

24 April, 1975

T. Richard Tarn, President
Conservation Council of New Brunswick
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Dear Mr. Tarn

My apologies for not answering your letter of March 10th, earlier than now. As John Low is no longer on the CELA staff, something of a hiatus developed in answering mail originally addressed to him. Be that as it may, I hope the enclosed copy of our brief on environmental assessment to the Ontario government comes at a time when you may still be able to make use of it.

You should know that we have completed a model bill on environmental assessment and public participation which we first presented to the Ontario government in October, 1974. We have updated our bill through April 1975 and it will be published as part of a larger study on environmental law reform in Canada, hopefully before the end of the summer. If you are interested in our model bill, perhaps a swap could be arranged for other publications put out by your Council.

We've read recent press accounts of the Point Lepreau nuclear proposal for New Brunswick and the somewhat eleventh hour hearings that are being, or have been held on the project by Reid Logie, chairman of the Environment Canada assessment Panel. Dr. Logie was recently in Toronto for an address before the Air Pollution Control Association, and he reiterated the views expressed in the Ottawa Citizen article I am enclosing for your information.

On its surface it would seem that the discrepancy between Jeanne Sauve's remarks that "the panel was to look at each project in the early planning stage" and Richard Hatfield's remarks that "the Point Lepreau project is well past the early planning stages" put Dr. Logie's efforts in an untenable position. If the federal government was serious about the process working Dr. Logie's hearings would have been held before the Atomic Energy Control Board's site approval and \$50 million commitment to a go decision. Then if Mr. Hatfield was intent on his particular views Environment Canada could recommend with-holding all federal monies until such time as the legitimate concerns raised at a Panel hearing were resolved and all information of relevance in the public domain.

Of course, we all know where Environment stands in the Cabinet pecking order. Still, unless Dr. Logie's decision to hold a hearing/^{was} to demonstrate the futility of holding a hearing under such circumstances to the public, he should have refused to hold a hearing at all, and the Department of Environment make public its reasons for doing so.

We would be interested in obtaining other information on the Point Lepreau project. For example, is it true as indicated in the Citizen article, that a preliminary assessment was to be used at the Panel hearing as a basis, all by itself, for determining whether there would be gross environmental damage?

What sorts of alternatives, if any, were the proponents (I presume N.B. Electric Power Commission) making available to the hearing.? Sites only? Energy conservation or alternative energy sources? Nothing?

Any further information or news clippings you could make available to our organization on this project, would be appreciated.

Yours very truly,
CANADIAN ENVIRONMENTAL LAW ASSOCIATION

J.F. Castrilli

P.S. As you may be aware the Ontario government recently tabled Bill 14, The Environmental Assessment Act, 1975. It ignored all the major recommendations we made, and that were supported by numerous groups around the province (see enclosed brochure.) I'm enclosing a copy of an article we wrote at a time when it looked like the government bill was never going to be forthcoming. Perhaps it may be of assistance to you as well. Judging from the government's bill rational discourse on rights to environmental protection is far from sufficient.

Hope to hear from you.