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CANADIAN INSTITUTE FOR
ENVIRONMENTAL LAW AND POLICY

L'INSTITUT CANADIEN DU
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A CIELAP HISTORICAL TIMELINE

This timeline highlights CIELAP's major publications, conferences and movements over its 40-year history. The organization's work over the last four decades has helped to shape and advance the environmental agenda and sustainable development in Canada.

1970's: 'Actions Speak Louder than words'

The 1970s was the decade when citizens began to stand up and demand their rights to defend the environment.

1970:

- The Canadian Environmental Law Association (CELA) and the Canadian Environmental Law and Research Foundation (CELRF) were founded.
- The two groups defended the environment by operating the Citizen's Environmental Law Advisory Office and Complaint Service.
- CELA and CELRF became the focal point for serious review and evaluation of environmental law in Canada by holding public briefs and various other information sessions.
- Both groups critiqued the Ontario government's *Environmental Protection Act* (EPA) and this led to several new amendments and changes to the act to better serve the public's interest.
 - More than 30 amendments were made between the first reading and final passage of the Environmental Assessment Act, due in large part to CELA and CELRF's persistence and tenacity.

1974:

- CELA and CELRF published *Environment on Trial: A Citizen's Guide Ontario Environmental Law*
 - This 410-page book acts as a practical guide for lay people who are looking for legal information to protect their environment or themselves from environmental hazards
 - It breaks down complex ideas such as land-use planning, air pollution measurement, and noise emissions standards.

1978:

- CELA and CELRF decided to separate: CELA to operate as a legal aid clinic (part of Ontario Legal Aid Plan), CELRF to function as a research and education organization
- CELRF was awarded the *Heritage Canada Communications Award* "for promoting in an outstanding manner Canada's heritage and the need to preserve it."

1980s: 'Increasing Public Knowledge'

With the roots of advocacy work well laid in the 1970s CELRF looked to increase public awareness and educate the masses regarding environmental issues through the 1980s.

1980:

- CELRF held the first in a series of conferences on aspects of environmental regulation.
 - Presentations included a detailed commentary on *Bill 24*, an Act to Amend the *Environmental Protection Act* (Ontario), commentaries on the effectiveness of environmental impact assessment, and a paper on the major defences available to those involved in environmental lawsuits was published.
- *Poisons in Public*: CELRF's study of environmental contaminants was published this year by James Lorimer & Company
 - This book critically examines the role of government, the public, private sector and science in the regulation and control of dangerous contaminants.

1981:

- *How to Fight for What's Right* by John Swaigen – CELRF's guide to public interest law – was published.
 - The book explores issues such as conspiracy, defamation, libel and slander. It is written for both lawyers and lay people.
- CELRF held the second in a series of conferences entitled *Benefits and Burdens: The Economic Benefits of Environmental Regulation*
- CELRF sponsored a Roundtable Discussion on *Toxic Chemicals Law and Policy* in Canada that looked to strengthen the *Environmental Contaminants Act, 1975*.
- A conference entitled *Science and the Citizen: Interpreting Scientific Information* was held to engage the public.

1983:

- CELRF hosted a one-day symposium in Toronto on *Hazardous Substances and the Right to Know*.
 - This event explored the potential conflict between the public and private sector around the issue of "confidentiality and access" to vital information.
- CELRF organized a seminar on *Hazardous Waste Law and Policy in Canada*.
- The Donner Canadian Foundation approved a grant of \$115,000 to CELRF in support of the project entitled *Toxic and Oxidant Air Pollution: The Need for Canadian and American Law Reform to Solve a Shared Problem*. U.S sources contributed an additional \$55,000.

1984:

- CELRF hosted a one-day conference on the *Regulation of Biotechnology*.
- *Breaking the Barriers*, a joint venture with then Pollution Probe Foundation, explored strategies that could be taken at different government levels to facilitate increased recycling and reduction of industrial waste.

- *New Players, New Rules, New Ball-Game* was a one-day conference that provided necessary information to the public about pollution and the law.
- *Who is at fault* was a one-day conference around individual liability of directors, officers and employees for pollution offences.

1988-1989:

- Re-branding: Ten years after separating from CELA, CELRF changed its name to the **Canadian Institute for Environmental Law and Policy (CIELAP)**.

