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ENVIRONMENT POLICY BRIEFING

MINISTER Q&A



It's the environment: Environment Minister Peter Kent, pictured top right with Fisheries Minister Keith Ashfield, left, and Natural Resources Minister Joe Oliver, centre, and above with Conservative Senator David Angus and Mr. Oliver when the three Cabinet ministers testified before the Senate Energy, Environment, and Natural Resources Committee in May on Parliament Hill.

Carbon pricing 'off the table,' says Kent

Environment Minister Peter Kent tells *The Hill Times* that Canada's 2020 GHG emissions target is 'still ambitious,' plans to announce new sector-based regulations on coal-fired electricity in coming weeks.

By CHRIS PLEKASH

Since taking over the environment file in January, 2011, Environment Minister Peter Kent has had to relentlessly defend the Conservative federal government's response to climate change and sell the Canadian public on the sweeping changes to environmental legislation included in the 2012 budget bill.

Mr. Kent (Thornhill, Ont.) took over as Environment Minister from current Foreign Affairs Minister John Baird (Ottawa West-Nepean, Ont.), one year after the United Nations Framework Convention on Climate Change meeting in Copenhagen in December, 2009. Under the resultant non-binding Copenhagen Accord, Canada joined the United States in pledging to reduce carbon emissions by 17 per cent below

2005 levels by 2020—a target that Mr. Kent describes as “still ambitious,” but insists that the federal, provincial, and territorial governments are well on their way to achieving the target. A recently-published report by the National Round Table on the Environment and the Economy found that FPT initiatives to tackle climate change put Canada on pace to achieve half of the Copenhagen target by 2020.

The target is the latest in a long line of emissions reductions pledges by successive Canadian governments since the late 1980s, and marked a significant step back from the pledge of the Liberal government of Jean Chrétien to reduce emissions to six per cent below 1990 levels by 2012 as part of the 1998 Kyoto Protocol.

Mr. Kent announced Canada's withdrawal from the Kyoto Protocol following last December's

United Nations Climate Change Conference in Durban, South Africa, making Canada the first signatory to exit the program.

The federal government finalized its withdrawal from Kyoto when it repealed the Kyoto Protocol Implementation Act as part of the recently passed Bill C-38, the government's first budget implementation bill for

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ENVIRONMENT POLICY BRIEFING

MINISTER Q&A

Kent says feds 'confident' they can handle 'with appropriate level of assessment' on \$500-billion worth of investments in 500 mining and energy projects over 10 years

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2012. The omnibus budget bill included significant changes to federal environmental legislation, including the implementation of a new Canadian Environmental Assessment Act that will expedite environmental reviews of major resource and energy projects that fall within federal jurisdiction.

In this week's Environmental Policy Briefing, Mr. Kent defends the Canadian government's approach to international climate change negotiations, its sector-by-sector approach to greenhouse gas reductions, and the significant changes to environmental reviews under Bill C-38. Mr. Kent spoke with *The Hill Times* last week before traveling to New Orleans to meet with environmental officials from Mexico and the U.S. as part of the Commission for Environmental Cooperation.

The federal government is anticipating \$500-billion in investment in natural resource and energy projects over the next decade. A lot of these projects are already in some stage of environmental review. How will their review be affected by a new Canadian Environmental Assessment Act?

"The assessments that were already underway prior to CEAA 2012 will continue. Those that are yet to be presented as project proposals will be dealt with under the new regulations. There are a lot of project proposals that we expect to come down the road in the next 10 years, but we're confident that we've got the capacity to handle them with the appropriate level of assessment."

Would a timeline be imposed retroactively on the joint panel review of the Northern Gateway Pipeline project?

"We're confident that the new timelines as they're laid out in CEAA 2012 can be applied quite easily to Northern Gateway and to a pretty broad range of other major projects that were already undergoing assessment. Specific details will be published in the *Canada Gazette* on July 18. Projects that began prior to 2010 are going to be covered in a slightly different way than those afterwards, but for Northern Gateway, for example, we believe the assessment will continue and be completed quite easily within the new timelines."

Environmental groups have accused the Canadian government of obstructing progress at international climate change

conferences like Copenhagen, Durban and Rio. You've led the delegations for the latter two conferences. How do you respond to that criticism?

"Well they're wrong. Those are voices, they do make allegations, but the allegations they make are simply not true. At Rio+20, for example, Canada was there in good faith. We negotiated in good faith along with other major developed and developing countries, and we did ensure that some sweeping proposals for new binding international regulations were cut off at the pass, simply because they were not well considered, and Canada was certainly not alone. We were in good company in ensuring that the outcome document was a responsible piece of material."

What are some of the specific proposals at the conference that you feel were irresponsible?

"The same sorts of proposals we've seen over the years, not unlike the fuel quality directive in the EU which selectively and unfairly singled out oil sands products. We pushed back successfully on that earlier this year. At Rio+20 there was an attempt to create a treaty which would have essentially intruded on the sovereignty of Canada in terms of its offshore resource development. We pushed back on that."

"Essentially, at these large conferences you have 192 countries coming to a conference like Rio+20 and it's a lot like the United Nations. There are a lot of inappropriate attempts at policy making, and responsible countries like Canada and like-minded countries ensure that we stay on track and don't give in to these sorts of attempts."

Since taking over the environment file in 2011 you've championed the federal government's sector-by-sector approach to reducing greenhouse gas emissions in Canada. Recently you joined Minister of State for Transport Steven Fletcher (Charleswood-St. James-Assiniboia, Man.) in announcing new fuel efficiency standards for the aviation industry. What sectors are next?

"We've completed transportation, which was the largest single source of emissions in Canada. I'll be releasing new regulations for the coal-fired electricity sector in the next couple of weeks, and we've been consulting with the oil and gas industry for the better part of the last year, and will be looking to come up with some draft regs in 2013. We'll turn next to other large

emitters like cement and steel, as well as residential and commercial buildings, which account for a significant portion of GHGs as well.

"Besides our commitment to Copenhagen to reduce GHGs, we're a founding member of the Short-lived Climate Forcer Initiative along with the United States, Mexico, Sweden, Ghana and Bangladesh. This is beyond the UN framework, and addresses short-lived pollutants – which contribute 30 per cent of the annual warming trend. It involves capturing methane, and reducing black carbon emissions and fluorocarbons. We're working with our partner countries to look at ways of reducing these significantly."

The outgoing president of the National Roundtable on the Environment and the Economy, David McLaughlin, recently pointed out that the sector-by-sector approach is still carbon pricing. He referred to it as "shadow pricing." Meeting regulations imposes costs on the emitter and the government. Is it time for the federal government to look at carbon pricing, such as cap and trade, or is that off the table?

"Not at all. That's off the table. It's been off the table for some time. We believe that the regulatory approach does place the onus of reduction on the emitter. Yes, there are some costs, but it also reduces absolutely the GHG megatonnage that's being emitted. The various forms of carbon pricing do not guarantee a reduction in absolute GHG emissions... [It's] just the price of doing business for emitters, it's going to do nothing to reduce the GHG megatonnage. We believe sector-by-sector regulations will reduce actual GHG emissions."

"A year ago, when I was first appointed to the Ministry, I was able to report that we were a quarter of the way to achieving our 2020 Copenhagen targets, and I'm going to have some much better news in a couple of weeks when we finish crunching the numbers on our latest GHG inventory numbers to show just how much farther we have progressed towards 2020."

"The 17 per cent reduction is still an ambitious target, but we're well on the way to achieving that target with our federal regulations and actions taken by the provinces and territories, and by better practices by ordinary Canadians in home heating and insulation, and by industry generally in terms of innovation and new technology applications. Everyone has a part

to play in terms of hitting our 2020 targets, but our federal regulations are taking us a good part of the way, as well."

Scientists are protesting "the death of science" today in Ottawa. They say the government is cutting scientific research to silence evidence-based policy recommendations. How do you respond to that?

"It's simply not true. [Science] Minister [of State Gary] Good-year is the one to respond more appropriately on our investments into scientific research. Across all departments of government, we are heavily invested."

"In my department for example, Budget 2012 has increased our commitment to research across our national meteorological service, we have new money in CEAA, we have announced continuing investments and new investments in climate regulation, as well as mitigation and adaptation, particularly in the far North, so that's simply not true."

"There are some policy disagreements by some in the scientific community, but the reality is we are highly committed and heavily invested in research. The suggestion that we are not is not well founded."

