

# Transparency, Accountability & Credibility in the New Era of Environmental Protection

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Environmental Commissioner of Ontario

Sudbury 2003 Mining and the Environment

Canadian Land Reclamation Association Meeting

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# Overview

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- **Three Land Use Approaches for Ontario**
- **Conclusions**

# Models for Environmental Protection



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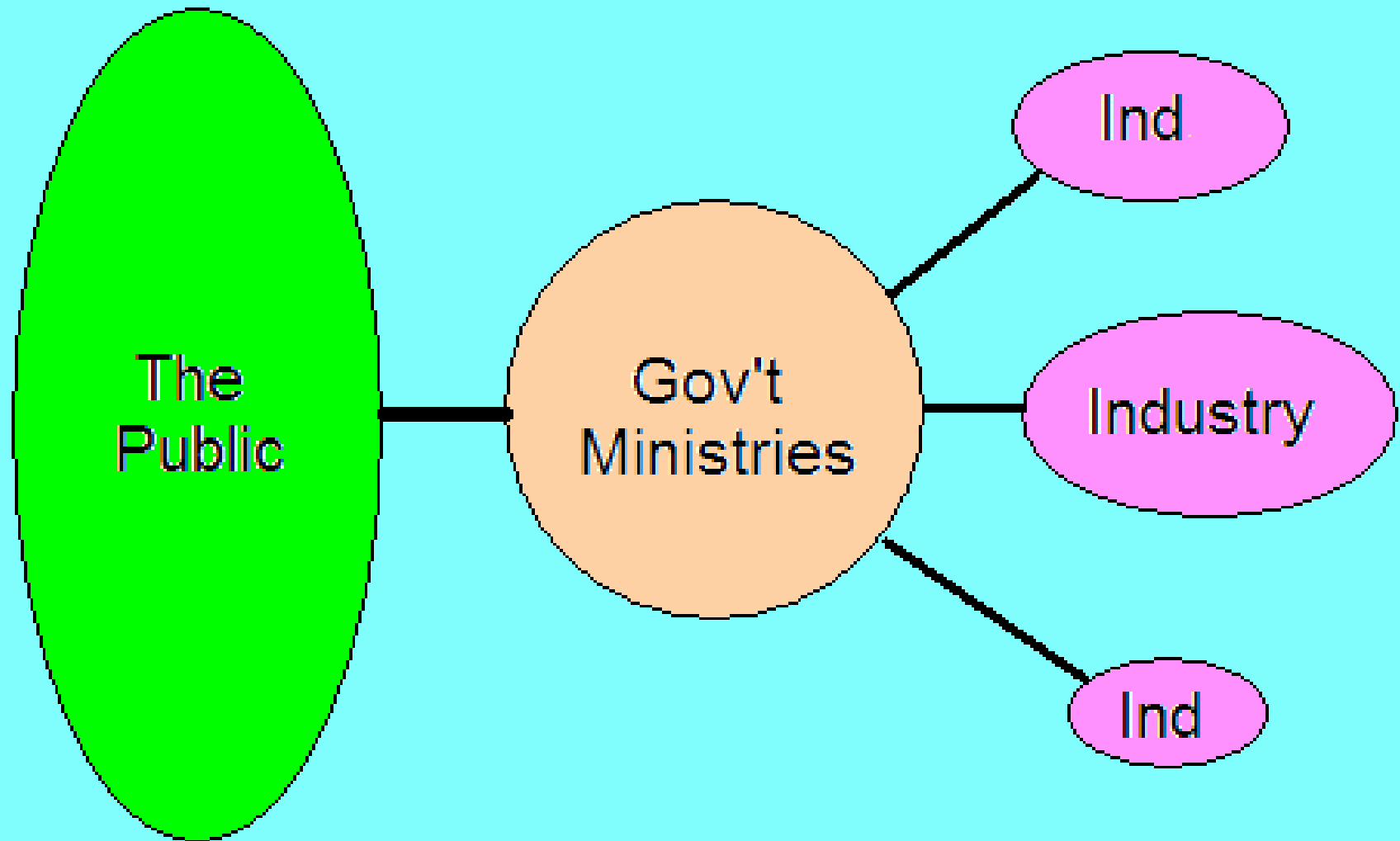
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- **industry credibility was low to no existent**

