Maybe the NDP didn't realize it, or maybe they didn't draft their proposed amendment well, or maybe the translation is wrong; in any case, subsection (1.1) of the proposed amendment reads as follows:

(1.1) The Governor in Council may make regulations respecting the prohibition, by December 31, 2029, of the loading and unloading of thermal coal to and from ships in a port.

It doesn't say "must make" or "will make," but "may make." It means "maybe he will" or "maybe he won't." In my opinion, it's not a very strong commitment; it won't scare a lot of people.

Next, in subsection (1.2), we're given guarantees in case subsection (1.1) doesn't apply.

Subsection (1.2) reads as follows:

(1.2) If no regulations are made under subsection (1.1) within 48 months after the day on which this section comes into force the minister must cause a report stating the reasons that no such regulations have been made and establishing a schedule for making regulations to be laid before each House of Parliament on any of the first 10 days on which that House is sitting after the expiry of that 48-month period.

The text ends there. Then, I presume, they explain why the regulations aren't in place yet.

Generally speaking, despite the translation that seems to be wrong, we understand that the NDP wants the government to explain itself to Parliament if it doesn't do its job, if it doesn't keep its election promise to stop importing and exporting oil by December 31, 2029. It will have to explain why it decided not to and what its plan will be afterwards.

I'm very disappointed that the NDP seems even less ambitious than the government. The government has promised to end the import and export of coal by 2030. So, "by 2030" means it could be 2030, 2029, 2028, 2027, 2025, any time between now and 2030. So it could be before 2030. I understand that when we say "by 2030," it may not be tomorrow morning. Earlier, I referred to oil instead of coal, but I was talking about coal. I don't want to be misquoted. That said, as far as oil is concerned, we'll have to get there one day as well.

With regard to such amendments, I was thinking that perhaps there had been a negotiation between the parties. Maybe the NDP and the Liberals talked to each other. Maybe they even talked to the Conservatives. Earlier, the Conservatives were telling us that if there was a predictable roadmap, they would agree.

● (2035)

I find it interesting to see Conservatives say they'll agree, if they keep their promise. However, that's not what we heard after the tabling of the NDP amendment, which has no effect and creates no obligation. This amendment just cancels amendment BQ-5, basically, or it gives the minister the power to do something, maybe one morning, if he feels like it, or maybe do something on December 31, 2029.

So I need a serious explanation of how we could hold the Liberals to their promises. At least, if they keep their promises, we'll be able to talk. We'd like the dialogue to move faster. Faster would be better. I think everyone agrees on that.

We're talking about a single location, a single mine, which alone, with its coal, produces as much greenhouse gas as the entire Quebec car fleet. Yet we don't want to tackle this problem. I don't understand that. I don't understand it, Mr. Chair.

What's even crazier about all this is that this mine hasn't been in operation for 100 years. It hasn't been in operation for 50 years either. It's been in operation since 2019, four years after the signing of the Paris Agreement. We already knew that we were heading for the end of hydrocarbon exploitation. We already knew we were moving towards clean energy. That was the global action plan, including Canada's 2030 Emissions Reduction Plan. In 2019, when this mine started up, once the investments had been made, its owners knew full well that they would eventually have to deal with the government's wishes. When you operate a business, there are risks. For example, the business might not operate; there might not be a workforce; there might not be a market for its products. When you decide to do business, that's part of the rules of the game. There are risks.

There's also the risk that a government will create regulations and laws that will mean our investment may not return as much as we would have liked. It may turn out differently. It's a risk that's part of the legislative environment, the governmental environment, the political environment. It's all part of it. When you invest in a company, you obviously hope that its environment won't change. But there's no such thing as a static environment. All environments change at some point. Nothing is eternally immutable.

Moreover, the government has announced that it intends to end the export and import of coal by 2030. What's crazy is that this mine wants to increase its production by 50%. It wants to do more—when what the whole planet is saying, and we agree, is that we need to do less.

The Conservatives are defending this company. I feel there's a bit of hypocrisy there. They're telling us they agree with the 2030 deadline, and that surprises me a bit. After the NDP tabled its amendment, which imposes absolutely no obligation and has absolutely no effect, the Conservatives continue to systematically filibuster around an amendment that is absolutely insignificant, ultimately, and poses no threat to this company.