You've said that environmental regulation is being strengthened by the changes in Bill C-38. Recently a letter authored by Fisheries Minister Keith Ashfield (Fredericton, N.B.) was released saying that the Fisheries Act offered "few tools to authorize pollution," and that the new amendments would "provide flexibility and establish new tools to authorize deposits of deleterious substances." The Fisheries Act isn't your responsibility, but, on one hand, you're saying the bill will strengthen environmental protection, but the minister's comments say otherwise. How can you have both?

"I can't speak to Minister Ashfield's letter, or to his departmental responsibilities, but I can reiterate that Bill C-38 basically updates, and does strengthen, the provisions for environmental assessments of those proposed projects which our scientists and officials believe represent the greatest possibility of significant negative impact on the environment."

"The new regulations will be as rigorous as assessments have been in the past, but we also believe that they can be much more timely, that the undue

delays that we've experienced in the past can be eliminated without compromising in any sense the strength and quality of the environmental assessment. There always has been provision under environmental assessment to recognize that some negative environmental impacts can occur if they can be appropriately mitigated. The whole issue on environmental sustainability isn't built only on the impact on the environment. It's also built on economic and societal considerations."

"This new legislation does look at what negative environmental impacts may occur with a project's development, and how they can be mitigated to ensure that if the project does go ahead, those negative environmental impacts are kept at an acceptable level."

One criticism of the changes to CEAA and environmental laws in the budget, is that they give Cabinet much greater authority over these decision process at the cost of transparency to the public. Do you disagree? Why?

"The governor in council has always had the ultimate authority over CEAA decisions. The major changes in C-38 are to bring the NEB process up to an equivalent level of CEAA. In the past and NEB panel didn't have to offer any explanation if it were to render a negative decision, and simply wouldn't report to the government that decision. Basically what happens is an NEB panel or a Canadian Nuclear Safety Commission panel will conduct an assessment, will report their findings to the governor in council, to cabinet, to the government, and then the government will make a decision on whether or not, all things considered, including socio-economic, a project should or should not proceed."

What do you hope to accomplish on your file over the rest of 2012?

"To continue with the range of programs. I'm responsible for our climate change mitigation through sector-by-sector regulation, as well as Parks Canada, the chemical management plan, the Canadian Meteorological service. It's going to continue to be a busy time for us. There's lots to do, whether on climate change, the chemical management plan, expanding and reinforcing our national weather service in the North and South, adding to our protected spaces, creating new national parks and national marine protected areas. There's no shortage of challenges."

What do you consider to be your greatest accomplishment in the year and a half that you've served as minister of the environment?

"It's a big department with agencies like CEAA and Parks Canada. I think we've made accomplishments across the board. They aren't my accomplishments, they're the accomplishments of the department for which I'm responsible. Environment Canada is staffed by some magnificent scientists and terrific officials. We've been getting the job done across the spectrum of departmental responsibilities."

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ENVIRONMENT POLICY BRIEFING

ENVIRONMENTAL PROTECTIONS

New Democrats disagree with Tories' short-sighted approach



BY NDP MEGAN LESLIE

HALIFAX, N.S.—Since coming to power in 2006, Prime Minister Stephen Harper's Conservative government has certainly made an impact on Canada's environment. Unfortunately, it has not been a positive one.

Originally, the environment was lauded as one of the "pillars" for "Canada's New Government." Since then, Conservatives have kicked the environmental pillar out from under their policy platform.

Harper's first major environmental announcement was the launch of the Conservatives' "Turning the Corner" plan. The plan, panned by most, promised industry-wide regulations to limit emissions of greenhouse gases and other pollutants—and launched yet another round of industry consultations. Five years, and many promises, later, we're still waiting.

Not only have Conservatives failed to live up to their promises,

they have taken things one step further and relentlessly dismantled Canada's environmental protections. Conservatives substitute fact for rhetoric and resort to bullying community organizations concerned about environmental issues.

Recently, Conservatives upped their war on environmental protection with Bill C-38, their Trojan Horse Budget Implementation Bill. The omnibus bill made sweeping changes to many laws but perhaps the worst of it, in terms of breadth, scope, and consequences, was their shredding of Canada's environmental assessment laws and the Fisheries Act.

Changes to the Canadian Environmental Assessment Act, the National Energy Board Act, the Canadian Oil and Gas Operations Act, the Nuclear Safety and Control Act, the Fisheries Act, the Canadian Environmental Protection Act and the Species at Risk Act all turn back the clock on environmental protections while allowing unbalanced resource exploitation projects to railroad ahead.

The budget bill doesn't only weaken regulation of resource project assessments, it also reduces the ability of the public to participate

in decision-making while placing more discretionary power in the hands of the Conservative Cabinet. Ministers will now have increased powers to make sensitive environmental decisions behind closed doors and without explanation.

During restrictive, tightly-controlled hearings into Part 3 of the bill by the House Finance Subcommittee, witness after witness raised concerns about the lack of public consultation around these changes and urged the government to split the bill up in order to allow for proper study.

Even former Progressive Conservative fisheries minister Thomas Siddon suggested that "responsible Members of Parliament from all parties would take those environmental provisions of clauses 52 to 169 and bring forth a separate piece of environmental modernization legislation." Not only did the government ignore these concerns, they even refused to properly debate any of the proposed amendments submitted by the NDP.

New Democrats are not opposed to improving environmental assessments. Amendments made in 2010 to address duplication were already bearing fruit. A 2011 Environment Canada

presentation explained: "Amendments made in 2010 have made the CEA Agency responsible for most comprehensive studies; this change is yielding positive results as all agency-led comprehensive studies have started in alignment with provincial reviews, preventing process duplication."

Conservatives are also ignoring the risk of increased litigation that will almost certainly result from a weak environmental assessment process and lack of proper consultation. Assembly of First Nations Chief Shawn A-in-chut Atleo testified, "Part 3 of C-38 clearly represents a derogation of established and asserted First Nations rights. If enacted, it will increase the time, costs and effort for all parties and governments, as first nations will take every opportunity to challenge these provisions."

This is a warning echoed even by former Harper environment minister Jim Prentice. Industry representatives are concerned because they know that costly lawsuits and grassroots protests create greater uncertainty and unpredictability.

The Conservative's budget bill also contained serious and damaging changes to the Fisheries Act,

undercutting Canada's fisheries management and habitat protection laws—formerly a key trigger for environmental assessments.

Furthermore, changes to the Species at Risk Act will now allow increased damage to critical habitat by exempting pipelines—and that may not be the end of the erosion of protection for vulnerable species. In the last Parliament, after much delay, the House Environment Committee's statutory five-year review of the act failed to even produce a report. NDP efforts to resume the study and make recommendations based on joint submissions from an industry/NGO working group were thwarted by Conservative MPs. Now we hear growing concerns that the Conservatives will now turn their attention to gutting endangered species law in the fall.

We disagree with this short-sighted approach. The NDP will fight to strengthen, not weaken, protection of species at risk and their habitat. That's what Canadians expect—and what future generations deserve.

NDP MP Megan Leslie, who represents Halifax, N.S., is her party's environment critic.

The Hill Times

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ENVIRONMENT POLICY BRIEFING

CEAA

Feds set to release CEAA 2012 regulations

Environment Minister Peter Kent says regs will have rigour, but environmentalists say changes to Fisheries Act and CEAA 2012 weaken habitat protection, ignore oilsands development and undercut public consultation.

By CHRIS PLECASH

Environment Minister Peter Kent is promising “rigorous” new regulations to accompany sweeping changes to environmental law contained in Bill C-38, but draft regulations recently posted on the Canadian Environmental Assessment Agency’s website are raising more questions among environmental groups.

“This new legislation does look at what negative environmental impacts may occur with a project’s development, and how they can be mitigated to ensure that if the project does go ahead, that those negative environmental impacts are kept at an acceptable level,” Mr. Kent told *The Hill Times* in an interview last week.

The 425-page omnibus budget bill made significant changes to Canada’s federal environmental laws. Part three of the bill alone is 150 pages long and amends seven major pieces of environmental law, including the National Energy Board Act, the Canadian Environmental Protection Act, and the Species at Risk Act.

The most controversial changes contained in the budget were the replacement of the Canadian Environmental Assessment Act (CEAA), and the limiting of the Fisheries Act to “commercial, recreational, and aboriginal fisheries.”

