

Environment Canada's Transformation

Environment Canada (EC) and Canadian Environmental Network (RCEN) Conference Call
November 16th, 2005
Minutes

Present: approximately 50 people from the RCEN across Canada, 4 staff from the RCEN National Office and 3 staff from EC (Michael Wilson, Cassie Doyle and Maggie Julian)

ACTION ITEMS:

- It was requested that EC provide definitions for “sustainability”, “stewardship”, “precautionary” and “assessment”.
- EC will follow-up with RCEN staff to discuss when the next conference call of this type will be held (EC recommends monthly or bi-monthly calls).
- Michael Wilson will follow-up with Sheila Cole on environment and health issues (others asked to participate in this call as well).

1. Overview of what EC has been going through over the past few years (quick run through of a PowerPoint presentation focused on the EC Transformation by Cassie Doyle)

NB: Included here are points added by Cassie Doyle that are not in the PowerPoint slides.

Slide 2

- Since arrival of Stéphane Dion and Samy Watson, EC has gone through a major policy review

Slide 3

- Big changes have happened over the past 10 years (structural and in cultural) and in recent years the department has become much more compartmentalized

Slide 7& 8

- The Prime Minister has given EC the lead on sustainable development (SD) strategies across government
- Thanks to the new CESF, SD results are already being seen
- The linkage between health and environment is also coming under the general framework

Slide 14

- Boards are being created to manage the priorities of EC and to work on issues in order to pursue the results-based management strategy

Slide 18

- The new organizational structure will still include 5 Regional Director Generals and in addition, a stand alone auditing branch

Slide 19

- If anyone wants more information on the new governance structure, Michael Wilson has offered to provide them with it

Slide 20

- Within EC's new structure, Michele Brenning is responsible for the cross-cutting Environmental Assessment branch – She has been in this position for about 6 months

Slide 21

Within EC's new structure:

- Tony Young will be the director general of strategic policy for the Health Branch, which will be taking on more prominence
- John Arseneau will be the lead for assessment issues related to Toxics
- John Carey will be the lead from the scientific perspective for Water, and other staff will be focusing on other angles
- Sharon Lee Smith will be the lead for the International Climate Change Branch (she only recently came back to the department), while Nicole Ladouceur will be responsible for International Affairs and Institutions
- Thao Pham will be the lead for Youth though this is a cross-cutting issue over several groups

Slide 23

- In terms of the new Directorate, Partnerships and Consultations, the “single window” approach is meant to strengthen relations, dedicating more resources and resulting in much more coherent relationships. The new directorate will not replace existing consultation mechanisms. It is not intended that Michael Wilson should be the single contact person; all of the people mentioned under RCEN Caucus Linkages will also be contacts.

2. Question and Answer Period (Answers provided by Michael Wilson and Cassie Doyle)

Q: How does EC plan to prioritize on the environmental protection of regions?

A: A lot of control over biodiversity rests with the regions and EC is soon going to release a study on natural capital, and have a stronger outcomes management strategy for biodiversity.

Q: The RCEN Caucus Linkage for the Agriculture Caucus wasn't mentioned in the PowerPoint presentation.

A: Robert McLean or Anne O'Toole.

Q: How will EC address health-related environmental issues?

A: Through the Canadian Environmental Protection Act (CEPA), EC is sharing responsibility with Health Canada (HC) and building up a stronger case of national leadership by looking to make stronger linkages between environment and health.

Q: What are the drivers in terms of slides 8 (EC policy agenda), 9 (four strategic outcomes) and 10 (results related to these outcomes)? For the Sector Sustainability Tables (SSTs), for example, would it be fair to assume that strategic outcomes are going to drive any results?

A: These are overlapping. EC set up the SSTs to achieve the highest level of sustainability outcomes. The EC policy agenda is still in the early stages; they don't yet have long term environmental objectives nor have they decided how to determine those objectives. EC wants to engage ENGOs, aboriginal groups, cities, provinces, etc. to help come up with the objectives. EC sees it as being a key deliverable and is doing internal research on best practices, practices of other countries and best available technology, which will form the basis of the advice EC will give to the Federal Government. The SST process is about *how* to deliver on environmental objectives, not *what* to deliver.

Q: The new organization structure doesn't use the term "protection" anymore, it's "stewardship". Why? Through what level of consultation has EC made all these changes? What level of consultation is being used for the SSTs?

A: "Protection" is still a key result, but an overall title of "stewardship" was chosen for the better integration between conservation and protection program operations; it doesn't take the focus away from protection. Stewardship was used to get people working in a more integrated way. EC has been talking with the RCEN on how to consult with Canadians.

Q: Why is "Risk" the key word in the CESF, and not "Precaution"? Is the trend going to be regulation or will the bad trend of voluntary measures persist?

A: The role of risk assessments is largely science-based and captures the idea of the precautionary principle, but EC is planning to pursue the regulatory front under CEPA's Schedule 1.

Q: In terms of an international agenda, how will the agreements that Canada has signed on to play into the framework? In terms of the Kyoto 2012 reporting deadline, how will that play into things?

A: Multilateral Environmental Agreements (MEAs) and other international commitments will be handled by the strategic integration board and international branch (which is a fairly small branch but will allow EC to be better prepared and better to report on those initiatives.)

Q: How are water issues dealt with in the CESF? Have they been given over to the provinces? What addresses the issue of urban infrastructure impacts or land development use and what is EC's realignment around this issue?

A: EC admits it doesn't have its act together on water but it does have a water research institute across the country and scientific research on water in Canada is quite advanced. There is very high jurisdiction integration in Canada on water issues and EC addresses non-point source pollution through specific targets. But EC admits that it needs to take on a bigger role.