1988:

- *Zero Discharge*: after two years of research, this publication focused on the environmental laws in the 12 jurisdictions of the Great Lakes ecosystem and their inadequacies in pollution management.
 - Major findings showed that all of the management systems were designed for ‘end-of-pipe’ solutions instead of more forward thinking options. Major legal reforms were suggested.
- *Toxic Water Pollution in Canada*: a federal and provincial review of legislation governing toxic substances was investigated.
- *Bridging the Gap* was published as a handbook to develop better communications between science and journalists working in the field of toxic pollution.
- *A Toxic Real Estate Manual and Workshop* made a major contribution to understanding liability and risk associated with real estate transactions involving contaminated land.
 - It also includes an overview of all applicable regulations and guidelines, legislative and common law disclosure obligations, options to agreements to purchase and sale and a checklist for conducting on-site audits and inspections.
- *The Company Polluted So Why Did I Get Charged?:* CIELAP held a one-day conference that focused on enforcement and compliance with and employers for corporate and municipal pollution offences.
- *Control at Source: Regulating Industrial Sewer Use In Ontario*: In consultation with municipalities and other authorities this research was conducted to determine an appropriate standard setting and compliance program for the province and municipalities in carrying out the increased hazardous waste regulatory responsibilities envisaged by the MISA program.

1990s: ‘A Growing International Presence’

Throughout the 1990s CIELAP looked to further focus its research areas and continue its domestic work on pushing and shaping environmental policy, while beginning to look outside the Canadian context.

1992-1993:

- CIELAP’s major Research programs involved the following areas:
 - Reducing the Environmental Risks of Biotechnology, Cleaning up the Land: A National Dialogue on Contaminated Site Remediation Policy in Canada, and Pollution Prevention Bibliography and Industry Casebooks

1993:

- In July CIELAP and CELA made a joint presentation to the Standing Committee on General Government of the Ontario Legislature regarding *Bill 7, An Act to Amend Certain Acts related to Municipalities Concerning Waste Management*.
- In September, CIELAP and CELA published a report on the financing of residential waste diversion in Ontario entitled: *Who Pays for Blue? Financing the Residential Waste Diversion System in Ontario*.

1993-1994:

- Biotechnology and Sustainable Agriculture emerged as significant components of CIELAP's research. Engagement and consultation with Environment Canada and Health and Welfare Canada began at this time regarding these issues.
- CIELAP focused its research in the following areas:
 - The Environmental Bill of Rights;
 - Municipal Solid Waste Management;
 - Biotechnology and Sustainable Agriculture; and
 - Biodiversity
- In March 1994, CIELAP organized the Bill of Rights course for practitioners at University of Toronto, with the Premier of Ontario as a keynote speaker.
- In May 1994, CIELAP was invited to participate in the *Third International Conference on Environmental Enforcement*
 - Over 150 delegates from more than 60 countries gathered to discuss a variety of issues around the conference's theme, and lay out the major priorities from the different perspectives.
- CIELAP was invited to participate in the *OECD Working Group on Trade and Environment*.
- In September of 1994, CIELAP presented recommendations for the reform of the *Canadian Environmental Protection Act (CEPA)* to the House of Commons Standing Committee on Environment and Sustainable Development.

1995:

- CIELAP became involved in various international meetings, consultations and discussions:
 - In October of 1995, CIELAP participated in the Second Regular Meeting of Ministers of the Commission for Environmental Cooperation in Oaxaca, Mexico.
 - CIELAP also attended an NGO Network Meeting in Manila, Philippines in November 1995 with 78 networks of NGO's from around the globe.
- In the same period, CIELAP received kind words from **Jean Chrétien** who wrote:
"Over the years, you have shown your commitment to the preservation of our planet we inhabit through research and education. By pooling individual resources in the study of environmental law and policy, the Institute has become a forum for the exchange of ideas and the search for creative solutions to the compelling challenges of the day."

1996:

- In May 1996 CIELAP's Executive Director was part of an NGO delegation that met with the G-7 Environment Ministers in France.
- *Ontario's Environment and the "Common Sense Revolution"* was published.
- *The Use of Voluntary Programs in Environmental Policy* compared cases in both the U.S. and Canada .
- *A CO2 Strategy for Ontario: A Discussion Paper*.