Jeffrey Hutchings, professor of marine biology at Dalhousie University in Halifax, N.S., said that the change would allow the Department of Fisheries and Oceans to authorize more pollution of Canadian waters and put at risk more than 80 species of freshwater fish at risk of extinction.

“In a broad sense, changes to the Fisheries Act and other pieces of legislation signal a clear intent to put economic development first and foremost at all costs, and to devalue science and the importance of scientific advice within government,” said Prof. Hutchings, who was in Ottawa last Tuesday to participate in a march on Parliament Hill with students and scientists protesting the “death of evidence.”

Bill C-38 also repealed the Canadian Environmental Assessment Act (1992) in its entirety, and replaced it with CEAA 2012, which imposes timelines on the length of the assessment process and will overhaul the process for selecting projects for federal environmental assessments.

Under the previous CEAA legislation federal assessments could continue indefinitely, but under the new legislation joint review panels that involve the Canadian Environmental Assessment Agency, the National Energy Board, and/or the Canadian Nuclear Safety Commission will be limited to 24-months. Standard environmental assessments will be limited to 365 days.



Questions: Environment Minister Peter Kent, pictured in this file photo, is promising ‘rigorous’ new regulations to accompany sweeping changes to environmental law contained in Bill C-38, but the recently-posted regulations are raising more questions among environmental groups.

Photograph by Jake Wright, *The Hill Times*

The legislation also imposes a 20-day time limit on public consultation, and the agency is required to decide within 45 days whether or not a project will be federally assessed.

Projects already under review will be subject to transitional reviews. It remains unclear how much additional time will be allowed for the Northern Gateway Pipeline project. The 1,200 km proposed pipeline between Bruderheim, Alta., and port facilities in Kitimat, B.C., would deliver nearly 525,000 barrels per day to tankers off the B.C. coast.

Mr. Kent said that he expects the joint panel review of Northern Gateway to be “completed quite easily within the timelines” contained in CEAA 2012.

“We’re confident that the new timelines as they’re laid out in CEAA 2012 can be applied quite easily to Northern Gateway and to a pretty broad range of other major projects that were already undergoing assessments,” the minister said.

Enbridge, the project’s proponent, was fined \$3.7-million last week by the U.S. federal Transportation Department’s Pipeline and Hazardous Materials Safety Administration for failing to maintain the integrity of its Line 6B pipeline, which ruptured in July, 2010, contaminating 38 miles of Michigan’s Kalamazoo River with more than 3-million litres of bitumen from Alberta’s oil sands. PHMSA found 24 possible regulatory violations that may have contributed to the spill, including records of corrosion going back to 2004.

Environment Canada will publish regulations for CEAA 2012 in the July 18 edition of the *Canada Gazette*, but according to a draft copy of the regulations posted on the agency’s website, the criteria for projects triggering federal environmental assessments is much more specific than the criteria contained in the previous act.

Under the new legislation many projects will be reviewed based on the size of their expansion. For example: “12. The expansion

of a heavy oil or oil sands processing facility that would result in an increase in oil production capacity that would exceed 5000 cubic metres/day and would raise the total oil production capacity to more than 10000 cubic metres/day.”

This could mean that a facility being expanded by less than 5000 cubic metres/day and not raising total capacity to more than 10000 cubic metres/day would not be federally reviewed.

“The new regulations will be as rigorous as assessments have been in the past, but we also believe that they can be much more timely, that the undue delays that we’ve experienced in the past can be eliminated without compromising in any sense the strength or quality of the environmental assessment,” Mr. Kent said of the new guidelines. “The whole issue of environmental sustainability isn’t built only on the impact on the environment. It’s also built on economic and societal considerations.”

However, Jennifer Grant, director of the Pembina Institute’s oil-

sands program, was concerned that the draft regulations do not mention in situ oilsands projects, which use the process of steam-assisted gravity drainage to draw bitumen from underground.

“As projects that fall under the comprehensive study list tend to be large projects having the potential for significant adverse environmental effects and that generate public concern, it would be appropriate to include in situ projects,” said Ms. Grant. “The anticipated cumulative impact from in situ projects is significant in terms of habitat fragmentation and energy use.”

The Pembina Institute estimates that GHG emissions from in situ oilsands extraction are two-and-a-half times greater than the emissions from oilsands mining, and by 2015 it will likely be the dominant form of extraction in the region.

The changes to the federal environmental review process, combined with changes made to CEAA 1992 in the 2010 budget, have led to a drastic reduction in the number of ongoing federal environmental assessments being carried out by CEAA. A recent legal briefing on CEAA 2012 by Blakes Law observes that the number of ongoing federal assessments has declined from 2906 screenings, 26 comprehensive studies, and nine panel reviews in April, 2010, to 70 projects currently subject to a federal environmental assessment under CEAA 2012.

Green Party leader Elizabeth May (Saanich-Gulf Islands, B.C.) was especially critical of the timelines that the new legislation imposes on assessments.

“There are all kinds of timelines, but suppose the proponent causes a delay, which is in my experience the typical cause of a delay,” Ms. May told *The Hill Times*, citing the longstanding Mackenzie Valley pipeline proposal as an example. “Suppose the proponent’s [environmental assessment] is done at month 20. Does that mean the whole process is going to run for four months?”

Ms. May had proposed amending CEAA 2012 so that a delay by a proponent would stop the clock on an assessment’s time limit, but that amendment was defeated over the course of June 13, 14 and 15 along with hundreds of other amendments proposed by the opposition.

She also criticized the new legislation for giving Cabinet greater discretionary authority over whether or not a project is assessed.

“It’s a black box, and the new feature is discretion all over the place,” the Green Party leader said. “The federal review used to be the gold standard. If you got a federal review panel, you were going to get things reviewed adequately.”

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ENVIRONMENT POLICY BRIEFING

OIL SANDS & RESOURCES



Natural Resources Minister Joe Oliver and Environment Minister Peter Kent, pictured in file photos, have overlapping responsibilities for pipelines in Canada.

Petro-politics heats up following Enbridge fine

More than 100 projects slated for Alberta oil industry in the next decade, but environmental groups say the 2010 Enbridge spill is one more reason to put the breaks on development.

By CHRIS PLEKASH

Industry and government are looking to triple oilsands output by 2030, but environmental groups are raising concerns over the rapid expansion of the oilsands following a fine levelled against Enbridge last week.

Despite assurances from industry, public concerns over the proposed Northern Gateway Pipeline project peaked last week after the project's proponent, Calgary-based Enbridge Inc., was hit with a \$3.7-million fine by the U.S. Transportation Department's Pipeline and Hazardous Materials Safety Administration for a July 2010 pipeline spill that released over 3-million litres of oil into Michigan's Kalamazoo River, near the town of Marshall.

PHMSA cited 24 regulatory infractions by the company in its report, and reprimanded the company for its slow response to the spill. According to the PHMSA report, it took 17 hours before Enbridge's pipeline control room in Edmonton responded to alerts.

Following the ruling, Enbridge CEO Patrick Daniel told the CBC that his company would learn from the incident.

"When you have an accident like this, you have to stop and say, 'You know what? No matter how good we thought we were, we have to get

better,'" Mr. Daniel said. "We don't want another Marshall, Michigan."

Enbridge's proposed \$5.5-billion Northern Gateway Pipeline project would have the capacity to deliver 525,000 barrels of oil per day from the oilsands to tankers on the B.C. coast. The Enbridge project is one of 500 energy and mining projects proposed for development over the next decade.

In pitching reforms to environmental regulation in the lead up to Bill C-38, the budget implementation act, Conservative ministers frequently told committees and media that the federal government anticipates the 500 projects to generate \$500-billion in investment in Canada. In a May 29 appearance before the Senate Energy, Environment and Natural Resources Committee, Natural Resources Minister Joe Oliver (Eglinton-Lawrence, Ont.) stated that the new projects would create 700,000 new jobs in the next 10 years.

Many of those jobs will likely be created in Alberta's oilsands. A July 2011 Natural Resources Canada list of projects that were proposed or under development includes 118 energy projects, including new sites as well as expansions to current sites.

While a handful of the projects are for biofuel, wind and solar energy, the overwhelming majority of the projects are for in

situ oilsands extraction, oilsands mines, oil and gas refinery expansions, and pipelines. Oil and gas related projects in Alberta alone total nearly \$110-billion in investment—more than 20 per cent of the resource investment anticipated by the feds in the next decade.