Q: What are the implications of the CESF for oceans issues? Is this initiative (from protection to stewardship and from precaution to risk assessment) a move away from regulation? There has been a lengthy review of Canadian Environmental Assessment Act (CEAA), which has been largely rewritten without consultation. CESF seems to erode the gains that have been won so far on environmental protection, while at the same time claiming it is to strengthen the link between environmental groups and EC.

Q: Will ENGOs have an opportunity to help to establish the agenda on key issues to get away from the historic problem of only responding to government?

A: EC is doing some fairly informal discussions with ENGOs on natural capital and then will be sharing the outcome with a wider public. It's a way of getting RCEN members involved in the framework. EC wants to get more heavily into this initiative in the New Year.

Q: How can ENGOs deal with HC? ENGOs have so far received no response from that department.

A: EC is working quite closely with HC on a health and environment strategy and so has been able to build a relationship on that base.

Q: The Smart Regulation Initiative (Smart Regs) has a risk-based focus and the Privy Council Office (PCO) is now consulting the public on Smart Regulations. using the CESF as an example. If the public response is negative, it's a bit premature for EC to be adopting the CESF.

A: Risk assessment has always been included in EC policy

Q: If the focus of the CESF is outcomes, what are the indicators that would measure those outcomes? Will another document be released about what indicators will be monitored to see if the outcomes have been attained?

A: Core environmental indicators are being researched and EC is getting close to identifying viable core indicators. The annual report on plans and priorities (http://www.tbs-sct.gc.ca/est-pre/20042005/EC-EC/EC-ECr45_e.asp) is a mandatory government document that deals with results and how the government will attain and assess those results.

Q: Why isn't the precautionary principle mentioned in the CESF?

Q: What is the harmonization process with the provinces about?

A: EC is in discussion with the provinces about an agreement to work more closely with the provinces. Provinces are identifying priorities (sharing information, monitoring, enforcement...) but the discussions are still in the preliminary stage.

Q: One of the things that is being used as an example of a Smart Reg in the PCO consultations is the CESF. Why is that going across the country now in the form of a consultation while at the same time EC is already working on CESF? There seem to be a lot of initiatives happening in the same direction and it's hard to have faith in the consultation process right now.

A: EC doesn't really know what the PCO consultations are about but PCO went across all departments asking what could be linked to the Smart Regs and have used CESF as an example. EC developed CESF as a policy completely separate from the Smart Regs framework.

Q: Could the right to a clean environment be included in a bill of rights?

A: Not right now.

Q: It's difficult for grassroots organizations to find out what's going on and to handle on the grassroots level changes that are trickling down from government.

Q: Has EC adapted particular definitions for "sustainability", "stewardship", "precautionary" and "assessment" in this framework? Can they be found on the EC website?

A: Michael Wilson says that they can be found (he says that the definition used for the precautionary principle is the one from the RIO declaration on Environment and Development).

Q: There is concern about EC's focus on competitiveness, best practices and best available technology. How will EC assess toxic levels that will be affecting the human and other species (pesticides affecting the endocrine system, for example)? Health and clean air need to be priorities. Yet since the Kyoto work on clean air started, the situation has become worse, not better.

The framework should be taken to the people in town halls so that there can be true public consultation before it becomes an official document.

A: Michael Wilson can follow up about this at another time as it could be a whole meeting.

Q: There are some good things in the framework, like the peer policy direction and talking about strength and enforcement. What is not so encouraging is: reduced stakeholder involvement in the Air Management Committee (AMC) or any of the task groups as well as the health and environmental committee, deregulation in the Canadian Council of Ministers of the Environment (CCME) in terms of the one-window approach and deregulation initiatives in the Department of Fisheries and Oceans (DFO) (such as turning over inland fisheries to the provinces to regulate).

Q: The precautionary principle was cited under CEPA, but not in this document. It has to be included. Smart Regs and the SSTs came up early into the discussions on CEPA. There is the feeling that the train has left the station.

A: The CEPA review and implementation is high on the agenda and EC will be working with the stakeholders on that.

Q: Spending a lot of money on the national weather network is a waste of money since local networks may do a better job of predicting weather patterns.

Q: Can a discussion be organized between ENGO stakeholders, EC and Agriculture Canada (AC)? So far it doesn't seem to be happening in AC where the dialogue is between industry and the government but not with ENGOs.

3. Suggested Topics for Future EC/ENGO Teleconferences

- Chemicals and risk assessment
- The Review of the Fisheries Act (fisheries and water issues)
- Precautionary vs. risk-based management (pros and cons)
- Discussion on the 4 strategic outcomes and what is being done (goals and outcomes)
- A philosophical round table on the CESF to discuss what is new with this vision and what are its historical roots
- Jurisdictional issues with respect to aboriginal environmental issues
- Incorporating the precautionary principle and finding something that is appropriate to all stakeholders (i.e. not Smart Regs)
- Linkages of sustainable consumption and production to the CESF
- Provincial harmonization through the CCME as not living up to expectations
- Dialogue on how to create a Sustainability Act so that standards can be set around EC regulations

- Status of multilateral and bilateral agreements that Canada has signed on to and how they can be adhered to and verified within EC's new framework
- A collaborative approach to consultations
- A national water standard
- Discussion with Weather Service about the accuracy of weather reports (the benefit of local vs. national weather networks).

4. Feedback on call format, content

- When doing consultation, it would be interesting to use more of a collaborative system instead of a consultation where the government sets the agenda and leaves with input from ENGOs
- It would be good to organize discussions between ENGO stakeholders, EC and Agriculture Canada (AC)
- It would be good to include some of the business sector reps with the ENGOs in a future call.