



## Climate Change Tops the Environmental Agenda

By [Charles Birchall](#), Partner, with the assistance of Giselle Davidian, student-at-law. © Willms & Shier Environmental Lawyers LLP.

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*In response to last week's United Nations Climate Summit in New York, Canada and Ontario announced progress in greenhouse gas reduction initiatives. Specifically, the federal government announced regulatory developments to bring permissible greenhouse gas emissions from light vehicles and sulphur content in gasoline in line with U.S. Tier 3 standards. Canada also announced that it will be developing regulations for hydrofluorocarbons that will align with recently proposed U.S. regulations. Meanwhile, Ontario announced a new strategy to meet greenhouse gas reduction targets.*

### Canada Harmonizes With the U.S.

The Canadian government announced developments on four new regulatory initiatives to lower greenhouse gas (GHG) emissions from vehicles. On September 27, Canada published proposed amendments to the *On-Road Vehicle and Engine Emission Regulations* and the *Sulphur in Gasoline Regulations*. The amendments will bring Canada's permissible levels of emissions from light vehicles and sulphur content in gasoline in line with U.S. Tier 3 standards. Canada will also publish the finalized *Regulations Amending the Passenger Automobile and Light Truck Greenhouse Gas Emission Regulations* on October 8, 2014. The government also announced intentions to further regulate fuel efficiency for post-2018 model year heavy-duty vehicles.

As part of Canada's National Statement at the United Nations Climate Summit, Environment Minister Leona Aglukkaq announced that Canada will publish a Notice of Intent to regulate hydrofluorocarbons (HFCs). The objective is to reduce and limit these potent GHG emissions. If left unregulated, HFCs are expected to increase substantially in the next 10 to 15 years. The Notice of Intent will outline the proposed scope of the regulatory measures for HFCs and timelines for stakeholder consultations. The regulations will align with recently proposed U.S. regulations on HFCs.

HFCs are not manufactured in Canada, but are imported in bulk and are used in manufactured products such as refrigerators, air-conditioning units and insulation for foam products.

### Ontario's Proposed Strategy

Ontario's Ministry of the Environment and Climate Change (MOECC) launched a new strategy to meet its GHG reduction targets. The MOECC plans to

- ◆ achieve 2020 and 2050 GHG reduction targets
- ◆ work with Quebec to push for greater climate change prominence in the Canadian Energy Strategy, and
- ◆ ensure that such efforts are integrated in the policies of other Ontario ministries.

Ontario Premier Kathleen Wynne also released a mandate letter on September 25, 2014, directing the MOECC to lead Ontario's development of a long term climate change strategy. The letter urges Minister Glen Murray to actively engage the public and stakeholders in dialogue on climate change. It also instructs the Minister to ensure that climate change is considered in the government decision-making process, including policies for GHG impact analyses and public infrastructure investments. The letter mandates the MOECC to develop new alternative fuel rules in 2014 that will help energy-intensive industries reduce their GHG emissions.

### **International Lawyers Speak Out**

In a landmark report released on September 22, 2014, the International Bar Association (IBA) called for an international court on the environment that would deal with climate change disputes. The report's other key recommendations include recognizing a universal right to a sustainable environment and establishing a cumulative carbon budget in the United Nations (UN) Climate Change Multilateral Framework.

### **The Public Speaks Out**

More than 300,000 people took part in the People's Climate March on September 21, 2014 in New York – the single largest climate protest in history. The march launched the UN Summit, which was organized, in part, to prepare for a critical climate change meeting in Lima, Peru, in December 2014, followed by an ultimate meeting in December 2015 in Paris. Governments and businesses made encouraging, albeit non-binding, declarations on matters such as deforestation, carbon pollution, renewable energy and methane leaks from oil and gas production.

Willms & Shier is preparing an article on the state of climate change initiatives in Canada and what we can expect in the short to medium term from different levels of government and stakeholders.

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