

**Response to the May 8 Discussion papers:
“Getting Major Projects Built in Canada” and “Strengthening One
Canadian Economy through trade and transportation”**

*Submitted by Elizabeth May, O.C., Member of Parliament, Saanich-Gulf Islands,
Leader of the Green Party of Canada*

On May 8, 2026, two discussion papers were released by the federal government.

On May 12, I wrote the two lead ministers, the Hon Steven MacKinnon and the Hon. Dominic LeBlanc pointing out the discussion papers had sweeping proposals with vague terminology and obscure, or no, criteria. I requested, on an urgent basis, a full briefing for all Members of Parliament. I never received an acknowledgement of that letter, no response and no briefing.

The letter is included here:

*The Honourable Steven MacKinnon
The Honourable Dominic LeBlanc*

May 12, 2026

Re: URGENT request for full briefing on papers released May 8, 2026

Dear Ministers,

I am writing to request in-depth briefings, available to all Members of Parliament, to better understand the proposals in the two discussion documents released Friday, May 8, 2026.

- *Get Major Projects Built in Canada*
- *Strengthen One Canadian Economy through Trade and Transportation*

In reading these documents, many questions come to mind. The language used is sometimes very specific and sometimes quite vague and without qualifiers, as in "some projects" or "certain projects." Some of what is being proposed may make sense, but a number of key questions, some constitutional, require more detail before one can even prepare a response to the consultation. For example, what is a federal regional economic zone as it pertains to provincial resources?

As Parliament is not in session until May 25, and the deadline for submissions is June 7, I respectfully request briefings for Members of Parliament with adequate access to officials to be able to obtain detailed answers to our questions. Such briefings should be open sessions allowing accredited news media the ability to report on what we learn, assisting Canadians to submit their own comments. Rights holders from First Nations, Métis and Inuit peoples will, I hope, already have detailed sessions available for their questions to be answered, as is their right. I request parliamentary briefings, one on each paper, take place in the week of May 25.

Perhaps you are already planning briefings, but the breadth and scope of the sweeping changes under consideration require fuller background and details of what is being proposed. Otherwise, the consultations are merely pro forma exercises.

Many thanks for your consideration of this request.

Sincerely,



*Elizabeth May, O.C.
Member of Parliament for Saanich-Gulf Islands
Leader of the Green Party of Canada*

C.C:

*The Right Honourable Mark Carney, Prime Minister of Canada
The Honourable Rebecca Alty, Minister for Crown-Indigenous Relations and Northern Affairs
The Honourable Pierre Poilievre, Leader of the Official Opposition
Yves Francois Blanchet, Leader of the Bloc Québécois
Don Davies, Parliamentary Leader of the NDP
Alexandre Boulerice, MP
The Honourable Steven Guilbeault, MP*

Wisely, the government delayed the deadline for responses to the discussion documents from June 7 to July 22. Nevertheless, no details were provided and the threat of moving rapidly to legislate the changes put forward on May 8th remains a significant threat to the environment, climate action, endangered species and Indigenous rights.

The areas of vagueness and questionable constitutionality remain a concern. It is largely due to the vague, over-lapping and incoherent presentation of these two papers that responding to them as two separate documents is challenging. Hence, this one response is to be understood as a response to both,

These are questions that should have been answered in the discussion paper itself:

1. What is an “Economic zone?” How are federal/provincial areas of authority, s 91 and s 92 constitutional boundaries to exist in a unified “economic zone?”
2. How is s.35 of the Constitution respected with so-called “streamlining” of Indigenous consultation?

The "move fast and break things" logic outlined by this discussion paper is deeply concerning. I am appalled by the rollback of the precautionary principle. It is the responsibility of the federal government to assess its own decisions, especially in the case of big projects.

In the book, *How Big Things Get Done: The Surprising Factors That Determine the Fate of Every Project*, from Home Renovations to Space Exploration and Everything In Between, authors Bent

Flyvbjerg and Dan Gardner describe core principles to the success of a project. This discussion paper's myopic focus on "build fast" goes exactly against the advice of their extensive research.

