

Summer 2001

Your quarterly update on happenings at CIELAP!

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Welcome to the Summer edition of the CIELAP newsletter, designed to keep you up to date on the latest CIELAP news and events. The CIELAP newsletter is published quarterly for the CIELAP community. The next edition will feature a new section of the newsletter where members of the CIELAP community can post interesting news items, announcements, or promote upcoming events. If you have anything that you would like to pass on that pertain to environmental law or policy (interesting news stories, recent happenings, upcoming events) then please email them to us care of veronica@cielap.org and we will print them in the next edition to be released in September.

WHAT'S NEW

[Biotech](#) | [CIELAP Strategic Plan](#) | [International Presence](#) | [Drinking Water](#)

1.1 CIELAP takes an active role on biotechnology issues

Charles Caccia, MP, has introduced a Private Members Bill - Bill C247 - on mandatory labeling for genetically modified food products - into the House of Commons. This bill will go to second reading when the House resumes in the Fall. Why not contact your Member of Parliament and ask for a copy of the bill? You may want to let your Member of Parliament know your views on genetically modified foods and the labeling issue.

As well, the Supreme Court of Canada has agreed to hear an appeal on the Federal Court of Appeal's decision to allow the patenting of the Harvard onco-mouse in Canada. This is a case which has been winding its way through the approval process in Canada for the past 15 years. You may remember that last August the Federal Court of Appeal (two out of three judges) decided to allow the patenting of the onco-mouse in Canada. Many groups, including CIELAP, wrote to the Prime Minister requesting that the Government of Canada appeal this decision in order to allow time for a parliamentary debate on this issue with full public participation. We felt that this was such a significant issue on societal, ethical, biodiversity as well as health and environmental grounds, that we need more time to consider what is patentable and what is not in Canada. What in nature and in human knowledge do we have the right to own?

Several groups are preparing to seek leave to intervene on this issue. CIELAP is working with

the Canadian Council of Churches which may decide to intervene around the "commodification of life" issues. CIELAP may also add its voice to the intervention by the Canadian Environmental Law Association. Watch for further information on this issue.

CIELAP's Executive Director (ED) is a member of the Canadian Biotechnology Advisory Committee (CBAC). CBAC has been having some interesting discussions on the initial draft of the reports that resulted from the two consultations that were held earlier this year - one on genetically modified foods and the second on patenting. CIELAP's ED indicated several problems with the draft as it was written. Some of her concerns have been partly taken into account. Others have not. These reports will be released to the public this summer and there will be a six month comment period, before they are finalized and submitted to the government in the form of advice. A significant number of environmental groups decided to boycott this process. But if you do have the time and interest, we would be interested in your comments on these drafts. When the drafts are released they will be on the CBAC website at www.cbac.gc.ca. The next CBAC meeting is on September 20th in Ottawa.

1.2 Setting a Framework for the Future: CIELAP begins developing its 2002-2005 Strategic Plan

CIELAP has established a strategic planning committee to help decide on our strategic direction for the next three to five years. This is an opportune time for CIELAP. We are in the last year of our current five year plan; we have a committed board of directors with old and new members; we have a small, committed staff; we have programs in place for 2001/02 and a large proportion of the budget more or less secured. Therefore, we have a bit of space to take some time to consider our future. The planning committee has met twice so far and we will be presenting our proposed new directions at the next Board meeting in September. We plan to have a draft strategic plan for our November Board and Annual General Meeting. You will be hearing more about these proposals. In September, we will be talking with some of our current and proposed partners, funders and other stakeholders to get your comments and advice on our proposed plans. If you are interested in finding out more please contact us at anne@cielap.org

For the upcoming year, CIELAP will refocus its existing programs into two areas: *Community Right to Know* and *Environmental Accountability and Governance*. The current programs for the year 2001/02 year are as follows:

Community Right to Know

Pollution Watch - an [online environmental information service](#) that allows people to find out the amount and type of pollutants that are being released into their communities. In the coming year, CIELAP will maintain the website, consider ways to improve the site, participate in the outreach program, and participate in the project management function.

Partners: Canadian Environment Law Association, Canadian Environmental Defence Fund

National Pollutant Release Inventory (NPRI) poster map - a poster map that displays Canadian pollutant releases and transfers using NPRI data for 2000. This new version will be distributed across Canada.

Partner: Environment Canada

Hazardous Waste - CIELAP will continue working on projects in this area.