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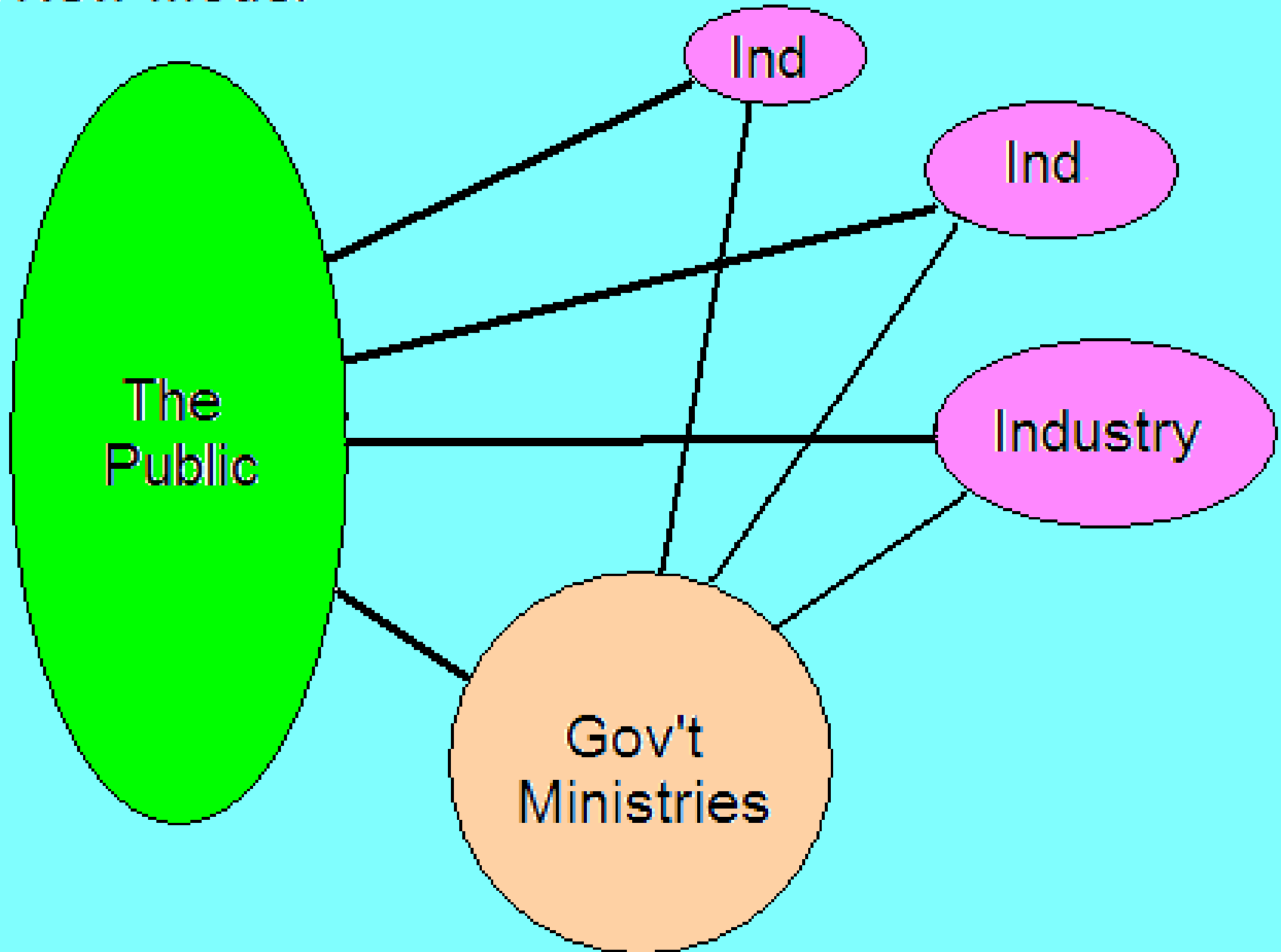
