

## **VISION:**

CIELAP's Vision is a world in which basic human rights include the provision of a safe and healthy environment, achieved through the respect for, and preservation of nature's integrity and diversity.

## **MISSION:**

CIELAP provides leadership in the research and development of environmental law and policy that promotes the public interest and the principles of sustainability

## **GOALS:**

1. Promote an effective and accountable environmental legal and policy framework.
2. Enhance and promote environmental action on the public and political agenda.

## **LETTER FROM THE PRESIDENT**

The past year has once again been one of accomplishments and challenges. CIELAP's reports and publications continue to provide scholarly research, thoughtful analysis and pragmatic recommendations for decision makers charged with governance. In a democratic society this means stewardship of public goods, including the environment. In the past year, CIELAP has found itself again challenging these decision makers and providing thoughtful arguments, recommendations and strategies for strengthening rather than weakening environmental laws at

the federal and provincial levels; and at the international level, returning to the more progressive role that Canada used to play.

CIELAP continues to see its future in providing research and analysis on emerging environmental issues affecting Canada and the world, and communicating the results to key audiences and to the public through the media. Strategic partnerships around specific issues have become a focal point for the Institute. Three such partnerships have formed the basis of three programs over the past year: the Ontario Clean Air Alliance (OCAA); international partnership with Fundacion Ambio in Costa Rica; and the Environmental Agenda for Ontario project.

An exciting new partnership for CIELAP in the coming year will be with the Canadian Environmental Defence Fund and the Canadian Environmental Law Association in Canada and the Environmental Defence Fund in the US. This collaborative will be developing a web site for Canadians using the National Pollutant Release Inventory data. This is a continuation of our NPRI work last year when we published a map of Canada using the NPRI data to identify major sources of pollutants across the country. Several other exciting new projects are in the planning and proposal development stages.

One of CIELAP's greatest challenges is to meet the need for solid policy research during a time of fundamental change. CIELAP continues to meet this challenge successfully with a small staff and limited funds. Financial stability remains a central concern, however. CIELAP's board and staff will continue to wrestle with this question in the coming year as we face the challenges of the new millennium.

I would like to take this opportunity to wish you all, staff, board, and partners - the very best success as CIELAP charts its course into the 21st century.

David Powell,  
President

## RESEARCH PROGRAM

In 1998-99, CIELAP focussed its research program into four areas : Biological Systems, Air Quality & Climate Change, Environmental Accountability and Pollution, Consumption, and Waste. Through its research, CIELAP has engaged in projects at the provincial, federal and international levels.

### **Biological Systems**

***Biodiversity in the Americas.*** Completed last year as part of a collaborative with several Latin American partners, the International Development Research Centre (IDRC) has agreed to publish a summary of the country reports, a comparative chart and regional recommendations.

***Biodiversity - Endangered Species.*** The Institute completed an assessment of the federal and provincial governments' implementation of the National Accord on Species at Risk. The analysis, which identified significant gaps in the implementation of the Accord was prepared for Environment Canada and released in September 1999.

**Biosafety Protocol.** CIELAP has been participating on the Canadian government delegation to develop a Biosafety Protocol under the Convention on Biological Diversity. The protocol is intended to provide for the safe transfer, handling and use of living modified organisms (LMOs). CIELAP has raised concerns over the unconstructive role being played by Canada in the negotiations.

## **Air Quality and Climate Change**

**CIELAP's Ontario Clean Air Alliance (OCAA)**, which was formed in 1997, is a 67 member coalition of cities and organizations working to reduce air pollution from the electricity sector, in particular, air pollution from coal-fired power plants.

The OCAA has achieved many successes over the past year. For example, our Emissions Reduction Study (November 1998) demonstrated that Ontario's electricity-related emissions can be reduced by up to 83%, at a cost of only \$1.86 per month for the typical residential hydro customer, by switching from coal to natural gas for electricity generation. We held our first members workshop in April 1999 and launched a major public education campaign. In addition, we continued to produce current research on air pollution and electricity issues. Recently, OCAA's Chair, Jack Gibbons, was appointed to an expert committee advising the Ministers of the Environment and Energy on the appropriate environmental regulatory framework for the competitive market.

The OCAA's recommendations were endorsed by both the Ontario Liberal and New Democratic Parties in the recent provincial election. The Progressive Conservative Party also made a promise to establish strict emission standards for the electricity sector in their platform.

Funding for this project has been provided by the Toronto Atmospheric Fund, the Toronto Community Foundation, the George Cedric Metcalf Foundation, the Laidlaw Foundation, the Canadian AutoWorkers and others.