Pollutant Releases and Transfer Registry (PRTR) Program - CIELAP will consider further developments of this program including opportunities for more collaboration with Mexican and U.S. NGO's.

Partner: Commission for Environmental Cooperation; Mexican and US NGO's

Mining in the Americas - CIELAP will work on issues such as site evaluation in Canada and will pursue greater collaboration with Latin American partners.

Biotechnology and Biosafety - CIELAP will complete year three of the CIDA contribution agreement. CIELAP will promote legislation on biosafety similar to that which was developed by Costa Rican NGO Fundacion Ambio. CIELAP will also update the Citizen's

Guide to Biotechnology, promote the transition to organic agriculture and engage in the patenting issue. Partners: Fundacion Ambio, Costa Rica; Canadian Council of Churches

Environmental Accountability and Governance Issues

Sustainable Toronto - After working to complete the report on Ground Water Management, CIELAP will continue its work in this area by reviewing best practices in other jurisdictions and developing recommendations for Ontario. This process will involve working with a graduate student and an academic supervisor to carry out research, prepare a report and eventually distribute the report using electronic as well as traditional media.

Partners: Sustainable Toronto

Federal Agenda for a Sustainable Future - CIELAP will distribute a report to policy makers at the federal level. CIELAP plans to co-sponsor a conference on this topic with Strategy Institute. CIELAP will seek to present the report to the Canadian delegation to the Commission for Sustainable Development (CSD) 10 and the "Rio plus 10".

Partner: Canada Trust Friends of the Environment Foundation; Strategy Institute

Annual Reports on Ontario's Environment - CIELAP will research, write and distribute its 6th annual report which will evaluate provincial environmental policy.

Partners: Laidlaw Foundation

Environment on Trial, 4th Edition - Once funding is secured, CIELAP will research and write the 4th edition of this publication.

Partners: Emond Montgomery Publishers

Citizens' Guide to Airborne Emissions in Ontario - CIELAP will research and write this Citizens' Guide for the Ontario Ministry of the Environment.

Water Information Network (WIN) - CIELAP will collaborate on this initiative with Riversides and the Toronto Environmental Alliance.

Throughout the rest of 2001 CIELAP will create the next three-year strategic plan for the period June 2002 to June 2005. Throughout the summer, the Planning Committee will meet, engage in brainstorming sessions, consult with interested parties and begin to draft the plan.

1.3 Building our International Presence:

CIELAP attends Commission for Environmental Cooperation and Joint Public Advisory Committee Regular Session in Guadalajara, Mexico

Jennifer McKay, research assistant at CIELAP, attended the Eighth Regular Session of the Commission for Environmental Cooperation (CEC) and Joint Public Advisory Committee Regular Session in Guadalajara, Mexico June 27-29, 2001. Attending the meeting allowed CIELAP to comment on the programs of the CEC, network with American and Mexican NGOs, and to increase our understanding of how we can work together on the environmental problems facing North America.

The CEC is the body that implements the environmental side accord to NAFTA, the North American Agreement on Environmental Cooperation (NAAEC). The CEC was established to address regional environmental concerns, help prevent potential trade and environmental conflicts, and to promote the effective enforcement of environmental law. 1

The CEC is a unique model for environmental cooperation because it contains multiple mechanisms for public participation. For example, the Joint Public Advisory Committee (JPAC) gathers and presents public concerns regarding the work of the Commission or any issues within the scope of the NAAEC to the Council of the CEC. 2 The JPAC is composed of 15 members (five appointed by each government) who sit on the Committee on a volunteer basis. Presently, the JPAC representatives from Canada are:

Cam Avery, Director of Public Affairs, B.C. Gas Utility Ltd., British Columbia
Ann Bourget, President et Directrice Generale, Vivre en Ville, Quebec

Merrell-Ann Phare, Executive Director/Legal Counsel, Center for Indigenous Environmental Resources, Manitoba
Donna Tingley, Executive Director, Clean Air Strategic Alliance, Alberta
Liette Vasseur (chair), Associate Professor, Department of Biology and Environmental Studies, St. Mary's University, Nova Scotia.