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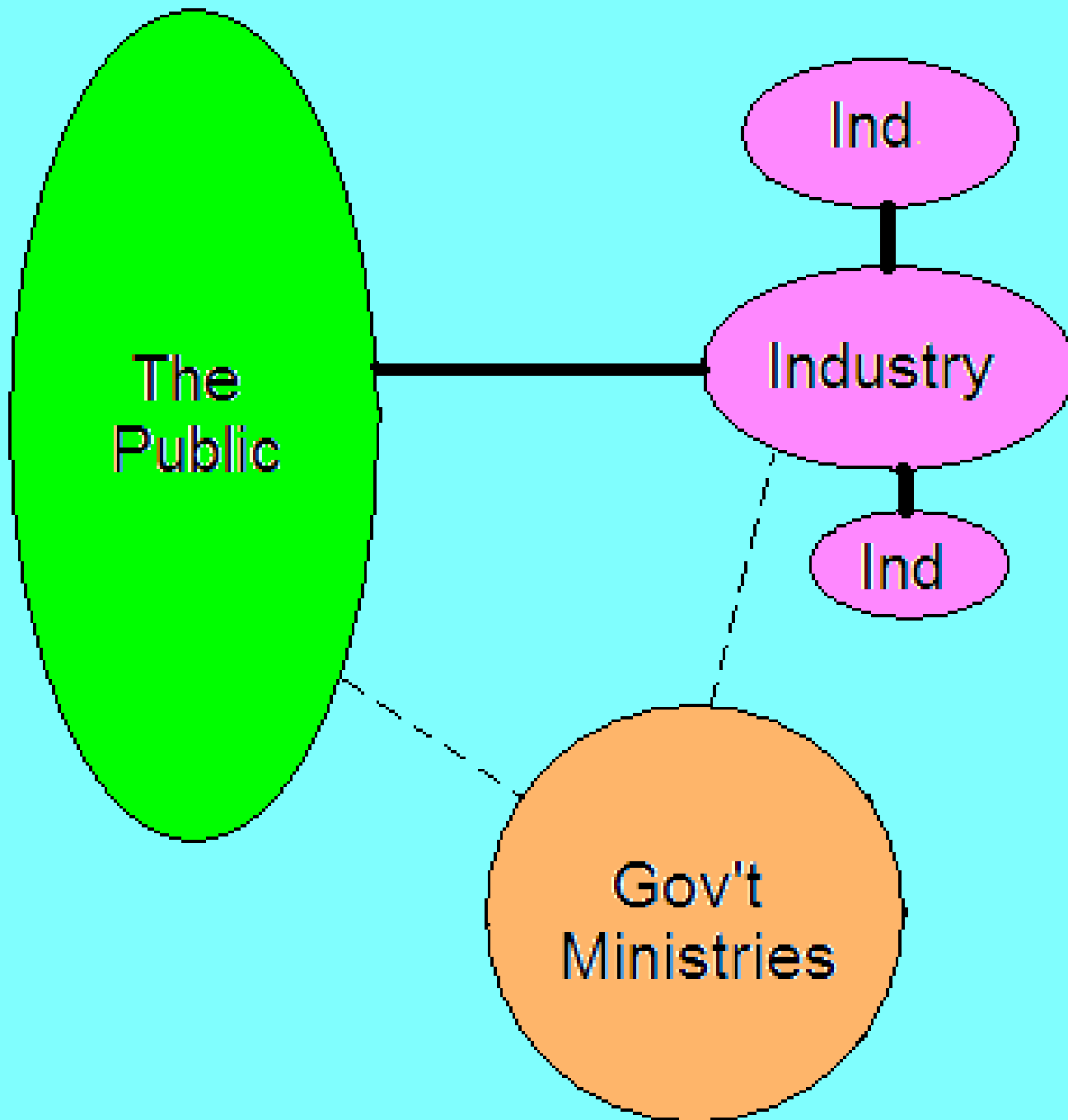
# Models for Environmental Protection

