

18 October 1974

MEMORANDUM

To: NEC  
From: Joe Castrilli  
Re: Draft Bill on Environmental Impact Assessment and contingency plans for review of forthcoming government bill

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Enclosed please find a copy of our draft bill to the Ontario government on environmental impact assessment procedures. The draft, with covering letter, was made available to William Newman, Minister of the Environment, and Premier Davis, on October 8, 1974. Needless to say, they have not reciprocated by letting us see a copy of their proposed legislation.

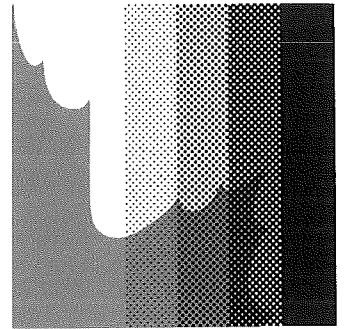
We could have continued to tinker with wording, etc. indefinitely, but we decided that if we were to give the government an opportunity to weigh a different view in the balance scale, we should in fairness give them some time to review (i.e. dissect) what we had submitted. Whether the government is prepared to change its bill, before introducing it in the legislature, on the basis of our submission, is of course the \$64,000 question, and we may never know the answer. Nevertheless, we felt that the responsible thing to do was to make the draft available as soon as it was in good enough shape to have some possible salutary influence.

In view of the fact that we are not members in good standing of the Ontario Guild of Legislative Draftsmen, we expect that you may possibly have further comments or criticisms of a product which we freely admit - even to Bill Newman - is not necessarily our final word, or wording, on this matter. If you have further comments, pass 'em on. We have already indicated to the government that we will, if necessary, file addenda and/or errata.

As a clarifying guide to what we have done, and why, in certain sections of the bill, we felt it necessary to include a commentary and footnotes. Admittedly the commentary is, in parts, better reading than the bill. (See, for example, s.5(1) and comments thereon.) We have tried to mesh the sections of the bill with the commentary in such a way as to avoid as much maximum feasible misunderstanding as possible. We did not deem it necessary to comment on all sections of the bill, some being self-explanatory. If you disagree with our judgements as to which sections need comment, please tell us.

We want to alert NEC now to the fact that we will probably need their help in reviewing the government bill, when it is released, so as to get a public reaction to it reasonably quickly. We hope that, as with the initial release of the E.P.A. in 1971, enough NEC members will be prepared to brainstorm with us to rapidly analyze the government bill for substantive and procedural shortcomings, if any. (Sic.) We hope that familiarity with the CELA draft will facilitate your understanding of the government's bill when it comes out.

Once again, your remarks and criticisms are most welcome.



Canadian Environmental Law Association

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