Members of the JPAC were interested in the work that CIELAP has done using Canada's National Pollutant Release Inventory (NPRI) data. Copies of CIELAP's NPRI map were distributed to the JPAC participants, and the Committee was informed about the pollutionwatch.org website. These examples of how a Canadian NGO has worked to raise public awareness about the generation and fate of pollutants from Canadian facilities were of particular interest to Mexican NGOs. Victor Lichtinger, the Mexican Secretary for the Environment and Natural Resources recently announced that Mexico will begin seeking legislation to establish a mandatory reporting system for pollutant releases and transfers (PRTR). Mexican NGOs are interested in developing similar public right-to-know tools when the PRTR data becomes available. CIELAP noted during the JPAC sessions that the Mexican PRTR initiative should use the same reporting standards and levels to enable pollution release data to be comparable across the continent.

Other new CEC initiatives that were discussed were the development of a North American inventory of air emissions (Council Resolution 01-05), a joint meeting between the CEC and the NAFTA Commission in 2003, the establishment of an expert advisory group on Children's Health and the Environment, and a strengthened relationship between the CEC and the private sector.

In light of the decrease in funding to the North American Fund for Environmental Cooperation (NAFEC) in recent years, a group of NGOs from all three countries put together a statement to the Council encouraging the maintenance and expansion of this critical seed money for community projects. 3

One local NGO, Amigos di Laguna Chipala, was successful in attracting media attention through the CEC meeting to a local environmental issue. Located approximately 50 miles north of the town, Lake Chipala is the source of drinking water for the 5 million residents of Guadalajara (Mexico's second largest city). The water level in the lake has been decreasing dramatically over the past 10 years because of dams on tributaries that feed into the lake, and because of the huge quantities of water drained for consumption in the city. Members of the Amigos invited a group of NGOs on a tour of the lake to see the extent of the decline in water levels. It was dramatic to see houses that once bordered the water that are now more than 2 kilometers from the lake! People drive their cars on the old lakebed and have started to grow crops in the fertile soil. Development applications have been rejected, however, because a heavy rainy season or flash flooding could restore some of the water to the lake and endanger anyone living there. Amigos wished to have a formal declaration of Lake Chipala as an emergency zone, but the Council gave no formal recognition.

Finally, the Eighth meeting of the CEC and JPAC included wonderful hospitality by the Governor of the State of Jalisco, where Guadalajara is located. Attendees were treated to a mariachi band, a dinner at the historic Instituto Cultural Cabanas, and an evening at the symphony.

The Eighth Annual Meeting of the JPAC and the CEC provided the opportunity for representatives of civil society to provide feedback on the programs of the CEC. The extent to which the Council acts upon this information is doubted by some. However, the opportunities for networking and, more importantly, sharing information and understanding between NGOs from the three countries is unparalleled. The public participation mechanisms of the CEC should be used as a template in the negotiation of future trade agreements.

1. See URL: http://www.cec.org/who_we_are/index.cfm?varlan=english Accessed July 5, 2001.

2. The Council, CEC's governing body, is composed of the federal environment ministers (or equivalent) of the three countries. At the Eighth Session of Council were Karen Redman, Parliamentary Secretary to, and on behalf of, Canadian Environment Minister David Anderson, Mexican Secretary for the Environment and Natural Resources, Victor Lichtinger, and US

Environmental Protection Agency Administrator Governor Christine Todd Whitman.

3. NAFEC funds community based projects in all three countries that support the goals and objectives of the CEC.

1.4 CIELAP Getting its Word in at The Strategy Institute's Safe and Clean Drinking Water Strategies Conference

On July 10th and 11th CIELAP participated in the Safe and Clean Drinking Water Strategies Conference hosted by the Strategy Institute. On the first day of the conference Executive Director, Anne Mitchell, was part of a panel discussing the various strategies of water management. Other environmental non-governmental organizations such as Elizabeth Brubaker from Environment Probe and Sam Morra from the Ontario Sewer and Watermain Construction Association were involved in the panel as well. Interesting debates formed around controversial issues such as privatizing water works to solve Ontario's current problems. Although CIELAP does not have an official position on this issue yet, Anne was able to provide some insight on the pros and cons of possible private-public partnerships.

On the second day of the conference, CIELAP showcased its part of the Sustainable Toronto project. Dr. Lewis Molot from York University and Daniella Molnar, CIELAP's summer intern, presented *The State of Water Quality Assessment in Ontario*. Karen Clark and two other students, Jillian Henderson and Jenna Greatorex also worked on this project, but were unable to attend the conference. Dr. Molot discussed the decrease in surface water monitoring and reporting by the Ontario Ministry of the Environment while Daniella presented the state of groundwater information in Ontario and the Ohio EPA approach to water management. In addition to the presentation, CIELAP produced a brief supplementary guide, which provided information on how to access information on surface and groundwater data by supplying contact names and telephone numbers. It also included insight on funding opportunities for municipal groundwater management studies. This document is available on our website: <http://www.cielap.org>.