Their principles for success include:

- **Plan Slow, Act Fast:** Rushing to the construction phase is a recipe for disaster. Working out flaws during the planning stage is cheaper and faster overall.
- **Understand the Unknown Unknowns:** Prepare for unexpected challenges by actively mitigating risks rather than blindly hoping everything goes perfectly.
- **Know Your Biggest Risk Is You:** Over-optimism, cognitive biases, and poor psychological forecasting are the leading causes of project failure.

Flyvbjerg and Gardner also caution that failures for large complex projects are rarely normally distributed, but more often fall in the "fat tail" off the right of "normal". This means that when projects fail, they fail spectacularly: e.g., 200-300% over budget, years longer than anticipated. The stakes are high, and we should treat every project with a keen understanding of this reality.

This proposed strategy would give Prime Minister-appointed (not elected) representatives, such as Ministers, unprecedented power to exempt projects from legislation such as the Impact Assessment Act. Under the guise of 'national interest' - and its nebulous definition - the Governor-in-Council will be allowed to create Federal Economy Zones to "pre-approve" projects. These actions run completely contrary to our commitment to environmental protection and Indigenous consultation as enshrined in law. This cutting of red tape constitutes a serious slippery slope. As we have seen with Bill C-5, what gets sacrificed in this rush to fast track major projects are things we cannot afford to sacrifice: Indigenous rights, protections for endangered species, nature and human health and wellbeing.

At this critical juncture, Canada cannot afford to go down the same path as the US. The Trump administration's gutting of environmental and health regulations to clear the path for large projects should be a cautionary tale. Moving fast and breaking things is a recipe for disaster, not a road map to economic prosperity.

SUMMARY

The Green Part of Canada's (GPC) view is that legislation to implement the Discussion Paper will seriously jeopardize achievement of the 2030 Nature Strategy and \$3.8 billion Force of Nature Action Plan. Defining Canada's environmental responsibilities as mere 'red tape' is dangerously short-sighted. Further, setting aside Canada's international and domestic legal responsibilities to nature would be a dangerous misstep prejudicing Canada's reputation and competitiveness, inviting actions by other countries contrary to Canada's national interests.

Nature is an economic ally not an obstacle. Nature is not an impediment to economic development but rather an indispensable support. Impact assessment is the 'credit check' before the loan is approved, combining due diligence and fiduciary responsibility, and the only way to ensure enduring prosperity of major projects.

INTRODUCTION

The Discussion Papers provide a weak sketch for the proposed legislation, which could threaten Canada's most vulnerable ecosystems. The proposals in the Discussion Paper appear to be founded on the unsubstantiated assumption that all major projects proposed by the extraction industries or governments are in the public interest prior to any public review of their economic, social or environmental impacts. The reality is that many major projects are abandoned or rejected not because of burdensome regulation, but because they are determined following public review to be uneconomic, unsustainable or not in the public interest.

GPC demands transparent answers to the following critical and unanswered questions before any legislation is introduced into Parliament:

- What is the evidence to support the assumption that current environmental assessment processes are hindering major projects, and why is this being prioritized over strengthening due diligence?
- What happens when a necessary federal review takes longer than the proposed one-year timeline, and how will the integrity of the process be maintained without undue political interference?
- How will "Special Economic Zones" be determined and regulated to ensure they do not become zones of environmental lawlessness?
- What specific mechanisms will protect long-term Canadian environmental and economic interests from foreign-backed applicants whose sole interest is extraction?
- How will critical terms like "national interest," "environmental standards," and "public interest" be clearly and legally defined, and what qualifications will Ministers be required to have when exercising these discretionary powers?
- How will the Cabinet and Ministers be held accountable for decisions that place species at risk in harm's way, and what recourse will the public have?
- The following sections of this submission address in more detail issues raised by the above questions:
 - One-Year Review: More Haste less Speed
 - Zones of Environmental Lawlessness
 - Extinguishing Species at Risk
 - Getting Major Projects Done Right

ONE-YEAR REVIEW: MORE HASTE LESS SPEED

The Discussion Paper proposes "Federal review and decision-making in no more than one year" through "legislative changes to ensure that federal impact assessments and permits reviews happen at the same time instead of one after the other." "Proponents will have one year to submit their finalized studies and information."