**Municipal Greenhouse Gas Reduction.** As part of CIELAP's program to develop options to reduce greenhouse gas emissions, CIELAP participated on an expert committee of Canada's National Climate Change Process.

**Ontario Energy Board Interventions.** Pollution Probe, with technical support from CIELAP, has been intervening at Ontario Energy Board (OEB) hearings to encourage Ontario's natural gas and electric utilities to promote energy efficiency. In April 1999, as a result of our efforts, the OEB established a Shared Savings Mechanism for Enbridge Consumers Gas which links its profits to its success at reducing its customers' bills by promoting energy efficiency.

## **Environmental Accountability**

**Ontario's Environment and the 'Common Sense Revolution'** . In April 1999, CIELAP published a fourth year interim report on Ontario's Environment and the "Common Sense Revolution." This report has captured the impacts on environmental legislation of the Ontario government's policy overhaul and deregulation program during the past four years. A full four year report on the 'Common Sense Revolution' and Ontario's Environment was published by CIELAP in October 1999.

***Great Lakes/Troubled Waters?*** In March 1999, the Institute published an assessment of the performance of the Governments of Ontario and Canada under the July 1994 Canada-Ontario Agreement on the Great Lakes Basin Ecosystem. The Agreement is the primary mechanism for the implementation of Canada's commitments under the Great Lakes Water Quality Agreement. CIELAP's report concluded that "it is clear that many of the goals and objectives of the agreement will not be met by the time of its expiry in March 1999" highlighting the collapse of political will to restore the lakes since 1995.

***An Environmental Agenda for Ontario.*** CIELAP and the Ontario Environmental Network released in April 1999, an Environmental Agenda for Ontario. The Agenda charts a viable course for sustainability for the years ahead. The Agenda was supported by 10 research papers, covering topics ranging from air quality to democracy and environmental accountability. Support for this project has been provided by the Joyce Foundation.

***Environmental Harmonization.*** The Institute completed a scoping and design paper for the two year review of the federal-provincial harmonization agreement for Environment Canada.

***Canadian Environmental Law Reports.*** CIELAP jointly publishes the Canadian Environmental Law Reports (CELR) with Carswell Publishers. Each month the CELR covers significant environmental decisions from territorial, provincial and federal courts and administrative tribunals.

## **International Program**

***Partnership with Costa Rica.*** CIELAP continues to partner with Fundación Ambio of Costa Rica. Work began in 1998 towards the development of policy to deal with organic agriculture as well as mechanisms for protecting the environment and human health against products of agricultural biotechnology. In July 1999 CIELAP staff participated in two workshops in Costa Rica and presented papers on the law and policy framework for agricultural products of biotechnology and organic agriculture.

This exciting partnership is funded by the Canadian International Development Agency.

CIELAP staff have also participated in the trilateral proceedings of the Commission on Environmental Cooperation.

## **Pollution Consumption and Waste**

***Hazardous Waste Management in Ontario.*** In March 1999 CIELAP published a report revealing that imports of hazardous waste into Ontario from the United States had nearly quadrupled between 1993 and 1997. The Institute highlighted the weakness of Ontario's standards for hazardous waste disposal relative to the United States. The report was one of the background studies for the Environmental Agenda for Ontario project. In September 1999 the new Provincial Minister of the Environment the Hon. Tony Clement confirmed CIELAP's findings, describing Ontario's hazardous waste standards as "embarrassing" and made a commitment to a complete revision of the existing standards.

**Community Right to Know.** The provision of environmental information to the public continues to grow as part of CIELAP's research program. In July 1999 CIELAP published a national map of Canada showing the leading sources of pollutant releases and transfers, using data for the National Pollutant Release Inventory. The Institute is developing a second mapping project showing pollutant releases and transfers in three North American cities, a Citizens' Guide to the NPRI and other projects using the NPRI data.

In September 1998 CIELAP participated in the OECD international Conference on Pollutant Release and Transfer Registries (PRTRs) in Tokyo, Japan.

In April 1999, CIELAP participated in workshops on the use of PRTR data in Mexico City, Guadalajara and Tijuana Mexico, sponsored by Mexican NGOs and the Commission for Environmental Cooperation.

**Pollution Prevention Education.** The Institute published, in early 1999, *Le Guide de citoyen en matière de prévention de la pollution*. This guide is the french language equivalent of the widely-accessible guide to pollution prevention in the home, school and community, entitled *The Citizen's Guide to Pollution Prevention*. Funding for this initiative was provided by Sleeman Breweries Limited and Environment Canada.

