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**SUMA Position Statement**

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While Bill C-69 has laudable environmental and consultative goals, Saskatchewan hometowns have significant concerns about how the bill will affect their ability to undertake infrastructure projects around local waterways, and the effects that it may have on our industrial sector getting product to market—an important part of maintaining jobs and vibrant communities in our province.

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**Key Messages**

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- SUMA supports the environmental and consultative aims of Bill C-69.
- Amendments must be made to ensure that federal approval requirements are not unnecessarily burdensome for municipalities building or restoring infrastructure around water bodies.
- Either the minor works category should be expanded to include more common municipal projects, such as bridges, or less burdensome requirements should be imposed for projects on unscheduled bodies of water that do not meet “major project” criteria.
- Municipalities are essential stakeholders for many industrial projects, and consultation with them should be explicitly required in Section 22(1) of the proposed Impact Assessment Act.
- Getting industrial products to market is important for the health and resiliency of our communities. The approval process should be amended to ensure that delays at the ministerial level and political interference are minimized.

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**Status**

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The Senate Committee on Energy, The Environment and Natural Resources is currently undertaking additional stakeholder consultations and developing recommendations for bill revisions.

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**Background**

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Bill C-69 makes substantial changes to three acts: the *Navigation Protection Act*, which would be amended and renamed the Canadian Navigable Waters Act; the *Canadian Environmental Assessment Act, 2012* is replaced with the Impact Assessment Act; and the *National Energy Board Act* is repealed and the Canadian Energy Regulator Act is established in its place.

The intention of the proposed changes is to establish a trustworthy regulatory system that balances a safeguarding of the environment and a need for robust stakeholder consultation, with the need for efficient decision making and competitive industries. Many of these goals line up with SUMA’s own policies and advocacy efforts; in 2017, SUMA members passed [a resolution opposing a carbon tax, but also resolving to make our municipalities leaders in carbon reduction](#), emphasizing their commitment to be good environmental stewards. SUMA also supports expanded consultation and cooperation with First Nations and Métis, as noted in the [Truth and Reconciliation Policy Position](#) adopted by our Board in 2017.

Despite the laudable intent of the bill, there are a number of areas of concern for SUMA. Changes to the *Navigation Protection Act* are the most pressing concern for Saskatchewan hometowns. Under the current *Act*, minor works (which only includes a small variety of municipal projects, such as boat ramps, erosion protection, and water intakes) are exempt from federal approval, as are larger projects on unscheduled water bodies. Under the proposed regime, minor works would continue to be exempt, and

a new category of “major projects”—those that will substantially interfere with navigation—on *any* body of water would be subject to federal approval. Those projects that are not categorized as minor works, but will not substantially interfere with navigation, may either apply for federal approval, or post to a public registry and await any complaints; should a complaint be received, there is an additional mediation process that must be followed.

SUMA is concerned that the proposed changes will unnecessarily complicate and delay the process for municipalities seeking to undertake common works, such as the building and restoration of bridges, particularly in situations where all navigation is leisure-related, and few effects are anticipated. In the absence of a strong definition of “major work” and confusion around the public notification and complaint process for other works, it is likely that municipalities will expend significant energies putting these “medium projects” through the major project process. It would be preferable to see either municipal work on unscheduled bodies of water remain exempt from the federal approval process entirely, or to see the minor work category expanded to include some of the common infrastructure projects that municipalities must undertake.

The proposed Impact Assessment Act prescribes a great deal of additional consultation to be undertaken, and various stages at which the minister responsible may review a project and either veto it completely without sending it for further study, if they deem it to be “in the public interest,” or put it on hold indefinitely while coming to a decision. SUMA is concerned that the additional consultation required does not expressly include municipalities. We would prefer to see Section 22(1) amended to include “comments from a municipal government impacted by the designated project” as one of the factors that must be considered by the Impact Assessment Agency in reaching their decision. Because the viability and vibrancy of our hometowns often depends on the ability for industrial producers to get their product to market, SUMA is also concerned about how the minister’s ability to veto or delay a project may introduce political considerations into project approval. We would like to see timelines put in place to avoid unnecessary delays at the ministerial level, and either the removal of the minister’s veto ability, or a more detailed trigger put in place than the minister’s opinion on the public interest of a project.

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**Strategic Context**

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SUMA’s primary organizational role is to advocate with other levels of government and ensure that the voices of Saskatchewan’s hometowns are heard when policy and legislative decisions are being made. SUMA members will very likely see delays to their projects and expend additional staff time to fulfill the processes required for projects under Bill C-69.

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**Contacts**

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