In fact, I'm trying to understand the current situation. I get the impression that, around the table, there are simply three parties who are very timid and reluctant to make the necessary efforts to achieve the results to which they have committed themselves. At the very least, there are two parties committed to the Paris Agreement. I'm pretty sure that's the case for the NDP and the Liberal Party. We haven't heard from the Liberals yet. I can't wait to hear their comments. I can't wait to see how they vote.

To me, it's very clear that the NDP's proposed amendment, as written, is absolutely unacceptable. You have to have at least a little ambition.

For example, we could claim, as the Conservatives say, that we need predictability. We need it out of respect for the people who work in this field. On that, I agree. That's why, in Quebec, for example, when we put an end to nuclear energy and asbestos, we set up programs to help people working in these plants find other jobs. There were, for example, funding programs to help new businesses get established.

The Bécancour Industrial Park, among others, is becoming an extraordinary place, one that will give rise to massive investment in the economy of tomorrow, particularly in the electrification of transport. As we all know, the Gentilly-2 nuclear power plant used to be located in this region. It's because of the closure of the Gentilly-2 nuclear power plant that such projects are now taking place in Bécancour. In fact, programs have been put in place to help the economy of the future settle in these areas, rather than relying on the economy of the past. We told people we were going to help them look toward the future rather than the past.

• (2040)

However, what we're seeing now are Conservatives and New Democrats defending the extremely polluting energy production of the past.

I'm bitterly disappointed to see an amendment like this, and I hope we'll have a chance to give it some teeth. The Conservatives tell us that they agree with the 2030 deadline. In other words, the NDP amendment doesn't even go as far as what the Conservatives support. It just doesn't make sense. This is the NDP pretending to stand up for the environment.

I'd like to add something in connection with what was said about predictability and the need to stop exporting and importing coal by 2030. We say we want predictability and we want to respect the Paris Agreement. As I said earlier, one mine alone emits as much greenhouse gas as Quebec's entire automobile fleet. And that's not counting the planned increase in production, which will boost emissions by 50%. This means that mining and exporting this coal will produce one and a half times the greenhouse gas emissions of the entire Quebec auto fleet.

Moreover, we know that this coal is exported to China, which produces electricity with extremely polluting coal. I don't understand why we don't encourage China—this country that Conservatives hate so much and with which Liberals are currently at loggerheads—to make its energy transition. Personally, I have no particular aversion to China. Of course, I'm aware that their regime is different from ours. However, I don't think we have to fall flat on our faces in front of China either; nor am I sure that putting in place slightly stricter regulations would have much impact, in the end.

So, if we really intend to put an end to hydrocarbon exports produced from coal by 2030, we should at least start by stabilizing them and by saying that we won't be doing any new projects. You'd have to start by quietly reducing production, perhaps, but you certainly shouldn't increase it. That would make no sense. How can we reduce it if we increase it? Are we going to produce more gasoline-powered cars to have fewer of them later? Will there be fewer fuel-burning airplanes later if there are more now? Absolutely no one could understand such reasoning.

Logically, if we want to reduce greenhouse gas emissions, this implies a transition. This means finding different ways of achieving the same ends, and developing new technologies to produce as much energy as we do now. That's what we're talking about right now.

The good news is that there are already different sources of energy. There's hydro, wind and gas. I'm not so much in favour of gas, let me reassure you right now, but natural gas-fired power generation is a lot cleaner than coal-fired. There are so many solutions to replace coal-fired power generation that I find it hard to understand why we don't at least want to begin a transition.

We could start the discussion by talking about ways to initiate a transition and make sure the government keeps its promises. I don't think the government is going to tell us that it doesn't want to keep its promise. I hope they're going to tell us they're going to keep it.

So I'll start the discussion on that. I hope that my colleagues will reassure me, that amendment BQ-5 will be adopted and that Bill C-33 will also be adopted, so that we all come out winners, collectively.

• (2045)

The Chair: Thank you, Mr. Barsalou-Duval.

[English]

Next we have Mr. Muys, followed by Mr. Strahl and Mr. Badawey.

Mr. Muys, the floor is yours.

Mr. Dan Muys (Flamborough—Glanbrook, CPC): Thank you, Mr. Chair.

I think we've heard from the witnesses that it's in the mandate letter of the Minister of Environment and Climate Change to phase out thermal coal by 2030. We're not disputing that. That's already in process.

What we're talking about is an orderly process and an orderly transition that was promised to workers, promised to industry and promised to the stakeholders that were involved in that. They saw the 2030 deadline and prepared on that basis. That's only six years away.