According to a 2011 National Energy Board report, "Canada's Energy Future: Energy Supply and Demand Projects to 2035," bitumen output from the oil sands is projected to triple from 1.7-million barrels of oil per day in 2010 to 5.1-million barrels of oil per day in 2035. The report predicts total Canadian crude oil production to reach 6-million barrels per day by 2035.

Tom Huffaker, who serves as vice-president of policy and environment at the Canadian Association of Petroleum Producers, said that he expects growth in the Alberta oil sands to drive the Canadian economy for years to come, but conceded that the total greenhouse gas emissions from the industry will continue to grow.

"I think you have to look at an industry that's generating a huge amount of economic benefit to the country," Mr. Huffaker told *The Hill Times*. "The absolute level of GHG emissions from the industry is going to continue to go up, but we're on a path towards having a similar GHG profile, eventually, to conventional oil, and the world is going to con-

tinue to use oil for decades to come."

Mr. Huffaker said that industry programs like the Canadian Oil Sands Innovation Alliance and the Alberta Technology Fund, which support research into reducing the environmental impact of oil sands development, show that the industry is serious about addressing pollution. CAPP reports that the amount of greenhouse gas produced per barrel of oil has declined 28 per cent since 1990.

"A lot of progress has been made on the mining side, [but] the in situ side is a relatively new industry," he said. "There are a number of different technologies being worked on, use of solvents, use of lower temperature steam, a variety of these have great potential to reduce GHGs per barrel over time, but they're going to have to play out and develop," he explained.

The oil sands industry is increasingly defining politics in Canada, with NDP leader Tom Mulcair (Outremont, Que.) accusing oil and gas development of causing Dutch disease in the Canadian economy by inflating the value of the Canadian dollar at the cost of manufacturing jobs.

The Enbridge ruling came at a convenient time for Mr. Mulcair, who visited Alberta and British Columbia last week, making an appearance at the Calgary Stampede and meeting with B.C. provincial NDP leader Adrian Dix and Vancouver

mayor Gregor Robinson.

Mr. Mulcair said the Enbridge ruling was a "nail in the coffin" for the Northern Gateway Pipeline project.

Environmental groups are also pointing to the Enbridge fine as one more reason to halt oil sands expansion.

"Enbridge in particular, isn't up to par in terms of looking after public safety when it comes to oil pipelines," said Gillian McEachern, deputy campaign director for eco-charity Environmental Defence.

Ms. McEachern agreed that oil would continue to be an essential energy source in the years ahead, but said that tripling oil production over the next two decades was "the wrong direction."

"We recognize that transitioning from a fossil fuel energy system to clean, low-carbon energy that doesn't pollute is going to take time, and we're going to use oil during that transition," she told *The Hill Times*. "It's not one individual project versus another, it's really a question of scale, and the overall impact that we're concerned isn't being looked at."

Green Party Leader Elizabeth May (Saanich-Gulf Islands, B.C.) also acknowledged the need for continued oil production, but questioned the push to ramp up oilsands development.

"The reality is, the world is going to want petroleum products for a long time into the future. The question is, why is it necessary to move at a more rapid pace than we've already been moving," she said.

Mr. Huffaker said that recent changes to the federal environmental assessment process would improve environmental outcomes, and disagreed that the changes would damage the public perception of the oil sands industry.

"We think that these changes have the potential to improve environmental assessment and improve the social licence to operate," he said. "This has got to be about efficiency economically, streamlining from a regulatory point of view, but the outcomes environmentally can and should be as good or better."

Few oil and gas projects will receive a federal environmental assessment. According to the Canadian Environmental Assessment Agency, only 70 projects are currently under some form of federal review under the recently passed Canadian Environmental Assessment Act (2012). Of these 70 projects, only five are related to projects in Alberta's oilsands, including the Northern Gateway Pipeline.

Other oil and gas projects under federal review include:

Coal Valley Resources coal mine expansion, which would create a 37-km-long coal mine along stretches of the Embarras, Pembina and Firth Rivers, 250 km west of Edmonton, and 60 km east of Jasper National Park.

Tech Resources Ltd. and SilverBirch Energy Corp's proposed Frontier oilsands mine, which would cover 29,000 hectares and have the capacity to produce 277,000 barrels of bitumen per day.

Shell Canada's Jackpine Mine expansion, which would increase the current developments output by 100,000 barrels of bitumen per day.

Shell Canada's Pierre River Mine project, which would have an output of 200,000 barrels of bitumen per day.

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ENVIRONMENT POLICY BRIEFING

FUTURE

Feds are doing a lot to protect Canada's environment



TORY MP MICHELLE REMPEL

CALGARY—One of my most vivid memories of moving to Alberta involves a hike up Johnston Canyon to the Ink Pots, a series of colourful spring fed pools. Standing in the meadow of Johnston Valley, surrounded by the Canadian Rockies, I fell in love with Canada all over again.

This wasn't the first time I lost my heart to our country's great natural heritage. Summer days

spent on the cool waters of Lake Winnipeg, bike rides under the blue skies on a dusty path in southern Manitoba, placing my hand on a giant western red cedar on Vancouver Island, walking along a beach on the Sunshine Coast, hikes in Nose Hill Park in the core of Calgary—all these experiences have inalterably bound me to our land, air, and water.

Countless Canadians have had similar experiences—our shared love for our country's natural spaces links us together across our vast nation. This is why our government has acted to ensure we have clean air to breathe, clean water to drink, healthy biodiversity throughout

our country, and wilderness that is protected for future generations. In fact since 2006, our Government has invested more than \$10-billion to build a sustainable environment, and Canadians are seeing the results:

- Since 2006, we have added more than 133,000 square kilometres to the existing lands and waters administered by Parks Canada—a 48 per cent increase, or an additional protected area equivalent in size to a country such as Greece. We also created Canada's first national urban park (Rouge Park).

- Enacted the Environmental Enforcement Act in 2009 to increase penalties and introduce mandatory minimum sentences for those who violate environmental laws.

- Implemented our Clean Air Regulatory Agenda with a \$600-million investment to take action on climate change and the improvement of air quality, including the implementation of the Air Quality Management System that will set new national standards on air pollution, and the Air Quality Health Index, that will help Canadians make informed decisions to protect their health.

- Our Action Plan for Clean Water has enabled large-scale investment in ensuring clean water for Canadians, including the clean-up and protection of the Great Lakes, Lake Simcoe, and Lake Winnipeg.

- The Federal Sustainable Development Framework which

we tabled in late 2010 renders federal environmental decision-making more transparent and accountable, and improves reporting on clean air, water quality and climate change. In one of the most transparent reporting systems in the world, Canadians can now log on to the Environment Canada website to review data on key indicators including greenhouse gas emissions. On top of this, with over 3,200 full-time staff at Environment Canada who are engaged in science and technology activities, in 2011 our Environment Canada scientists conducted over 1,200 media interviews, and produced more than 600 journal publications.

- In the 2012 budget, we invested an additional \$50-million to support improvements to the Species at Risk Program, introduced monetary penalties for those who break the terms of environmental assessments, invested an additional \$13-million to improve pipeline safety monitoring, and introduced new measures to strengthen the safety of tanker traffic. Reforms to our environmental assessment review process will ensure integrity and robustness in their quality, while rendering the process more predictable, timely, and non-duplicative.

- In 2012 we announced a historic plan to implement a world-class, transparent environmental monitoring program in the oil-sands to monitor water, air and biodiversity. Data produced via this initiative will be transparent and published for Canadians to review.

- The implementation of our Chemicals Management Plan has seen the assessment and regulation of numerous chemicals used in thousands of industrial and consumer products.

- Our government has also embarked on a sector-by-sector strategy for reducing greenhouse gas emissions and addressing climate change, and earlier this year, our country reached a major milestone in this regard. Our most recent greenhouse gas emissions inventory showed the virtual stabilization of growth of GHG emissions in Canada, while our economy grew by 3.2 per cent. And more reductions are coming with the upcoming greenhouse gas emissions regulations for the coal-fired electricity sector.

These are only a few of the accomplishments of our government in relation to protecting Canada's environment. What is exceptionally notable is that we have achieved all of this while being cognizant of the need to ensure our country's long-term economic prosperity. Our government believes that this approach will ensure Canadians are able to benefit from the prosperity and stability of our country's strong economy and to rest assured knowing that they will have a rigorously protected, clean, and beautiful environment for years to come.

Conservative MP Michelle Rempel, who represents Calgary Centre-North, Alta., is the Parliamentary secretary to Environment Minister Peter Kent.