- **today ...**
  - **public trust in gov't ministries is low**
  - **the public wants to be consulted and participate in decisions affecting their environment – there must be transparency**
  - **and, industry is held more directly accountable – but, industry credibility is generally higher!**



# A New Model





And  
Even  
This  
Model

# The Environmental Bill of Rights

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- **What are the Rights?**
- **How does it work?**

# What is the EBR?

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- a piece of legislation passed in 1994 that recognizes that ...
  - the provincial government has the primary responsibility for protecting, conserving and restoring the natural environment
  - and, that the people have the right to participate in government decisions about the environment and to hold the government accountable

# What is the purpose of the EBR?

- to protect, conserve and, where reasonable, **restore the integrity of the environment** by the means provided in this Act;
- to provide **sustainability of the environment** by the means provided in this Act; and
- to protect the **right to a healthful environment** by the means provided in this Act.

# The purposes include the following:

- The **prevention, reduction and elimination of the use, generation and release of pollutants** that are an unreasonable threat to the integrity of the environment.
- The protection and **conservation of biological, ecological and genetic diversity.**
- The **protection and conservation of natural resources, including plant life, animal life and ecological systems.**

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- The encouragement of the **wise management of our natural resources**, including plant life, animal life and ecological systems.
- The identification, protection and **conservation of ecologically sensitive areas or processes**
- **this is the only place in Ontario legislation where such ecological and sustainability objectives are so clearly stated**

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- to request an investigation
- to request a review
- to sue in the courts
- to have whistleblower protection

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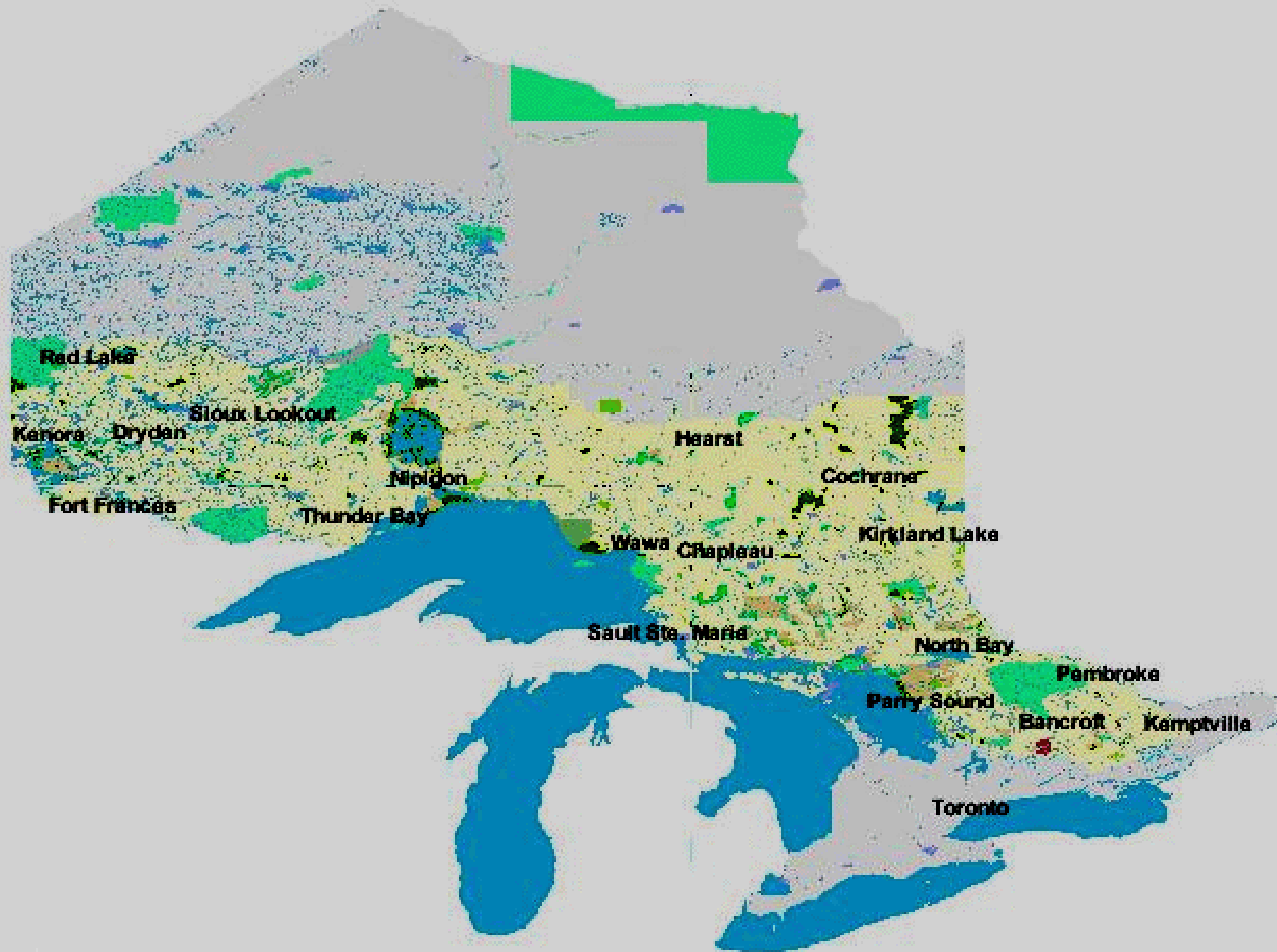
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- they have resulted in uncertainty and insecurity for resource management based industry (and agriculture) and general political unrest in the population
- this plays differently in 3 areas of the province