In essence, this proposal would set out in law the federal commitment to a two-year decision-making process for major projects referred to in the 2025 Speech from the Throne. However, the proposal to be legislated would apply to all federal projects not just major projects.

GPC point out that ‘One Project, One Review’ has been the norm for decades, long before the Harper administration repealed the Mulroney era Canadian Environmental Assessment Act (CEAA), in omnibus budget bill, C-38 in spring 2012. The lie that projects have been subjected to redundant studies can be easily rebutted. Under the former CEAA the norm was “joint panel reviews” engaging both the federal government and the province most engaged in the project. In the case of the Kinder Morgan pipeline, the BC government (under former premier Christy Clark) offered its cooperation by not ever performing an assessment. Only the federal government conducted one.

GPC does not accept that the Discussion Paper’s fast-tracking proposals will result in more efficient timely decisions supporting sustainable projects in the public interest. Quite the reverse.

GPC asserts that nature must be at the centre of federal decision making—not an afterthought-- and include mandatory impact assessment for major projects with environmental effects in federal authority. Canadians agree. A recent Ekos poll finds that 74% of Canadians support the proposition that large projects that could harm natural ecosystems should undergo federal environmental assessment. Most Canadians (65%) also agree that provinces with lower environmental standards should have to adhere to a national standard for environmental assessments.

Historically, impact assessments have resulted in better, more sustainable, mines, pipelines, dams and marine terminals with greater support in Indigenous and local communities and civil society. In a few cases, assessments have led proponents to abandon projects that were not sustainable, were uneconomic or which faced deep public opposition.

Failure to properly assess projects too often creates high risks of disasters such as the abandoned Giant Mine, whose arsenic-laced tailings must be managed (i.e., kept frozen) at taxpayer expense in perpetuity if poisoning of Great Slave Lake and the Mackenzie River is to be avoided. Failure to conduct rigorous cumulative impact assessments of the numerous oil sands developments in northern Alberta has resulted in releases of toxic substances into the Athabasca River; a failure of any one of the many oil sands tailings dams could result in ecological catastrophe.

GPC has two principal concerns with mandating One-Year Review in law. The first is that a One-Year Review requirement will not work for larger, complicated projects, especially those located in multiple provinces or that seek support of multiple Indigenous nations. As well, pressurizing reviews to meet a one-year timeline for larger projects seems a recipe for poor decision making.

The second concern relates to project and impact assessment information, typically prepared by proponents. The Discussion Paper suggests, without stating directly, that environmental impact statements would not be required. The Discussion Paper is also not clear as to whether the one-year period afforded to proponents to submit their finalized studies and information begins at the time of the Notice of Commencement or at a later time. If the former, it is not clear when the one-year period for federal review and decision-making would commence. In either case XYZ submits that entrenching in law a provision likely to be breached frequently makes little sense from a policy perspective.

Recommendation: GPC recommends that the Discussion Paper’s One Year Review proposals be subject to meaningful public consultation in advance of tabling of legislation in Parliament.

ZONES OF ENVIRONMENTAL LAWLESSNESS

The Discussion Paper proposes “legislation to create Federal Economic Zones” which “would cover areas like transportation corridors, telecommunications networks, energy production and transmission and industrial regions.” The federal Cabinet would have authority to “decide that certain developments within specific zones would be pre-approved . . .” This proposal mimics the Special Economic Zones proposed under Ontario’s Bill 5 Special Economic Zones Act that authorizes allows the provincial Cabinet to relax or suspend certain provincial and municipal regulations for undefined “trusted proponents” of major projects.

As proposed, these zones of environmental lawlessness could be decreed by federal fiat virtually anywhere in Canada given the breadth and variety of areas to be covered by the Discussion Paper.

The title of this section suggests that these economic zones would be enabled “through regional impact assessments” but this role of regional impact assessments is not mentioned anywhere else in the Discussion Papers. This is a crucial ambiguity given that regional and strategic impact assessments legislated under the Impact Assessment Act have not played nor are designed to play any such role.

