



Kyoto if necessary, but not necessarily Kyoto

By Paul Manning

After months of speculation, the federal government has released a few more hints about its oft-touted, but still unreleased "made-in-Canada" approach to addressing global climate change.

While the Prime Minister praises the voluntary Asia-Pacific Partnership on Clean Development and Climate, Environment Minister Rona Ambrose insists we have to "explore new options with open minds." As chair of the Conference of Parties (CoP) drafting the next stage of the UN Framework Convention on Climate Change, Ambrose is reportedly pushing for less-stringent targets and looser deadlines. Canada is also threatening to pull out of the supplementary Kyoto agreement unless it wins the support of the U.S., China, India and other major polluters.

To date, the federal plan has largely entailed denigrating the effectiveness of previous Liberal policies – policies that had fallen some 195 Mt (megatonnes) short of achieving Canada's greenhouse gas (GHG) reduction targets – and scrapping plans to buy international carbon credits to make up the shortfall. "We will not send Canadian taxpayers' dollars overseas to buy credits," said Minister Ambrose in mid-May. "These are billions of dollars that can be invested in Canada to help reduce pollution and greenhouse gases." Ottawa has committed to coordinate a national renewable fuels strategy to promote ethanol production, and to allow commuters to claim tax deductions for monthly transit passes.

The Conservatives' first budget killed EnerGuide for Homes, a widely-praised and practical program of energy conservation retrofits. The government also nixed funding for construction of additional high tension power lines, promised by the previous government.

These lines would have allowed Ontario to replace some of its coal-fired power with clean hydro-electricity from Manitoba and Quebec.

Minister Ambrose has pledged to get tough on "real" air pollutants with a new *Canadian Clean Air Act*. In the meantime, the Minister is pushing for a two-year 'timeout' on Kyoto to let us assess what's working and what's not. Only then would we "decide whether or not we can make further (Kyoto) commitments."

Ontario moves to "improve" EA process for major infrastructure projects

Ontario's Ministry of the Environment has announced its intention to amend the province's controversial environmental assessment (EA) process. This is a big step forward. The announcement sounds particularly promising for Ontario's waste disposal problems. According to the Minister changes won't likely take effect for six to 18 months. Given the significant drafting and public consultation required, 18 months seems more likely.

The MOE does not intend to amend the EA Act but does plan new regulations and guidance documents.

According to Environment Minister Laurel Broten, the changes are intended to save both "time and money in the planning of energy, transit and waste initiatives."

MOE says that the planned reforms will:

1. Streamline the approvals process for transit projects.
2. Reduce opportunities for appeals by delegating decisions on bump-ups and elevation requests (it is unclear to us how delegation of decision making could reduce rather than increase appeals).
3. Consolidate activities such as consultation for multiple approvals.
4. Integrate the EA process with planning processes under other provincial legislation to reduce duplication, especially for energy, transit and waste initiatives.
5. Improve government approvals timelines.

Over the years, there have been plenty of complaints registered about

Ontario's environmental assessment (EA) process. It's too costly. It takes too long. It's overly complex and duplicates other planning requirements. It provides too many ways to slow down or even kill important projects.

There have also been plenty of recommendations on how to fix the process. The most recent was the multi-stakeholder advisory panel that tabled its report last March (2005). The new reforms are based in part on the panel's recommendations. The MOE says that they will "make it easier to navigate and enable major infrastructure projects ... to proceed more quickly."

The MOE intends to promulgate a new waste regulation under the *Environmental Assessment Act* to standardize the EA process based on the type, size and environmental impact of projects. It will also publish a new Code of Practice to improve the guidance provided to both proponents and the public on the regulatory requirements and the Ministry's expectations under the Act.

There are few firm details available on the promised changes. The draft waste regulation will be circulated to industry and municipal stakeholders for discussion this summer and MOE plans to post it on the Environmental Registry for public comment sometime this fall. MOE is still working on the Code of Practice, and it won't be available for general review until the fall.

A Ministry spokesperson calls EA a "proponent-driven process" and says the new Code will work to "eliminate confusion and false starts," and help the public contribute to the EA process in a more meaningful way. To this end, the Ministry is drafting "clear, consistent standards and principles so that EAs are complete and correct."

Stakeholders urge government to limit brownfields liability

There are three major impediments blocking the development of brownfield properties, according to the Brownfields Task Force established by Ontario's Ministry of Municipal Affairs and Housing. First, there is a lack of funding and resources. Second, there is a lack of knowledge and training, espe-

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