Here we are, debating a bill that is coming out of a port modernization review and a number of other things on the supply chain task force. That's about supply chains. It's about the fluidity of supply chains and improving our supply chains. Maybe it's improving the fact that the port of Vancouver is now the third-worst port in the world.

That's the intent of the bill. We heard the questioning of the witnesses by my colleague Mr. Strahl about what the objectives of the bill were. He recited what the previous minister indicated the objectives of the bill were at the introduction of it.

Now we have, after the fact, a last-minute amendment to the Canada Marine Act that has nothing to do with the objectives of that bill. It's going to accelerate the timeline that's already been planned for and talked about of 2030 for the phase-out of thermal coal.

What's particularly disingenuous is that we had the International Longshore and Warehouse Union here at committee, and this wasn't on the radar. They didn't have the opportunity to comment on this, and their workers are directly impacted. We know it's 350 jobs in Vancouver; we don't know how many in Prince Rupert. I did a quick Google search. There were, in 2020—so we'll assume that's relatively recent—434,021 tonnes of coal shipped out of the Port of Thunder Bay. That's more direct jobs impacted. We don't know the number. We asked that question. Plus, there are all the indirect jobs.

This is having an impact simply by accelerating what is already under way. Instead of an orderly process and an orderly transition, there's an abrupt change, with all of that uncertainty. It laughs in the face of the workers who are directly impacted.

The union that represents those workers was here to present and didn't have the opportunity to even speak to that point, because it didn't exist at that point. All of that is disconcerting, because what it also says is, "Here we are in Canada, with an unpredictable investment climate."

When I worked in the private sector on infrastructure projects, decisions were made multiple years, if not decades, in advance. These were investment decisions, the allocation of resources, staffing decisions and all of those things. By simply inserting an amendment that's going to make an abrupt change that could come into effect as soon as this bill gets royal assent, which could be next year, in 2024.... It's six years ahead of what the timeline was that people were planning on for that predictable investment climate.

I guess it's no wonder that the OECD put out a report that Canada lags the entire industrialized world in private sector investment in our economy for this decade and the next two as a result, because we don't have that predictable regulatory climate. It's no wonder.

We have direct jobs being impacted. We're talking about indirect jobs being impacted. We're talking about our reputation as a destination for investment by companies. Certainly, the questions were also asked about our reliability as a trading partner and what the ramifications are under CUSMA. We don't know. We didn't have an answer to that, because no analysis was done.

Again, we're talking about what would be an orderly and reasonable transition to achieve the phase-out of thermal coal in 2030, rather than an abrupt change. That's what we're talking about here.

● (2050)

I also take exception to the talking down of nuclear. In my province of Ontario, nuclear power is over 60% of the grid on any given day. It's a clean energy source. We have the second-largest nuclear plant in the entire world, in Bruce nuclear in southwestern Ontario. That technology, Canadian nuclear technology, is being exported to other destinations, and it's a source of pride, income and business opportunity for our country. In fact, there are many

companies in the nuclear supply chain located in both my riding and my home community of Hamilton, Ontario, that are servicing Bruce nuclear and beyond—other nuclear plants around the world, so again, I take exception to the talking down of nuclear.

Again, Mr. Chair, to be clear, we're not opposed to the phase-out of thermal coal by 2030. That is what everyone is working towards. That is what Westshore Terminals is working towards. The ILWU workers—the union workers—who work there know that's happening. They're waiting for this potash mine in Saskatchewan to come, and they're planning on that basis, too, so that that can be replaced at Westshore Terminals and those jobs can be transitioned to that as a different commodity.

As well, there are the rail cars. We have 170,000 rail cars—as my colleague Mr. Strahl pointed out—that are currently very specifically and exclusively designed for thermal coal. They need to be transitioned. That's probably billions of dollars in transition. All of that is being planned for on the basis of the end of the decade, so to rush this through in an abrupt change like that is irresponsible, in our view.

Thank you.

The Chair: Thank you very much, Mr. Muys.

Next we'll go to Mr. Strahl.

Mr. Strahl, the floor is yours.

Mr. Mark Strahl: Thank you, Mr. Chair.