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FUTURE

Tories earn failing grade on environment, they threaten our environment today, in the future

The bottom line is that our world-renowned natural heritage is at risk, and being further imperilled by a government that is destroying 50 years of safeguards through Economic Action Plan 2012 and the passage of its over 400-page omnibus budget bill, 150 pages of which were devoted to destroying environmental oversight.



GRIT MP KIRSTY DUNCAN

Repeatedly, the Conservatives have earned a failing grade on the environment: for example, the Climate Change Performance Index ranked Canada 56th of 57 countries in tackling emissions in 2008; the Conference Board of Canada ranked Canada 15th of 17 wealthy industrialized nations on environmental performance in 2009; and Simon Fraser University and the David Suzuki Foundation ranked Canada 24th of 25 OECD nations on environmental performance in 2010.

The bottom line is that our world-renowned natural heritage is at risk, and being further imperilled by a government that is destroying 50 years of safeguards through Economic Action Plan 2012 and the passage of its over 400-page omnibus budget bill, 150 pages of which

were devoted to destroying environmental oversight.

If the minister of the Environment, whose job it is to stand up for the environment and to conserve our country's natural heritage, really believed that the omnibus Budget Implementation Bill, Bill C-38, was good for the environment, he should have had the courage to ensure careful, public study of the bill's changes through the Environment Committee.

Bill C-38 repeals the Kyoto Protocol Implementation Act, which requires the Environment minister to publish a climate change plan each year, a forecast for emissions reductions, a discussion of how the government performed the previous year, and how shortcomings will be addressed.

The commissioner of the environment and sustainable development is to report regularly on Canada's progress in achieving targets, and the independent National Round Table on the Environment and the Economy (NRTEE) is to assess each year's plan and offer constructive feedback. Unfortunately, NRTEE

was eliminated, as were the climate accountability measures.

Bill C-38 also repeals the Canadian Environmental Assessment Act, which allows the federal government to avoid environmental reviews of many potentially harmful projects and to do less comprehensive reviews where they still occur.

Bill C-38 also weakens several environmental laws, including protection for water and species at risk, and nearly eliminates fish habitat in the Fisheries Act, putting species from coast to coast at risk. Tom Siddon, the former Conservative minister responsible for the current Fisheries Act, is extremely concerned by Bill C-38's amendments. He has stated "they are totally watering down and emasculating the Fisheries Act... they are making a Swiss cheese out of [it]."

Equally astounding, Bill C-38 gives the federal Cabinet authority to overrule a decision by the National Energy Board. During the review by the subcommittee on Bill C-38 (Part 3), Rachel Forbes, staff counsel, West Coast Environmental

Law, said that she did not believe the proposed amendments and the new legislation as currently drafted would accomplish any of the government's four pillars—namely, more predictable and timely reviews, less duplication in reviewing projects, strong environmental protection, and enhanced consultation with aboriginal peoples. In fact, she suggested the amendments may hinder them. Canadians should know that after a mere 16 hours of study, the subcommittee was left with many questions regarding the legislation: for example, what types of projects will be included/excluded under the proposed changes to the CEAA? What proportion and types of current assessments will no longer receive federal oversight? How will the government define whether or not a provincial process is equivalent to the federal process, and how will assessment of cumulative impacts be undertaken?

Canadians should not be fooled by the government's publicity stunt—namely, to try to make it appear that it had meaningfully reviewed the bill—and

the government's counter attack of sending 10 ministers across the country to promote its plan, and its ploy to remove attention from BLACKOUTSPEAKOUT, a day of protest across Canada.

Unfortunately, "Economic Action Plan 2012" and Bill C-38 show a complete failure of the government to learn from the past—namely, that past cuts to the environment have resulted in dire consequences, such as the Walkerton tragedy, and that worst-case scenarios, Exxon Valdez and Deepwater Horizon, do occur. Instead, the plan and bill are an attack on our best means of defence: namely, environmental protection, monitoring, and emergency response.

In conclusion, with independent science quashed, environmental legislation gutted, and critics silenced, what stands in the way of economic and environmental disaster?

Liberal MP Kirsty Duncan, who represents Etobicoke North, Ont., is her party's environment critic.

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ENVIRONMENT POLICY BRIEFING

CLIMATE CRISIS

Canada still has no plan to address climate change

It is a blitzkrieg of bad news as cutbacks and program cancellations hit the core areas of federal responsibility to protect nature.



BY GREEN PARTY LEADER ELIZABETH MAY

SANICH GULF ISLANDS, B.C.—There is no shortage of compelling issues to discuss in a *Hill Times* Environmental Policy Briefing. Even listing, without describing, the catalogue of assaults on environmental law and policy by Prime Minister Stephen Harper in the last 12 months is enough to occupy the whole issue.

Canada undermined global climate negotiations in Durban in December, negotiated in bad faith, and immediately announced its intent to withdraw from the Kyoto Protocol when Environment Minister Peter Kent touched down on Canadian soil. Natural Resources Minister Joe Oliver kicked off the new year with an assault on environmentalists and First Nations as “radicals.”

The Prime Minister attacked environmental groups for accepting foreign funding, even as he courted Communist Party-

controlled state operations from China as investors in the oil sands. One Parliamentary secretary said anyone opposed to pipelines and tankers was “against Canada.” When asked to withdraw the remark as un-parliamentary, she refused.

The legislative juggernaut, Bill C-38, repealed the Canadian Environmental Assessment Act, replacing a coherent piece of legislation with a discretionary formula for confusion, conflict and court cases. The gutting of the Fisheries Act raised the ire of four former federal ministers of Fisheries. Environment Minister Kent insulted the four former ministers, suggesting they had not read the Act. Mulroney-era fisheries minister Tom Siddon showed up to testify before the House Finance Subcommittee and, in short order, made it clear he may be the only minister who has read the act.

While Fisheries Minister Keith Ashfield tried to claim the new Fisheries Act will improve habitat protection, the assault to habitat is real, underscored by the subsequent lay-off notices to all DFO habitat officers in British Columbia. The National Round Table on

the Environment and Economy is scrapped. The Species at Risk Act and Navigable Waters Protection Act amended to allow the National Energy Board to assume jurisdiction of endangered species or navigable waters are in the way of any pipeline.

Basic science and monitoring is being savaged with the end of funding to the Canadian Foundation of Climate and Atmospheric Science; the elimination of the Adaptation Research Group within Environment Canada; the cuts to ozone monitoring; the closure of the Polar Arctic and Environmental Laboratory in Eureka; the sale of the 58 lakes in the globally unique Experimental Lakes Area near Kenora, Ont.; the elimination of the marine contaminants program within DFO; the loss of scientists in Natural Resources Canada to study ice cores data (and the hope to find a university with a large fridge willing to take the 80,000-year ice core record that Canada’s government no longer wants); the end of monitoring smoke stack emissions; the cutbacks in the Canada Oil and Gas Research Group in Halifax, and the cuts at Natural Sciences and

Engineering Research Council of Canada, resulting in the closing of the Yukon Research Lab at Yukon College in Whitehorse.

The thin end of the wedge of privatization has hit national parks—first Jasper and then the hot springs at Banff, while cuts to ecological staff in the parks compelled former deputy minister Jacques Gerin to call on Harper to stop gutting national parks.

It is a blitzkrieg of bad news as cutbacks and program cancellations hit the core areas of federal responsibility to protect nature. The multi-faceted assault has the effect of blinding media and the public to the largest threat. In 2012, Canada still has no plan to address the threat of climate change.

While Harper has succeeded in dramatically reducing the Canadian media coverage of climate science through the muzzling of government scientists, the atmosphere does not seem to have gotten the memo.

Around the world, the force and frequency of severe weather events has woken up even the mainstream U.S. media. Fires, floods, tornados, heat waves are wreaking havoc on agriculture

and running up the bills to the insurance industry.

The culprit for much of this year’s strange weather phenomenon is the rapidly-warming Arctic. As the Arctic warms the differential in temperature between the Arctic and the equator becomes less pronounced. That causes the jet stream to lose its straight and fast course. (Francis, Vavrus study, Rutgers/University of Wisconsin).

Slowing down, it has allowed large low pressure systems and high pressure systems to sit for far longer periods than normal in one place—causing flooding in the low pressure zones and heat waves and fires in the high zones.

Loss of agriculture, losses to floods, and fires also cost the economy, as well as human lives. Despite the Prime Minister’s attempts to destroy the collection of data, the evidence of the climate crisis is all around us. We are sabotaging our children’s future—but what does it matter as long as the bitumen flows?