While the Discussion Papers and frequent press releases attempt to create the impression that this government respects Indigenous rights, the government’s actions suggest this is not the case. The discussion papers’ specific proposals appear to have been developed in a settler culture bubble.

Recommendation: GPC urges the Government of Canada to withdraw this proposal from any proposed legislation.

EXTINGUISHING SPECIES AT RISK

The Discussion Paper proposes to give the federal Cabinet “limited power, with a high threshold to be met, to exempt specific projects from the application of the jeopardy test for species at risk, but only if it’s in the public interest and if the proponent has made all reasonable efforts to avoid or reduce impacts on at-risk species.” This proposal would require an amendment to the federal Species at Risk Act and may have been initiated to allow increased oil/dilbit tanker traffic through the Salish Sea, habitat for critically endangered Southern Resident Killer Whales.

Extinction of this population of killer whales would not necessarily be the only outcome of such an amendment. Other major projects referred to the Major Projects Office could lead to the extirpation of other killer whale populations (LNG, dilbit and oil tanker projects) and extirpation or extinction of other species at risk populations such as Caribou (Mackenzie Valley Highway, Gray’s Bay Road and Port, Arctic Economic and Security Corridor) and Beluga and Polar Bear (Port of Churchill Plus).

Recommendation: GPC urges the Government of Canada to withdraw this proposal from any proposed legislation.

GETTING MAJOR PROJECTS DONE RIGHT

The Federal Major Projects initiative (including the Building Canada Act and the Spring 2026 Economic Statement’s commitment of \$280 billion in federal funding over five years) is inconsistent with recent critical research by Bent Flyvbjerg and Dan Gardner. Their 2023 book *How Big Things*

Get Done: The Surprising Factors That Determine the Fate of Every Project, from Home Renovations to Space Exploration and Everything In Between describes why many major projects fail to meet budget or schedule or are never finished and strategies for successful projects. According to Flyvbjerg and Gardner, principles for successful projects include:

- Plan Slow, Act Fast: Rushing to the construction phase is a recipe for disaster. Working out flaws during the planning stage is cheaper and faster overall;
- Understand the Unknown Unknowns: Prepare for unexpected challenges by actively mitigating risks rather than blindly hoping everything goes perfectly; and
- Know Your Biggest Risk Is You: Over-optimism, cognitive biases, and poor psychological forecasting are the leading causes of project failure.

GPC submits that the federal government is failing to heed these principles in its legislative process as well as in identifying the 16 major projects and 5 transformative strategies referred to the Major Projects Office. The draconian and rushed Building Canada Act is a leading example of this failure given that no major project has been designated under the law since it was enacted in June 2025. In hindsight, what was the rush?

Prime Minister Carney's announcement that construction of the 800km Mackenzie Valley Highway would commence in the summer 2026 without an impact assessment is another example of failure to abide by these principles. Exxon Mobil's 2016 abandonment of the Mackenzie Gas Project (also proposed for the Mackenzie Valley) saved the corporation billions of dollars otherwise expended on an asset virtually certain to be stranded. The impact assessment itself led Exxon Mobil to finally understand the insuperable challenge of burying a 1800 km, high-pressure gas pipeline through a permafrost landscape subject to rapid climate change. Early construction would have guaranteed project failure and financial catastrophe for Exxon Mobil (and likely Canadian taxpayers).

The Mackenzie Valley Highway, if constructed without assessment, would also likely be a white elephant. Other federal major projects may also be destined for abandonment or to be white elephants at great cost to proponents and taxpayers in the absence of careful public review.

CONCLUSION

We strongly recommend that the new Liberal government conduct unbiased and transparent cost-benefit analysis of any and all proposed projects. It must not be assumed that large and environmentally damaging projects are economically viable.

If there is no demonstrable business case, the project should be aborted.

Only projects with a business case should be taken forward with

1. Full consultation with Indigenous peoples.
2. Advance review for climate impacts, threats of species extinction, reduced ecological functions, and a full review of viable alternatives, with potentially improved economic results as well as enhanced environmental protection and biodiversity conservation.
3. No federal public funds should flow to projects that reduce Canada's chances of meeting international obligations to reduce GHG emissions and Kunming-Montreal targets.