I think, to Mr. Barsalou-Duval's comments, no one is disputing that thermal coal is on the way out. He talked a lot about the one mine in Alberta. The majority of this coal is transiting from the U.S. through our ports to China and the Asia-Pacific to be used there. We know that's on the way out. He accused us of being hypocrites on it for some reason. We've been very clear that we support the use of Canadian LNG, liquefied natural gas, to displace coal that's being burned right now at an unsustainable rate in China.

Anyone who has done any work in China.... I went to China with the late Jim Carr. We were there for a natural resources clean energy ministerial. The Chinese government indicated that while it was investing heavily in renewables, at an unprecedented level, it was also going to burn billions of tonnes of coal into the future. I think the number they had was 12 billion tonnes of coal, going out past 2050.

Our position has always been that we should displace that coal with clean-burning liquefied natural gas. That's why we were so disappointed when countries came begging for liquefied natural gas over the last number of years to Canada—countries such as Japan, Germany and others. They said, please, will you sell us liquefied natural gas? The government said, there's no business case for it. You don't actually want that. That was, quite frankly, outrageous. Again, it's another slap in the face to workers in the natural resources sector.

I would be happy to have the Bloc Québécois get on board by promoting clean LNG as an alternative to having China and other countries burn coal. We want liquefied natural gas to be the next fuel that is used to provide baseload power to the world. We have it in abundance. It is something that we absolutely believe we need to promote. I would welcome the Bloc joining us in calling on more LNG to be developed and more LNG shipping to be available to get this product to places around the world that can use it to displace thermal coal, which, as we know, is much dirtier than LNG.

To then rail about how thermal coal is such a dirty fuel and also in the same breath talk about the need to shut down nuclear power... Talk about a misunderstanding of where the world needs to go. We heard President Macron talk about it this week. There is no world in which we can meet our international climate targets, or that the world can address the targets that have been set, without embracing safe nuclear energy.

On the idea that we should be shutting this down.... We saw the catastrophic results of that type of policy in Germany. Germany has now fired back up its coal-fired power plants, because it had shut down some of the best nuclear power plants in the world to virtue signal and to provide political sop to a certain portion of its electoral base. Now they're paying the price for it. They're literally paying through the nose to burn coal, where before they had emission-free nuclear power and some of the best plants in the world.

• (2055)

We can't beat our chests and talk about how we're here to save the environment by accelerating a phase-out of thermal coal and at the same time talk down the power sources that are cleaner burning. I would welcome the Bloc to become a champion for clean-burning Canadian liquefied natural gas and to support the nuclear sector in this country. We've seen investments being made in small nuclear reactors to displace things like diesel-powered gensets in the north. We think nuclear power has to be part of the solution when we talk about improving emissions and meeting our targets.

I also take exception to Mr. Barsalou-Duval's saying that this is nothing major. This is nothing major, he said. It's major to every single family that would be put out of work by this accelerated phase-out. It is a major deal for people who have family-supporting jobs. These are well-paying jobs for people who keep our ports moving and keep our supply chains moving. To just backhand away....

We don't even know the number. We know the number at Westshore Terminals, perhaps. We have a range there. We don't know how many will be affected in Prince Rupert. We don't know how many will be affected in Thunder Bay. To just backhand those away and say that it's nothing major, that they can pay the price so that

the Bloc can pat itself on the back for accelerating an already agreed-to phase-out....

I just have to reiterate that Westshore Terminals and even the Vista mine are not disputing this. They are well aware that there is a limited time frame for this commodity. They are actively working as fast as they can to transition away from it. In the case of Westshore Terminals, we're talking about hundreds of millions of dollars of investments that they won't see a return on for decades. Again, to Mr. Muys's point, these decisions have to be made decades in advance. To simply say that it's a negligible impact on the economy, that it's nothing major, is an insult to every single worker who will find themselves without a job.

That's the problem with this. We did a study at this committee about labour shortages that are affecting our supply chains. When you chase away a worker or tell them that they don't matter and that it's nothing major when they lose their job, they will leave the sector. They have to leave the sector to support their family. Do you think you can just walk away from a six-figure job in Delta or Ladner or Tsawwassen when the price of a home is \$2 million? This is not something that should be taken lightly.

We are not the ones inventing these numbers. These come from ILWU. These come from the terminals themselves, which say that this will be the impact. To say that it's nothing major is an incredible insult to each individual worker—hundreds of workers, from what we're hearing, up and down the B.C. coast, as well as in northern Ontario.