The conference concluded with a roundtable, including CIELAP's Executive Director, discussing possible ways of addressing our drinking water issues in the future. They discussed the problem of lack of political will to commit funds for necessary improvements to the drinking water system and the challenge of influencing public opinion to be more in favour of financing these initiatives.

CIELAP hopes to continue its relationship with the Strategy Institute. Presently, there is discussion on working together to host a conference early in 2002 on Partnering for Sustainable Development.

EVENTS AND HAPPENINGS

2.0 CIELAP at the People's Summit in Quebec City

[Check out our reviews from those of us who were in Quebec](#) during the FTAA meetings and for a report on the workshop we did at the Peoples Summit on biotechnology. We continue to work with our partner, Fundacion Ambio, in Costa Rica on issues related to biotechnology. You can review their most recent paper entitled Biosafety, International Trade and Consumer Choice, also on our website.

2.1 The Summer Sail - June 21, 2000

A sincere thank you is extended to everyone who braved the windy cool weather to join us on our annual Summer Sail. We would like to particularly thank the sponsors of the event: The Bank of Montreal, Williams and Shier, Gowling, Strathy and Henderson and PriceWaterhouseCoopers. A great time was had by all and we thank everyone who helped to make it such a memorable event. We look forward to seeing everyone again next year.

2.2 Up Coming Events

CIELAP will host its Annual General Meeting on November 15 in Toronto. We will keep you posted about location and the topics to be discussed.

STAFF NEWS

3.1 Farewell and Best Wishes:

During the summer Karen Clark and James Yacoumidis left CIELAP to pursue other opportunities. Karen has gone to work at the City of Toronto on air quality issues and James to Environment Canada to work on the National Pollutant Release Inventory (NPRI) program. We wish Karen and James well in these new endeavours. We know that both the City of Toronto and Environment Canada will benefit from their expertise and commitment to finding solutions for our environmental problems.

We enjoyed a sunny summer afternoon picnic in High Park to say cheerio to Karen and a lunch at one of our favourite restaurants on the College Street strip to see James on his way. We know that we will remain in touch with both Karen and James and see great opportunities for further work with the City of Toronto and Environment Canada.

CIELAP remains in good hands. Jennifer McKay and Danielle Molnar will be working on various projects over the summer. Anicia Bonilla will be ensuring that the office functions and bills get paid.

We will also be hiring over the summer to replace both Karen and James. The application deadline for the Senior Analyst position (Karen's) has passed. We will be receiving applications for the Project/Research position until August 17 2001.

3.2 Interesting Interns:

John Cuelho is a student from the University of Toronto. Over the last five weeks, he has been researching O. Reg. 127/01, which is a recently enacted Ontario regulation that requires various facilities (firms) across Ontario to report on their emissions of 358 air pollutants. His research will be used to help write the air quality section of CIELAP's sixth annual report on the Ontario's Environment, and as an internal reference for what Ontario is currently doing on the air monitoring front. He expects to be finishing his report by the end of July, and is currently working out a date to make a presentation at CIELAP about his research.

Since May, Niagara College intern Alex Munro has been focusing on the nature of Brownfield sites in Ontario. Brownfields are sites with previous industrial use considered to be contaminated above the Ministry of Energy and the Environment's prescribed guidelines. They are currently a hot debate as land costs rise and the pressures of urban sprawl increase. Remedying these sites is, however, quite costly, and in the past few years the Province has been considering the various arguments for redevelopment from all parties: developers, lenders, owners, municipalities, and environmental scientists. The intention of this research is to explain the current regime, the recently enacted Bill 56, and the means by which other jurisdictions across North America are dealing with brownfields and their financing.

3.3 Various Volunteers:

Volunteers continue to provide valuable contributions to CIELAP.

Kryta Siuda is continuing her helpful work with administrative support.

Pat Nichols of Management Advisory Services is providing assistance with the improvement of our information management systems.

Veronica Chau, is a new volunteer, who is doing research for the 6th Year Report on Ontario's

Environment and acting as editor of the newsletter.

LINKS OF INTEREST

This section features a selection of internet sites that do not pertain to CIELAP directly but which we find pretty interesting and thought that you might too. If you know of any interesting sites pertaining to environmental or related issues that you would like to pass on, please e-mail them to us at veronica@cielap.org

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The Straight Goods

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