**CEPA Review.** In October 1998 CIELAP presented a joint brief with the Canadian Environmental Law Association on Bill C-32, the revised Canadian Environmental Protection Act, to the House of Commons Standing Committee on Environment and Sustainable Development.

**Environmental Law and Policy and Mining in the Americas.** CIELAP, in conjunction with other environmental policy centres, is participating in the development of an international partner-ship that will compare environmental laws, regulations and policies applied to the mining industries in nine countries including Canada, the U.S., Peru, Chile and others.

In July 1998, CIELAP participated in an IDRC sponsored workshop on mining and sustainable development in Lima, Peru.

In May 1999, CIELAP participated in an OECD workshop on waste reduction and extended producer responsibility in Paris, France.

## PUBLICATIONS

During the period under review, CIELAP has published a variety of reports and numerous papers.

### Reports

*Electricity Competition and Clean Air* by Jack Gibbons and Sara Bjorkquist, July 1998.

*Ontario's Environment and the "Common Sense Revolution": A Third Year Report* by Mark Winfield and Greg Jenish, July 1998

*Emissions Reduction Study for the Ontario Clean Air Alliance*, by Diener Consulting and Acres

International, November 1998.

*Troubled Waters: An Assessment of the Performance of the Governments of Ontario and Canada Under the Canada-Ontario Agreement on the Great Lakes Basin Ecosystem*, by Mark Winfield and Greg Jenish, March 1999.

*Hazardous Waste and Toxic Substances, Environmental Agenda for Ontario Background Paper*, by Mark Winfield, April 1999.

*Democracy and Environmental Accountability Environmental Agenda for Ontario Background Paper*, by Mark Winfield and Paul Muldoon, April 1999.

*An Environmental Agenda for Ontario* by CIELAP and the Ontario Environment Network, April 1999

*Ontario's Environment and the "Common Sense Revolution": A Fourth Year (interim) Report* by Mark Winfield and Greg Jenish, April 1999

*The Ontario Energy Board's Draft Standard Supply Service Code: Effects on Air Quality*, by Jack Gibbons and Sara Bjorkquist, June 1999.

## **Briefs**

*Submission to the Ministry of the Environment Re: Draft Waste Management Regulation*, by R.Nadarajah, Theresa McClenaghan, Mark Winfield (joint brief with the Canadian Environmental Law Association, September 1998).

*Submission to the House of Commons Standing Committee on the Environment and Sustainable Development Re: Bill C-32, the Canadian Environmental Protection Act*, by Mark Winfield and Paul Muldoon (joint brief with the Canadian Environmental Law Association, October 1998).

*Comments on the Ministry of the Environment's REVA program*, Mark S. Winfield, January 1999.

## **COMMUNICATIONS**

Throughout the year, the Institute's staff have communicated with key audiences including the public, numerous non-governmental organizations, governments and trade organizations in Canada and around the world.

CIELAP relies on published means such as briefs, reports and electronic documents as well as presentations and networks to communicate with audiences. Some of these are detailed below:

Canadian Environmental Network / Ontario Environmental Network. CIELAP continues to participate in several caucuses of the Canadian Environmental Network and is also a member of the Ontario Environmental Network.

World Wide Web. CIELAP's home page is playing an increasingly frequent role as 'first greeting' for many individuals interested in the Institute's work. The home page is accessible at the following address : <http://www.cielap.org>.

Resource Library for the Environment and the Law. This valued resource is co-sponsored by the Canadian Environmental Law Association and CIELAP and is one of the most comprehensive public interest libraries in the country.

## **Media Releases**

June 22, 1998: Erosion of Environmental Protection Continues During Government's Third Year

July 7, 1998: Market Design Committee Endorses Emissions Caps for Competitive Electricity Market

August 20, 1998: Will Hydro De-Regulation Lead to Increased Air Pollution?

November 16, 1998: Health-threatening contaminants from coal-fired electricity: large air pollution reduction possible at low cost new study shows

December 14, 1998: Clean Air Alliance Congratulates Ontario Hydro for Going Gas: Lower Emission Caps Needed to Guarantee Cleaner Air

March 8, 1999: New Report States Government Cutbacks Cause of Failure of Great Lakes Clean-Up Initiative

April 12, 1999: The last four years at Queen's Park : A Dismantling of Environmental Protection That is Unprecedented in Ontario History

May 17, 1999: Ontario Clean Air Alliance Launches Radio Campaign to Phase-Out Coal-Fired Electricity

May 25, 1999: Health-Environment Coalition Seeks Tougher Air Pollution Rules for New Electricity Market: Launches Application under Environmental Bill of Rights