Green Party Leader Elizabeth May represents Saanich-Gulf Islands, B.C.

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CLIMATE CHANGE

Climate change is acidifying oceans



BY ENVIRONMENT COMMISSIONER SCOTT VAUGHAN

OTTAWA—Last month, the House Standing Committee on the Environment and Sustainable Development released its report on developing a national conservation plan. Among its observations was that “Canada has the responsibility to be a world leader in developing and implementing the best practices in conservation and stewardship” of both terrestrial and marine ecosystems.

Canada’s efforts to protect its oceans and marine ecosystems hinge on the fate of oceans at the global level.

As with air pollution, ocean pollution knows no borders.

Worldwide, some 80 per cent of all organisms live in oceans. A remarkable 240,000 oceanic species have been catalogued by scientists so far. However, that is only a tiny fraction of the extraordinary web thought to live in oceans, since only an estimated five per cent of the planet’s marine biodiversity has, to date, been discovered.

The economic value of oceans

is staggering, according to sources such as the Davos World Economic Forum. Oceans are the main source of food for 1.5 billion people. About 45 million people gain their livelihood directly from harvesting and processing the ocean’s riches. Oceans facilitate 90 per cent of global trade. They generate roughly 80 per cent of the planet’s oxygen, and by far, serve as the most important ‘sink’ for the billions of tonnes of carbon dioxide emitted annually.

Scientists are increasingly alarmed about the unprecedented stress oceans are facing. According to the U.S. National Academy of Sciences, the current changes in the chemistry of the world’s oceans are occurring faster than any known change in at least the last 800,000 years. The UN Food and Agriculture Organization (FAO) recently concluded that many fish populations are under stress from over-fishing, and that the top ten species of fish caught worldwide—including tuna and herring—are now fully or overexploited.

Floating garbage patches of plastics bags, bottles and other discarded materials compound the effects of over-fishing and threaten fish, as well as seabirds and mammals. Stray commercial fishing nets and other tackle snarl and kill seabirds, marine turtles, seals, and whales, and have created ‘ghost fishing’ both on the surface and on the ocean floor.

Marine ecosystems are further stressed by pollution from both the thousands of ships that navigate oceans and sources on land, including untreated sewage, wastewater, and millions of tonnes of agricultural runoff. The huge algae blooms and “dead zones” adjacent to the Mississippi Delta area are stark illustrations of the havoc pollution is having on the health of oceans.

Climate change is increasingly affecting the basic characteristics of oceans. Oceans act as giant conveyor belts that regulate the Earth’s weather, constantly exchanging heat, moisture and carbon. Higher ocean surface temperatures—particularly in the mid-Atlantic ocean—are a potent incubator for severe weather events, such as hurricanes and tropical storms. Such storms may form in the mid-Atlantic, often gathering strength through the Caribbean and Gulf of Mexico, and making landfall along the U.S. seaboard and Eastern Canada.

The Canadian federal government has concluded that the frequency and severity of severe weather events are expected to increase because of climate change.

Climate change is also acidifying oceans. Scientists are concerned that decreased oceanic Ph levels due to carbon dioxide emissions may contribute to the degradation and destruction of coral reefs, one of the richest habitats for marine biodiversity.

The longer-term impact of climate change on oceans is still not fully understood. According to NASA, scientists are “scrambling” to understand how higher surface temperatures interact with cooler currents in the ocean depths, to determine how ocean circulation patterns might change.

Since about 95 per cent of the oceans’ species remain undiscovered, the impacts of warming temperatures are also largely unknown. An analysis by the FAO shows that the warming of the oceans has already affected some fish populations, including changing how predators interact with their prey.

The federal government has numerous programs to safeguard and conserve Canada’s oceans and marine environment. Our office has looked at some, including work by Transport Canada and the Canadian Coast Guard to prevent and respond to spills from ships, and work of the National Energy Board to inspect both land-based and underwater energy pipelines, and work by Fisheries and Oceans Canada to manage Canada’s fisheries sustainably.

In its June 2012 report, the House Standing Committee on Environment and Sustainable Development took note of Canada’s commitments to environmental conservation, including its adoption of a target of protecting 10 per cent of Canada’s coastal and

marine areas under the UN Convention on Biological Diversity.

This December, we will report to Parliament on the federal government’s management of marine-protected areas. Evidence from Canada and abroad confirm that marine protected areas work. They provide a reprieve to allow overstressed species to recover. They protect habitat and biodiversity, provide refuge for marine species displaced by habitat loss, buffer against impacts from extreme weather events, and enhance the ability of marine ecosystems to resist disturbances. The protection and conservation of habitat and biodiversity also provides insurance and support to economic activities, such as fishing and whale watching.

Also this December, our office will report on the management of the two offshore petroleum boards in Nova Scotia and Newfoundland and Labrador. These boards have never been audited before. Given the painful lessons of the Macondo disaster in the Gulf of Mexico in 2010—which according to U.S. President Barack Obama constituted the largest ecological disaster in U.S. history—it is important for Parliament to be informed about how well these boards are managing environmental risks, and preparing for possible spills and related incidents.

Scott Vaughan is Canada’s environment commissioner.

The Hill Times

ENVIRONMENT POLICY BRIEFING

SENATE COMMITTEE

Senate Energy, Environment Committee to release major report on Canada's energy future this week

Canada requires a comprehensive national sustainable energy strategy and can't afford to watch from the sidelines, Senators told.

By JAMES GRIGG

The Senate's Energy, Environment, and Natural Resources Committee will release a major report this week on Canada's energy future, after three years of study, more than 37 committee meetings and after hearing from more than 250 witnesses. The study will be released on July 19 in Ottawa.

The report is the committee's first substantial report on the current state and future of Canada's energy sector, including alternative energy, and has been produced under the leadership of outgoing Conservative Senator David Angus (Alma, Que.) and Deputy Chair Liberal Senator Grant Mitchell (Alberta).

"It is a report about energy, not about climate change, but what was very interesting is that almost, to a witness, the testimony was in the context of climate change and dealing with those issues," Sen. Mitchell told *The Hill Times* last week. "And alternative energy, of course, was a key element of the study which is intrinsically and extrinsically related to the issue of climate change. So while it was not a report about climate change, certainly climate change informed much of the testimony and provided a great deal of content for the study."

"We started from a point where we wanted to help with energy literacy in the country because these are such important, technical and difficult questions for Canadians: the trade-offs and different interests across the country and the different stakeholders' perspectives, so we continue to feel that we need to have a very open, detailed, constructive debate about energy and environment policy in the country," said Sen. Mitchell.

"Secondly, we wanted to find out what the issues facing Canada are with respect to energy policy and strategy. And I think the moment people see the report they will understand that we helped in that regard and we achieved some steps towards achieving that."

Sen. Mitchell, who called the report "major," said the Senators hope to influence government policy.

The Senate Environment Committee, according to its mandate, is supposed to help develop a national vision for the "long-term competitiveness and security" of the energy sector and "recommend specific measures by which the federal government could help bring that vision to fruition."

The Senate Environment Committee's 2010 interim report, which opened with facts about Canada's energy profile and the need to transition to a low-carbon economy, warned: "the message is clear: there is urgent need for a national discussion on energy. Canada requires a comprehen-



Energy future: Liberal Senator Grant Mitchell, deputy chair of the Senate Energy Committee, and Conservative Senator David Angus, chair of the Senate Energy Committee, pictured in this file photo in the National Press Theatre. The Senate Energy Committee will release a 'major' report on July 19 in Ottawa.

sive Canadian Sustainable Energy Strategy now... Canada cannot afford to watch from the sidelines."

The committee studied Canada's energy system, the international outlook including market conditions and energy security, climate change, carbon pricing, sustainable energy supply including renewable energy, and energy technology.

Fact-finding missions to various sites, such as the CanmetENERGY Research Centre in Devon, Alta., where the Senate Energy Committee members were shown leading-edge technology for oil-sands production and processing.

The final report had been due initially in June 2011, according to the interim report, and then in June of this year but the deadline was extended in the Senate Chamber to Sept. 28. This specific line of investigation on Canada's energy future is expected to conclude with the report on July 19.

One focus of the committee has been the opportunities afforded to the energy sector by new and emerging technologies.