He talked about risks in a legislative environment as though companies that make investments in jobs should just accept the fact that even if the government was telling them two weeks ago.... Even if on December 1 you come to Ottawa, you have meetings, you sit down with Environment Canada and Natural Resources Canada, you can't rely on that. There are risks. "So we told you two weeks ago that it's 2030. Well, maybe today it's 2026."

That's outrageous. It's unbelievable that we would even be talking about that as an acceptable risk to workers and the companies that provide those jobs, negotiating in good faith and planning a transition that's already under way. That's the part of this that, again, I....

• (2100)

The Bloc is the third party in the House. They have no power to pass this amendment without government support. The Bloc can propose this. The government should join us in voting it down and simply relying on its own current process. By voting in favour of this, government members are condemning their own process. They're saying that their own process, which our environment minister is undertaking, has loudly proclaimed and is probably talking about after he flew to COP28, has been undertaken because it's in his mandate.

The Liberal members on this committee, by endorsing this Bloc Québécois amendment, are saying, "We don't think our environment minister is going to get this done. We don't believe in our own process. We don't believe in the honour of our bureaucrats and our ministers when they talk to stakeholders. We don't believe in supply chain reliability. We don't believe in having a predictable regulatory environment. With the snap of our fingers, that amendment looks good. We haven't thought about it. We've done no analysis of it as the government, but we're going to support it anyway because we don't want Mr. Barsalou-Duval to accuse us of hypocrisy."

Well, stand up for the workers and trust your own government. It's quite something to have members of the government on this committee saying, "Well, we can't trust Environment Canada to get this done. We've got to do it through the back door, through the Canada Marine Act." It's ridiculous.

I want to turn to some technical questions that I have, and this might be for the legislative clerk. I'm not sure.

When we proposed our amendment, which I read into the record last meeting, we wanted to bring in a coming into force provision that would ensure that the timeline that had been communicated to workers, companies, stakeholders, the railways, our partners, the contracts and the Americans—all of that timeline that's been part of the negotiations and a part of the transition.... We said that we wanted to bring in our amendment, which, again, is in clause 125, and it says that subsection (1.1) comes into force on January 1, 2031, which gives all of 2030 as part of this transition.

Concerning "by 2030", I guess we can go round and round about what that means. Does it mean by the beginning of 2030, during 2030 or by the end of 2030? I think it's something that we will have to discuss.

We were told to put that in section 125, so I guess I have a question, and then I'll have some more, but I want to start there.

When we wanted to ensure that the timeline would be respected through a coming into force provision, we were told to do it in section 125. How is it that the NDP subamendment was allowed to be moved in section 120?

• (2105)

The Chair: I'll pass it over to the legislative clerk.

The Clerk of the Committee (Mr. Philippe Méla): Thank you, Mr. Chair.

Mr. Strahl, the amendment that was brought forward by the Bloc Québécois is to section 62 of the act, which deals with regulations,

so that's why it is allowed there. Clause 120 of the bill also deals with the regulations.

Your subamendment, which is more of a new amendment than a subamendment, cannot be brought up in section 62 of the act because it would be right in the middle of all the regulatory power, whereas it addresses the coming into force of a particular provision of the act.

Your amendment is drafted as "in clause 125", so you would achieve the same result if your amendment were to be in adopted once we get to clause 125. It would apply to the amendment of the Bloc as far as the coming into force provision is concerned.

Mr. Mark Strahl: If the NDP subamendment to BQ-5 passes, are we still able to move the Conservative amendment calling for a coming into force date, or does that render that duplicative and out of order?

Mr. Philippe Méla: I don't want to get into a legal argument here, because I'm probably not qualified. Maybe somebody across the way is more qualified than I am. However, I don't think the subamendment from the NDP touches on the coming into force of anything. It just explains the timeline, basically, for what things could happen or not.

Mr. Mark Strahl: Okay.

It's less clear to me now than previously what this would then achieve. Again, I think what we heard from ILWU workers is that they want to see the original timeline respected. I'm not sure that the NDP subamendment does that, because it says "may make regulations respecting the prohibition, by December 31, 2029". Again, I would argue that it should be one year after that to respect the 2030 mandate letter and commitment that the Liberals have made to those workers. However, it says that it can be made "by" then. It doesn't say that it cannot be made before then.

To me, this section doesn't prevent the government from moving forward, because "by December 31, 2029" could include December 31, 2025, as far as my reading of this goes.