June 30, 1999: New Rules for the Electricity Sector Could Increase Smog

## **SELECTED MEDIA COVERAGE**

### ***Biotechnology***

*Globe and Mail* "Ottawa accused of scuttling biotech deal" by Anne McIlroy, February 26, 1999

### ***Environmental Agenda***

*Toronto Star* "Support environmental plan, election candidates urged" by Brian McAndrew, April 22, 1999

*London Free Press* "Hazardous waste soaring in Ontario / Controls inadequate report suggests" by Peter Geigen-Miller, March 19, 1999

*Windsor Star* "Toxic waste imports rise" by Doug Schmidt, March 18, 1999

*Edmonton Journal* "Ontario No.1 waste dumping site" March 18, 1999

## ***OCAA***

*Globe and Mail* "Electricity overhaul will pollute activists say, by Richard Mackie, July 9, 1999

*Globe and Mail* "Air-quality rules too lax, poll finds" by Martin Mittlestaedt, April 20, 1999

*Toronto Star* "Hydro's foul air emissions on rise" by Brian McAndrew, February 17, 1999

*Financial Post* "CU Power opening natural gas facility in Ontario" by Greg Crone, December 16, 1998

*Financial Post* "Cleaner air could be had for the price of a cup of coffee and doughnut" by Greg Crone, November 16, 1998.

*Ottawa Citizen* "Deregulation could create more air pollution: group" by Jeannie Marshall, August 20, 1998

## ***Environmental Accountability***

*Globe and Mail* "Group flays Ontario's record on pollution" by Martin Mittelstaedt, April 12, 1999

*Ottawa Citizen* "Harris 'undercuts' environment: Ontario government 'makes it legal to pollute', report charges" by Peter Boisseau, April 12, 1999

*Kitchener-Waterloo Record* "It's not easy being green" by Bob Burt, April 10, 1999.

*Calgary Herald* "Blood dumped in sewers not monitored, says CRHA official" by Julliet Williams, December 1, 1998.

*New York Times* "Slight Drop Found in North America's Pollution" by Anthony DePalma, October 8, 1998

## ***Troubled Waters?***

*Ottawa Citizen* "Great Lakes cleanup 'stalled': Study blames dithering, budget cuts for slowdown" by Tom Spears, March 8, 1999.



*Montreal Gazette* "Governments stall Great Lake cleanup: study" by Tom Blackwell, March 8, 1999

*London Free Press* "Cleanup Efforts for Great Lakes Short of Targets" March 8, 1999

*Globe and Mail* "Great Lakes cleanup disputed" September 29, 1998

### ***Guest Articles / Opinions***

*Encompass Magazine* "Fed Up: Federal Environmental Deregulation Undermines Protection" by Anne Mitchell, February 1999.

*Toronto Star* "Time to rescue environmental policy" by Anne Mitchell and Mark Winfield, October 12, 1998

### ***Letters to the Editor***

*Hamilton Spectator* "Ontario can stop flow of toxic waste" by Anne Mitchell, March 24, 1999

*Toronto Star* "Ontario simply shifts fate of various pollutants" by Anne Mitchell, August 27, 1998

## **FINANCIAL REPORT**

The 1998/99 year has brought both financial progress and financial challenges for CIELAP. Although we have considerably increased our revenues from under \$450,000 to over \$600,000 in the year, we have also increased our deficit, which stands at \$39,000 for the year. This is, of course, of concern to the CIELAP management. We have initiated steps to tighten up our financial recording and reporting and we have introduced new accounting software and procedures to attempt to ensure that effective and efficient project accounting is in place and that CIELAP's scarce financial resources are well managed.

I am confident, that with more effective and efficient financial controls, with the continued support of our donors and funders and with the identification of new donors who will support the work of CIELAP, we will be able to reduce our deficit and hopefully continue to expand the overall work of CIELAP.

Murray Klippenstein  
Treasurer

## **ORGANIZATIONAL PROFILE**

The Institute:

- conducts professional research and public education.

- provides leadership in the development of environmental law and policy.
- promotes the public interest and the principles of sustainability.
- promotes the protection of the health and well-being of present and future generations, and of the natural environment.
- researches and evaluates options for public and private sector responses.
- communicates the conclusions of its research results to lay and professional audiences in a clear, non-partisan manner.

The Institute is incorporated under the laws of the Province of Ontario as a not-for-profit corporation and is registered with Revenue Canada as a charity. CIELAP's Business Number is 11883 3417 RR0001.

## PARTNERS

CIELAP's board and staff would like to extend their gratitude to all those who have supported the work of the Institute in the past year. In particular, we extend our thanks to those who have given financial support to help advance the Institute's mission in 1998/99.

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