1997-1999

- At the end of the decade CIELAP focused its research program in five areas:
 - Biological Systems
 - Air Quality & Climate Change
 - Environmental Accountability and Pollution
 - Consumption
 - Hazardous Waste
- In September 1998 CIELAP took part in the OECD international conference on Pollutant Release and Transfer Registries (PRTRs) in Tokyo, Japan.
- In April of 1999, CIELAP was on the international scene once more in Mexico City and Tijuana, Mexico, participating in workshops on the use of PRTR data.

2000s: 'Looking Down the Road Towards Sustainability'

As the millennium came to a close CIELAP took a look forward and made some key plans to strengthen its future as one of Canada's leaders in the area of environment and sustainability research.

2000:

- CIELAP published its *Citizens' Guide to the National Pollutant Release Inventory (NPRI)*
- CIELAP reviewed Canada's regulations on biotechnology in a report called *The Regulation of Agricultural Biotechnology in Canada*.
 - The report was intended to help CIELAP's counterpart in Costa Rica, the Fundacion Ambio, with its work on biotechnology.
- In October 2000, CIELAP published the fifth of its annual reports on the state of the environment under the present provincial government, *Ontario's Environment and the "Common Sense Revolution"*.
 - Selected parts of this publication were submitted to the Walkerton Inquiry
- In the fall of 2000 CIELAP held its 30th anniversary dinner with Janine Benyus, who spoke on her book *Biomimicry*.

2001:

- CIELAP published *Sustainable Development: A New Federal Plan*.
- CIELAP developed new partnerships, including with the Strategy Institute of Toronto who helped CIELAP organize its *Partnering for Sustainability* conference.

- In April CIELAP, CELA and the Canadian Environmental Defence Fund launched *Pollutionwatch.org*, and within 48 hours they received over a million hits.
 - This website continues to act as a source for information about pollutants that facilities release and transfer on a community scale.
- CIELAP's staff, board and volunteers attended the People's Summit and the Symposium on the Free Trade Agreement of the Americas in Quebec City.

2002:

- CIELAP published the *Sixth Annual Report on Ontario's Environment and the "Common Sense Revolution"*
- *A Citizens Guide to Biotechnology* was updated ten years after it was originally published to communicate the advances made on this issue.
- CIELAP produced another poster map using the NPRI data for junior audiences. The goal was to help teachers use the maps in their classrooms.
- CIELAP's Executive Director attended the World Summit on Sustainable Development in Johannesburg, South Africa.

2003:

- CIELAP published three reports on water monitoring and protection:
 - *Drinking Water Standards in Ontario- Are They Tough?;*
 - *Lake Ontario Water Quality: Is it affected by Contaminant Transfer by Soil Erosion and Sediment Transport from Construction Sites?;* and
 - *Drinking Water Quality in the Grand River Watershed.*
- *Ontario: Open for Toxics* was published to update CIELAP's comprehensive analysis of hazardous waste generation
- A reference guide for Wind Power in a municipal setting for Ontario was released in April
- CIELAP celebrated its 33rd anniversary with a cocktail reception at the King Edward Hotel in downtown Toronto.
 - Ambassador for the Environment, Gilbert Parent, was the keynote speaker
 - CIELAP presented the Prime Minister, Jean Chrétien, with an Award for Advancing the Environmental Agenda by leading Canada to the ratification of the Kyoto Protocol.

2004:

- CELA & Great Lakes United collaborated with CIELAP on a number of papers on the topic of Great Lakes for the Future.
- CIELAP worked with the Toronto District School Board and Environment Canada on developing climate change policy curriculum.
- CIELAP planned its Second *Partnering for Sustainability* Conference, and did considerable work on research in the area of partnerships and the path towards sustainability.
- *Principles for the Regulation of the Safety of Foods Derived from Agricultural Biotechnology* was published as a set of principles to help better manage Canada's regulation of food safety.
- The organization celebrated its 34th anniversary by providing its Award for Advancing the Environmental Agenda to David Schindler, Zenon Corporation and the Waterkeepers.