Can you correct me? Am I misreading that? When they put in "may make...by", that, to me, shows a last date that they could do it. It doesn't prevent them from doing it five years before the current transition plan for 2030 calls for it.

I'm not sure which one of the witnesses or if the legislative clerk can confirm that I'm reading that correctly.

• (2110)

The Chair: Thank you, Mr. Strahl.

I'll turn it over to Ms. Heft.

Ms. Rachel Heft (Manager and Senior Counsel, Transport and Infrastructure Legal Services, Department of Transport): As I understand the proposal, it is the prohibition that would be "by December 31, 2029", so the Governor in Council may make regulations respecting the prohibition by 2029. It is the prohibition that would be set for that date.

The regulations themselves could be made earlier, but the prohibition would be by a certain date. That is specified in the legislation and, therefore, would be the same date as made in the regulations.

Mr. Mark Strahl: However, saying that something must be done by that date makes that a deadline, not a.... It doesn't say "on December 31" or "not before December 31". I read that as saying that it could be any time up to and including December 31, 2029. I'd like to be convinced otherwise, but that's my reading. Saying that I have to submit an assignment by January 1 means that I can submit it anytime between now and then.

I assume that by using that language—"by" that date—allows the government to do it faster, which is our concern about BQ-5 on its own.

I'm not convinced that this actually achieves what Mr. Bachrach and Mr. MacGregor are hoping it does. It doesn't provide that certainty, because it seems to me to be a deadline. It doesn't seem to be preventing it from happening much more quickly than has been anticipated.

We need an answer to that before we can decide how to proceed here. I look for guidance, because it seems to me that this is a deadline, not a "not before" type of situation.

The Chair: I'll turn it back over to Ms. Heft.

Ms. Rachel Heft: As a regulatory authority, it doesn't specify that the government is allowed to select a date but that the date would be "by December 31, 2029". I should say also that the Governor in Council may not select a date. There's no prescribing of a date permitted by the regulatory authority. It specifically uses the language that the prohibition is "by December 31, 2029".

Mr. Mark Strahl: They couldn't do it December 31, 2025, then. Is that right?

I don't understand how this prevents the Governor in Council from making the regulation before December 31, 2029.

• (2115)

Ms. Rachel Heft: If I look at the French version of the language, [Translation]

it says: "Le gouverneur en conseil peut prendre des règlements concernant l'interdiction, par le 31 décembre 2029 [...]."

[English]

This would seem consistent with the English, in that it's selecting a date in the regulatory authority and not suggesting that another date can be selected.

Mr. Mark Strahl: Okay. Perhaps it's legalese versus how one normally thinks about something being done "by" a certain date, which normally would allow for that to be done sooner.

The Chair: I'm sorry, Mr. Strahl. I have a point of order from Mr. Barsalou-Duval.

[Translation]

Mr. Xavier Barsalou-Duval: Thank you, Mr. Chair.

Mr. Strahl is currently discussing the subamendment proposed by the NDP and the witness refers to the translation. For my part, when I read the French translation of this amendment, I'm not convinced that the quality of the translation is sufficient for us to accept the amendment as is.

Could we have some clarification, to make sure that the text really says the same thing in the French and English versions? Personally, I understand the English version better than the French. I have the impression that the latter has not been well written, Mr. Chair.

The Chair: Thank you, Mr. Barsalou-Duval.

I wanted to ask the clerk a question, but she is unfortunately talking with someone.

[English]

I'm going to suspend for two minutes as we look into this, to see whether or not the situation can be rectified. From what I'm gathering, and from what Mr. Barsalou-Duval is pointing out, the translation does not reflect exactly what the English says. There are perhaps two ways of interpreting it.

I'll suspend for two minutes while we look into this.

• (2115)

(Pause)

• (2120)

The Chair: Colleagues, unfortunately, there is an issue with translation, which we hope to rectify by the next meeting. We have the option of asking for UC to withdraw and then re-presenting a subamendment at the next meeting, or we can just do it all at the next meeting.

I would propose that we simply adjourn for today and wait to come back at the next meeting, at which time, Mr. MacGregor—if it is Mr. MacGregor—or Mr. Bachrach will have a chance to ask for unanimous consent to withdraw and then put forward the new subamendment with the new text, which would be revised and allow us to move forward.

Do I have agreement from all members?

Some hon. members: Agreed.

The Chair: This meeting stands adjourned.

I will see you all on Monday.

[Translation]

I'd like to thank all of you.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>