During an April 26 hearing this year, Sen. Angus, who was not available for an interview last week, noted "we started this study three years ago already; so much has happened in three years. At that point in time we were being told there is a great movement, fossil fuels are running out, it is a depleting resource. It is a good thing because it produces CO₂, it is environmentally destructive, and they are not sustainable and all of this."

But new technology may allow for Canada to use fossil fuels in a way that is not inconsistent with environmental concerns, said Timothy M. Egan, president and chief executive officer of Canadian Gas Association when he testified before the committee.

"The technology is not there yet for economic recovery, although

several countries are doing extensive work on that right now," Mr. Egan said. "The supply picture on oil, coal and other fossil fuels is equally good and as technology advances the opportunities there are huge, too. I think it puts to rest the idea that we do not have the resources available."

Mr. Egan also said the idea that natural gas is running out is not the case anymore.

"In terms of natural gas, we have actually known for a very long time the extent of the supply, but thought it was economically inaccessible. Technology has shown that it has managed to change that picture, which is why we have moved to talking from 30 years to over 100 years supply. Gas from shales across North America has dramatically changed the supply picture and is changing it worldwide. Now, the International Energy Agency talks about the golden age of gas because of the supply picture having changed worldwide," said Mr. Egan.

"No one is even talking about something called gas hydrates, which are a whole other supply of natural gas found essentially frozen in water off continental shelves. That supply picture runs into the thousands of years. It is actually mind-boggling. The technology is not there yet for economic recovery, although several countries are doing extensive work on that right now. The Japanese and Norwegians are amongst the leaders on that. The supply picture on this particular fossil fuel is very good. The supply picture on oil, coal, and other fossil fuels is equally good and as technology advances the opportunities there are huge, too. I think it puts to rest the idea that we do not have the resources available," said Mr. Egan.

"That said, people are concerned about the environmen-

tal impacts of the use of those resources. One advantage of natural gas is its emissions profile is so much better than that of any other fossil fuel," said Mr. Egan.

But the Senate Environment and Energy Committee also heard from scientists who are opposed to the use of fossil fuels in light of their impact on global warming.

"I have always said that the oil sands are a symptom of the problem. The problem is our society's addiction to fossil fuels. The oil sands are like the poppy fields in Afghanistan producing the product we require. We can criticize and pass blame on the oil sands and not look at ourselves, but we are demanding that product," said Andrew Weaver, professor at the School of Earth and Ocean Sciences at the University of Victoria, to the committee.

Fatih Birol, chief economist of the International Energy Agency, expressed a similar opinion to the committee.

"I think Canada has a special role here. Canada is one of the few countries... which could bring a lot of oil into the market, especially the oil sand," he said. But he cautioned: "...from an energy security point of view and from a climate change point of view, the world energy system is on an unsustainable path. It is up to governments, such as the Canadian government and others, to bring us from this unsustainable path to a sustainable path."

Merran Smith, director of the Tides Canada Energy Initiative organization as "Canada's largest public foundation dedicated specifically to the environment and social justice," told the Senate Energy and Environment Committee that Canada not only has the opportunity to play a key role in the changing energy market, but that it risks losing out environmentally and eco-

nomically if it does not.

"The global new energy transition is not wishful thinking on the part of environmentalists and dreamers. It is very real. It represents a multi-trillion dollar opportunity for those who embrace it, and disruption and uncertainty for those who deny it. Canada needs a coordinated plan to ensure our nation will prosper and remain competitive into this new energy future. If we keep telling one another that business as usual will carry us forward, it will for the next decade or two, but then we will find ourselves in for a rude awakening. We will wake up one day and find ourselves sitting on the sidelines watching the world economy go by," said Merran Smith in a committee hearing in March. "We believe that Canada can lead in the transition to a low carbon energy future."

Richard Peltier, a professor with the department of physics at the University of Toronto, highlighted a key problem for political intervention against climate change: the time-scale for climate change is so large that solutions do not see results for 30 to 40 years in the future. The political timescale, in contrast, can tend to favour short-term answers, he said.

According to the Senate's committee's website, the report will consider the current state of the energy sector across Canada; the government's role in the energy sector and domestic and international usage patterns; and market conditions. The committee will also develop a national vision for the "long-term competitiveness and security" of the energy sector and "recommend specific measures by which the federal government could help bring that vision to fruition" in this substantial report.

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ENVIRONMENT POLICY BRIEFING

NATIONAL CONSERVATION STRATEGY



Photographs by Jake Wright, The Hill Times

House committee: Conservative MP Mark Warawa, chair of the House Environment Committee, and committee members NDP MP Megan Leslie, and Liberal MP Kirsty Duncan.

House Environment Committee report calls for a national conservation plan

But opposition MPs say a real plan would mean renewed scientific input and an environmental review of Bill C-38.

By JAMES GRIGG

The House of Commons Committee on Environment and Sustainability is recommending the creation of a national conservation strategy following its latest study, but opposition committee members say that the report is another example of the Conservative government's disregard for environmental law and scientific evidence.

On June 28, the committee published a report entitled, "Study to Provide Recommendations Regarding the Development of a National Conservation Plan." The report aims to provide Minister of the Environment Peter Kent (Thornhill, Ont.) with recommendations for the development of a national conservation strategy.

To inform their study on what should be addressed under a national conservation plan, the committee heard from 56 witnesses and received more than 20 briefings from various groups since undertaking its study in March. The committee also travelled to conservation sites in British Columbia, Alberta, and Nova Scotia.

The report notes that individuals consulted by the com-

mittee repeatedly called for the national conservation plan to use guidelines already in existence and to honour the various domestic and international obligations to which Canada has already committed, rather than "reinventing the wheel."

Domestic commitments already made include the Federal Sustainable Development Strategy, which mandates wildlife, ecosystem, and biological resources conservation, and the Species at Risk Act.

Internationally, Canada has committed to the UN Convention on Biological Diversity's 20 Aichi Targets.

One recommendation heard by the committee repeatedly was to meet the Aichi Biodiversity targets, in particular ensuring that at least 17 per cent of terrestrial and inland water and 10 per cent of coastal and marine areas are conserved through effective and equitable management.

While the need for conservation was unanimous across all parties involved in the report, there was some political disagreement between the vice chairs and the chair of the committee, Conservative MP Mark Warawa (Langley, B.C.). Both vice chairs issued dissenting reports on behalf of their parties.

NDP MP Megan Leslie (Halifax, N.S.), her party's environment critic, said that while the report is broadly a decent document and that her party agrees with much of what is presented in the study, she said that it should go further in its recommendations.

Ms. Leslie also objected to the report's economic focus, which she said is a great thing

to do, but not in a conservation report.

"This isn't actually about finding a balance between industry and environment; this is about creating a conservation strategy for the purpose of conservation first and foremost," she said.

Ms. Leslie said that while it would be great if the government listened to expert advice, she considered the government's track record on meeting its own environmental targets to be discouraging.

"I think with this government one of the biggest challenges is real targets," she observed. "We're losing scientists [who] monitor what's going on in those areas. They are the heart and soul of conservation. If you axe those jobs, you lose that information and you have no ability to ensure your conservation efforts are working."

In her own dissenting opinion, Liberal MP and committee member Kirsty Duncan (Etobicoke North, Ont.) stated that a serious national conservation plan ought include a full review of the impacts of changes to environmental law under Bill C-38.

"Real consideration of an NCP should ensure strengthening of environmental laws, not eliminating and weakening them," Ms. Duncan stated, recommending that "an independent committee of experts be appointed to review the changes made in Bill C-38, its impacts on the environment and sustainable development, and make recommendations to the Minister based on the results of its review."

The Hill Times

INVASIVE SPECIES

Fisheries Committee to issue final report on invasive species in the Great Lakes this fall

By JAMES GRIGG

Conservative members of the House Standing Committee on Fisheries and Oceans are satisfied with their government's efforts to address invasive species in the Great Lakes, but the Commissioner of the Great Lakes Fishery Commission warned the committee in June that the lakes now contain 185 non-native species.

The committee began its study of invasive species in the Great Lakes earlier this year and held its first meeting on the issue on April 2.

Conservative MP and committee chair Rodney Weston (Saint John, N.B.) said that he anticipates a report on the committee's findings to be completed this fall.

Mr. Weston told *The Hill Times* that while most people tend think of fisheries as being on either the East or West coasts, the Great Lakes are also home to a vibrant fishery industry which is endangered by invasive species.