2005:

- *Sustainability in Canada: 2005 Update* addressed the progress made in Canada towards sustainable development.
- *Getting the Most Out of Partnerships, How to Make Partnerships Work, A Guide to Policy Partnerships in Canada* and *Evaluating Two Partnerships* were published.
- CIELAP's Third *Partnering for Sustainability Conference* was held in November.
- Revisions were made to CIELAP's *Citizens' Guide to Pollution Prevention* and a *Teachers' Guide to the National Pollutant Release Inventory* was released.
- An exploratory study was conducted to explore the feasibility of establishing a community-based, public interest environmental law centre in South Africa.

2006:

- *There is No 'Away'* was published in February and set off alarm bells in federal and provincial governments regarding the contamination of treated drinking water by emerging contaminants (pharmaceuticals and personal care products as well as other endocrine disrupting substances)
- CIELAP partnered with the University of British Columbia's Faculty of Law to produce *Sustainable Groundwater Allocation in the Great Lakes Basin*. This study examined alternative approaches on achieving sustainable groundwater allocation in the region

2007:

- CIELAP and the National Film Board collaborated to establish *Green Screens*
 - This program, which partners NFB films with speakers secured by CIELAP, continues today and has experienced great success with monthly screenings at the NFB Mediatheque.
- CIELAP's water research focused on the Great Lakes Basin with the publication of:
 - *Great Lakes Blueprint*: a project taken on by CIELAP, CELA, Ecojustice, Environmental Defense, Great Lakes United and the Sierra Club of Canada
 - *Managing Mercury in the Great Lakes*, published in the April edition of the *Journal of Environmental Management*.
- CIELAP held a workshop on a *Policy Framework for Nanotechnology*, in March and published a follow-up report.
- *Hazardous Waste in Ontario: Progress and Challenges* was produced to address the regulatory gaps involved with toxics in Ontario.
- *Ontario's Waste Management Challenge – Is Incineration an Option?* weighs in on the waste debate in Ontario.

2008:

- CIELAP's research focused on Ontario's Greenbelt, waste diversion, nanotechnology and biotechnology, biosolids, Great Lakes water quality, and local food issues.
- *Bringing Local Food Home* examined the legal, regulatory and institutional barriers that interfere with Ontario farmers' participation in the local food economy.
- In November of 2008, CIELAP held a workshop entitled *Achieving Resilient Agricultural Systems: Innovation, People, and Partnerships*
- A follow-up event was held in May on *A Framework for Canadian Nanotechnology Policy*

- In 2008, CIELAP launched the book *An Introduction to Environmental Law and Policy in Canada*, by Muldoon *et al.*. The book is used as a university textbook.

2009:

- CIELAP researched and published briefs on:
 - *Implementation of the Federal Sustainable Development Act;*
 - *Biosolids Management in Ontario;*
 - *Life Cycle Assessment;*
 - *Ontario's Toxics Reduction Act, 2009;*
 - *Nanotechnology and Metals;*
 - *Sustainable Consumption and Production; and*
 - *Ontario's Green Energy and Green Economy Act, 2009*
- CIELAP published its *Options Paper on Ontario's Review of the Waste Diversion Act* along with accompanying fact sheets to inform the government and stakeholders with regard to the government's five-year review of the WDA.
- *Reduction and Phasing Out the Use of Antibiotics and Hormone Growth Promoters in Canadian Agriculture* was published in April as a follow up to implementing the recommendations laid out in *There is No "Away"*.

2010:

- CIELAP published an updated *Ontario's Greenbelt in an International Context*, which documents the experiences of greenbelts around the globe and identifies lessons applicable to ensuring the permanence of Ontario's Greenbelt.
- *Moving Toward a Soft Path Approach? A Case Study of Water Management in Guelph, Ontario* was published, examining the water management policies and practices in the City of Guelph, within the broader context of growth pressures on water resources in the Greater Golden Horseshoe Region of Ontario
- *Enhancing the Flow of Ecological Goods and Services to Society* was published in February examining the concept of Ecological Goods and Services and Ontario Agriculture

CIELAP Into the Future

As CIELAP approaches its 40th anniversary, the organization continues to fulfill the vision it was founded on. Looking into the future, an organization that focuses on balanced, inclusive and innovative research is vital as the sustainability movement continues to mature and enter the minds and consciousness of politicians, industry and the public.