



Greenspace Alliance of Canada's Capital
Alliance pour les espaces verts de la capitale du Canada

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Ottawa, Ontario
May 3, 2017

The Honourable Catherine McKenna,
Minister of the Environment and Climate Change
200 Sacré-Coeur Boulevard
Gatineau QC K1A 0H3

Dear Minister McKenna,

Re: Building Common Ground: A New Vision for Impact Assessment in Canada

Thank you for seeking feedback (“Let's Talk Environmental Assessment”) to the report *Building Common Ground: A New Vision for Impact Assessment in Canada* by the Expert Panel.

The Greenspace Alliance of Canada's Capital (GA) would start by giving our deep appreciation and thanks to the Members of the Expert Panel and their colleagues. And GA supports the cautious optimism (albeit “the devil's in the details”) as offered by the West Coast Environmental Law in their Overview of the Expert Panel's Report. We bring the following specific points to your attention:

- re: Indigenous considerations: we support the Panel's recommendation that consent must be obtained (s. 2.3) ;
- re: What gets assessed: the Panel recommends that more projects be assessed but that would still amount to just a few hundred out of the thousands potentially (s. 3.2). We propose that you enact "triggers for all projects before they can receive a federal permit."
- re: Right of appeal: We do not support the Panel recommendation that appeals be made to Cabinet, without obligation to give reasons (s. 3.1). Rather, we strongly support the WCEL recommendation: "There should be a right of appeal for both interim and final decisions, and an independent tribunal should be established to hear those appeals in order to ensure justice and accountability."

re: the Early planning stage: We support the Panel's recommendation and agree with the WCEL that it is essential) s. 3.2)

Nevertheless, for the GA it did come as a surprise to find that the authors of the Report (Section 1.2) rather abruptly state that what is now “environmental assessment” should become “impact assessment.” The authors continue “This new approach would not be limited in its breadth but would instead be all-encompassing.” Further to our submission of December 22, 2016, we would simply reiterate that our primary interest is in improving the Environmental Assessment processes to help sanction greenspace (appropriate ecological goods and services). Naturally this interest starts in

Canada's Capital where we are based. So, for example, the recent *discovery* of contaminants in the Rideau Canal begs questions about the lack of baseline research and adequate data. And the lack of a public process in Ottawa to address possible radioactive contamination of the Ottawa River (CNL near Surface Disposal Facility Project EIS, March 2017) is obvious. As a final example, the *Greenbelt Master Plan, which is part of the National Capital Commission's Plan for Canada's Capital*, is their corporate plan and not a regional plan based on (global) ecological concepts.

The GA is used to dealing with 'comprehensive' land-use matters (albeit on one side of the Ottawa River) via Ottawa's Official Plan/Zoning By-law, largely under the Planning Act (with its broad ministerial interest). As such, this new, expanded focus, as envisaged by the Expert Panel, is supported. What is not clear from the Review is how this new vision as stated (and currently appreciated) would necessarily improve the expanded goals and processes. For to move beyond the aspirational into the implied legislative, regulatory or policy changes will be a critical and challenging matter.

In all circumstances robust (comprehensive) data are still required and currently missing. As an aside, the recent report (*Investing in Canada's Future*) by the Advisory Panel for the Review of Federal Support for Fundamental Science speaks to the need for more federal research which should address this mega data deficit.

It is worth noting that while there may be a perceived focus for the need for EA (IA) changes that might affect northern indigenous groups, there are substantive indigenous groups in and surrounding Canada's Capital to whom these complex, nation-to-nation issues apply just as much.

Notwithstanding the "help get resources to market" directive in your Department's current mandate letter, the Expert Panel's Report now envisages that Canada should be bound by ongoing adequate material flows analysis in the broad context of the pillars of sustainability. The GA supports this shift.

In closing, the global picture is clearly deeply problematic and challenging. Canada's global ambition and footprint is currently determined by such initiatives as the Paris Accord and the Sustainable Development Goals. But, for example, in the case of the City of Ottawa, these must become real in Ottawa's Zoning By-law.

The members of the Greenspace Alliance look forward to the positive changes the Government of Canada will initiate this fall.

Yours sincerely

Paul Johanis
Co-chair, Greenspace Alliance of Canada's Capital