"The issue really stirs a lot of emotion and passion from those who work within the fishery and those who work within the Great Lakes system. Certainly there were no shortage of opinions and thoughts when we sought that advice as we developed our report," he said.

In conducting the study, the committee heard testimony from witnesses including officials from the Department of Fisheries and Oceans, scientists that have studied and worked on the issue, and individuals and organizations involved in the fishery industry.

According to the Department of Fisheries and Oceans, invasive species thrive because of the lack of natural predators and have the potential to render an area inhospitable to native species.

The department identifies the sea lamprey as a "significant factor in the collapse of the lake trout and whitefish fisheries in the 1940s & 1950s" and lists zebra mussels, green crabs, clubbed tunicate, Japanese oyster, Round Gobys, Rusty Crayfish, Spiny and Fishhook Waterfleas and Asian Carp as examples of invasive species found in Canadian waters.

Conservative MP Patricia Davidson (Sarnia-Lambton, Ont.) introduced the motion to the committee which prompted the study on invasive species. Ms. Davidson has advocated for work to be done on invasive species before and cited her own riding's concerns about Asian carp.

Ms. Davidson originally raised the issue of the Asian carp during an Oct. 6, 2011 appearance before the committee by Fisheries and Oceans Minister Keith Ashfield (Fredericton, N.B.). Mr. Ashfield told the committee that the government was investing in containing the Asian Carp and other invasive fish species.

"[Invasive species] are of considerable concern, the Asian carp in partic-



Conservative MP Rodney Weston, chair of the House Fisheries Committee.

ular," Mr. Ashfield told the committee. "There has been a significant amount of money invested over the course of the last few years. Originally, in 2005, there was \$4-million dedicated to help address the issue. That funding was renewed in Budget 2010 on an ongoing basis. It provides \$2-million to supplement the sea lamprey control program and \$2-million for other aquatic invasive species."

Mr. Ashfield also pointed out that his department is working with U.S. Federal government on invasive species control in the Great Lakes.

Mr. Weston said that the minister's testimony was reassuring for committee members going into their study of invasive species.

However, Robert Lambe, commissioner of the Great Lakes Fishery Commission, made it clear to the committee during its study that curbing the spread of invasive species in the Great Lakes would not be an easy task.

"Today the Great Lakes harbour more than 185 non-native species. Several of those species entered the lakes accidentally, and most entered the system long after the sea lamprey was recognized as a major ecological and economic problem," said Mr. Lambe told the Committee on June 11.

Sea lampreys are often used as an example of the damage that invasive species have the potential to cause in the Great Lakes.

"It is not an exaggeration to say that sea lamprey changed the way of life for the Great Lakes region, decimating commercial, aboriginal, and recreational fisheries... and they are now a permanent part of the Great Lakes," Mr. Lambe said.

Mr. Lambe described current efforts to control the sea lamprey as "disappointing."

"[A]lthough we can control sea lamprey, and thus improve the Great Lakes fishery, Canada lags behind in its share of binational obligations at a time when we really do need more control," he told the committee.

The Hill Times

Photographs courtesy of Atlantic Canada Opportunities Agency's website

ENVIRONMENT POLICY BRIEFING

GLOBAL WARMING



Environment files: Environment Minister Peter Kent and Prime Minister Stephen Harper, pictured in this file photo. Hans Rainer writes that it doesn't take a climate scientist to realize that something is terribly wrong on the climate front.

Photograph by Jake Wright, The Hill Times

Human-caused global warming: has the Harper government chosen denial over science?

Human-induced global warming is real and is scientifically substantiated—it is not a hoax or a conspiracy as some would lead us to believe.

By HANS RAINER

SURREY, B.C.—It doesn't take a climate scientist to realize that something is terribly wrong on the climate front. In Canada, as elsewhere, high temperature records are being broken, Arctic ice is melting at an alarming rate, extreme weather events are becoming more frequent, the oceans are becoming more acidic, and insect infestation (once controlled by colder weather) is destroying large sections of our forests. And yet both domestically and internationally our govern-

ment is acting against measures to counter these effects. Why? Is it possible that as individuals and collectively the Harper government is being influenced by the well-organized lobby of deniers of human-induced global warming? Is it a coincidence that such denial provides a rationale for inaction on climate change?

Some months ago an acquaintance sent me a You-Tube video of the Dec. 15, 2011 testimony by Professor Ian Clark (Earth Sciences Department, University of Ottawa) to the Standing Senate Committee on Energy, the Environment and Natural Resources (www.youtube.com/watch?v=hDKSkBrI-TM). The main conclusion of Prof. Clark's well-illustrated lecture was that global warming is primarily due to the water vapour in the atmosphere rather than carbon dioxide (CO₂). In his view, since we can't control atmospheric water vapour and CO₂ is such a small contributor to global warming, there is no use worrying about human contributions to CO₂ emissions. Prof.

Clark's presentation was followed by others along similar lines, and by questions but little challenge from Senate committee members.

This claim was contrary to what little I knew about the atmosphere and what most scientists say about global warming, including the Intergovernmental Panel on Climate Change (IPCC) which was awarded the Nobel Peace Prize in 2007 for its thoroughly-researched international reports on global warming. I set out to determine whether Prof. Clark was correct, and if not, where and why he was wrong. After working through a number of scientific papers and other sources on the topic, I concluded that Prof. Clark is wrong.

The warming of the atmosphere can be explained in greatly simplified terms as follows: water vapour is the most effective contributor, accounting for about 75 per cent of the total heat absorbed from the sun, while CO₂ contributes about 16 per cent, the rest is by the other gases. The amount of water vapour in the atmosphere is a function of temperature;

the higher the temperature, the more water vapour the air can absorb, and thus the more heat it will absorb from the sun. When the atmosphere has reached the water vapour saturation point at a particular temperature, it rains (or snows), thus over time under normal circumstances an overall state of atmospheric temperature equilibrium is maintained.

However, as humans increase the CO₂ levels in the atmosphere, this equilibrium is disturbed since this external source of CO₂ causes its own increase in atmospheric temperature. This rise in turn increases the amount of energy from the sun attracted by the water vapour, thus increasing the atmospheric temperature even further. This is a classic case of positive feedback, where the primary effect (temperature increase due to the CO₂ increase) leads to an even greater temperature increase from the resulting increased water vapour content in the atmosphere. The increased CO₂ is thus the driving force for global warming. In his presentation he also failed to

account for the feedback effect.

Global warming is further magnified by another feedback loop from permafrost melting, a result of higher atmospheric temperatures, as this releases large amounts of methane, a highly potent greenhouse gas. Methane's driving force is additive to that of the CO₂. While natural variation in intensity of the sun over time is also an important parameter affecting atmospheric temperature, with 11-year and much longer cycles that bring about normal climatic variations, our current rapid climate change is not one of those cycles. It has been clearly traced to the increased CO₂ caused by the burning of fossil fuels (IPCC 2007). The increase in CO₂ in the atmosphere in the last 100 years has been dramatic, from a relatively stable 280 parts per million (ppm) over many centuries to the current 400 ppm, and it keeps rising. This already exceeds the 350 ppm that many climate experts consider a safe upper limit for long-term stability of our environment.

A search of Prof. Clark's peer-reviewed publication record reveals no evidence of work related to current atmospheric climate change.

While it is not possible to trace the sources of information and advice received by the Prime Minister's Office and Cabinet, given the record of diplomatic and legislative action of this government in support of the oil industry and inaction on measures to reduce human-induced climate change one can only conclude that it has also succumbed to the strategies and tactics of the 'deniers.'

To wit two items: 1. The National Round Table on Economics and the Environment (NRTEE) has recently warned that judging by current progress and plans, the achievement of even the relatively modest target announced by the government of a 17 per cent reduction of CO₂ output by 2020 over that of 2005 is in question. 2. Environment Minister Peter Kent stated that the Canadian Government was "very happy" (*The Ottawa Citizen*, June 23, 2012) with the outcome of the recent Rio+20 Conference on Sustainable Development, given that no agreement was reached on phasing out subsidies for fossil fuels, and protection of the high seas. Climate change and the future of the oceans are evidently not a priority of this government.

Human-induced global warming is real and is scientifically substantiated—it is not a hoax or a conspiracy as some would lead us to believe.

Mitigating its effects and adapting to environmental changes already underway represent the overriding challenge of our generation. Will our government listen to the scientific evidence rather than the pseudoscience of deniers of human-induced global warming before it is too late and we have reached a point of no return on the health and habitability of our planet?

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