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PIPELINE CONSTRUCTION THROUGH OKA PARK Environmentalists Appeal Quebec Superior Court Decision

Montreal, May 10th, 2005. The Canadian Parks and Wilderness Society (CPAWS), the Citizens' Committee of Deux-Montagnes (CC2M) and several individual park users have decided to contest a Quebec Superior Court judge's recent ruling in favour of the construction of a new pipeline through Quebec's Oka Park.

The provincial Parks Act defines Quebec's parks as areas whose primary purpose is to ensure the conservation and permanent protection of natural sites. To that end, the laying of pipeline is one of several industrial activities that it explicitly prohibits within park limits. On that basis the groups were able to obtain a provisional injunction stopping construction work in December. In March, however, Judge Marie-France Courville ruled that the Act's ban on the laying of pipelines was open to broad interpretation and, in her opinion, did not clearly disallow the project in question. In so ruling, she refused their request for a permanent injunction.

Having studied the decision, CPAWS and the CC2M consider it to be based on several faulty arguments and anticipate significant negative consequences for Quebec's park network if it is allowed to stand. "The effect of the judge's ruling goes beyond simply permitting the flow of over twenty thousand barrels a day of oil through Oka Park," says John O'Driscoll, president of CPAWS-Montreal. "This verdict represents a dangerous precedent that opens the door to the construction of both pipelines and high tension power lines through other provincial parks in Quebec as well."

Already, less than one percent of Quebec's land-base had legal protection from this type of project. Since most of that percentage was within the province's park system, CPAWS and the CC2M consider that the judge's interpretation of the Parks Act could leave Quebec with virtually no natural areas safe from such industrial-scale infrastructure. They have therefore authorised their lawyer, former Quebec Justice Minister Paul Begin, to proceed with an appeal of the decision.

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