# Three Land Use Approaches for Ontario

- **Southern Ontario – private land, predominantly agricultural and urban**
- **The Area of the Undertaking – the managed industrial forest primarily on Crown land**
- **The Northern Boreal Initiative**





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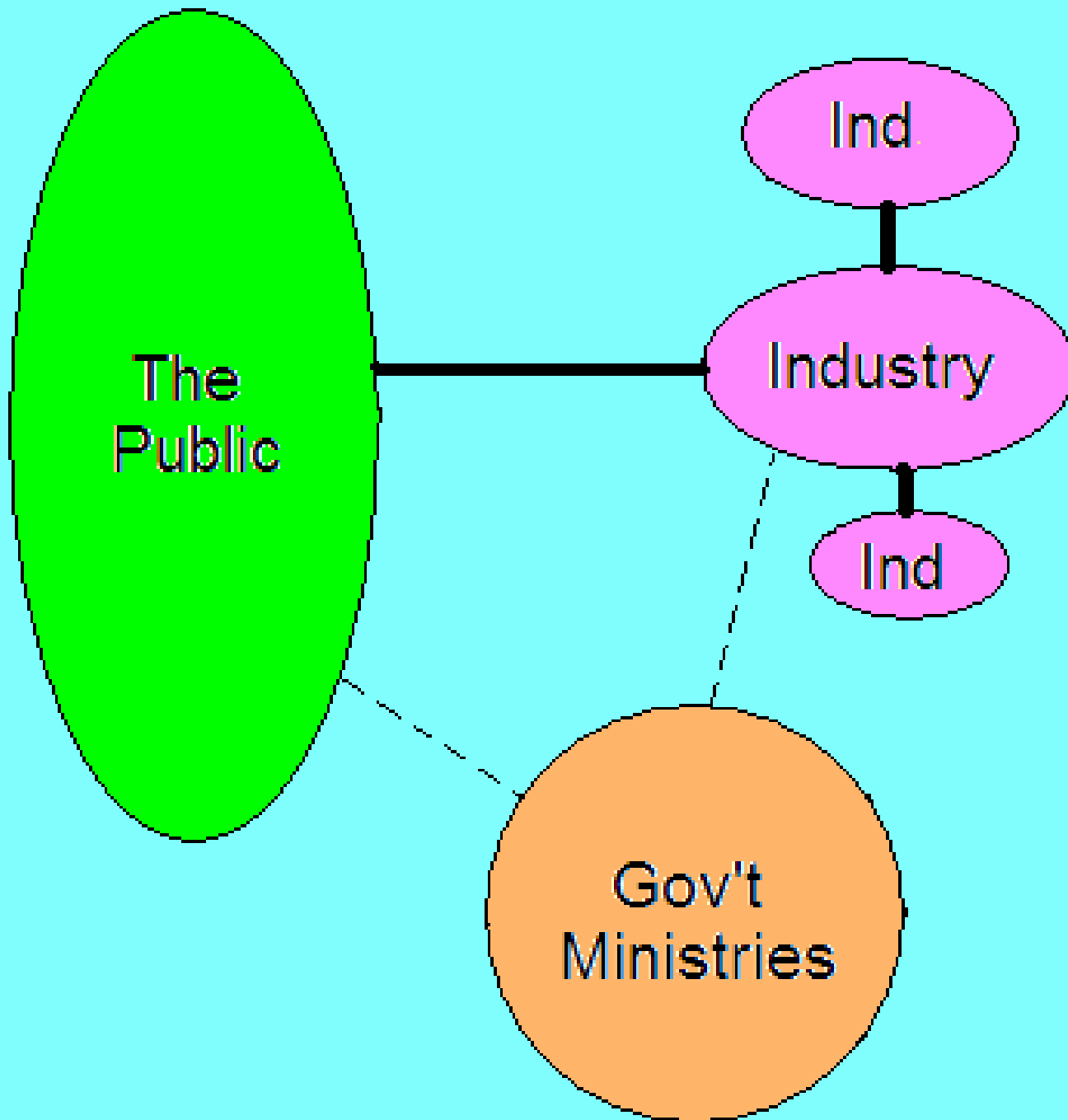
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  - agriculture, subdivisions, golf courses, corridors, water bottlers
- **biodiversity is imperiled**
- **we are reaching the cultural carrying capacity ... final disposition of the land must be decided ... ORMCA**

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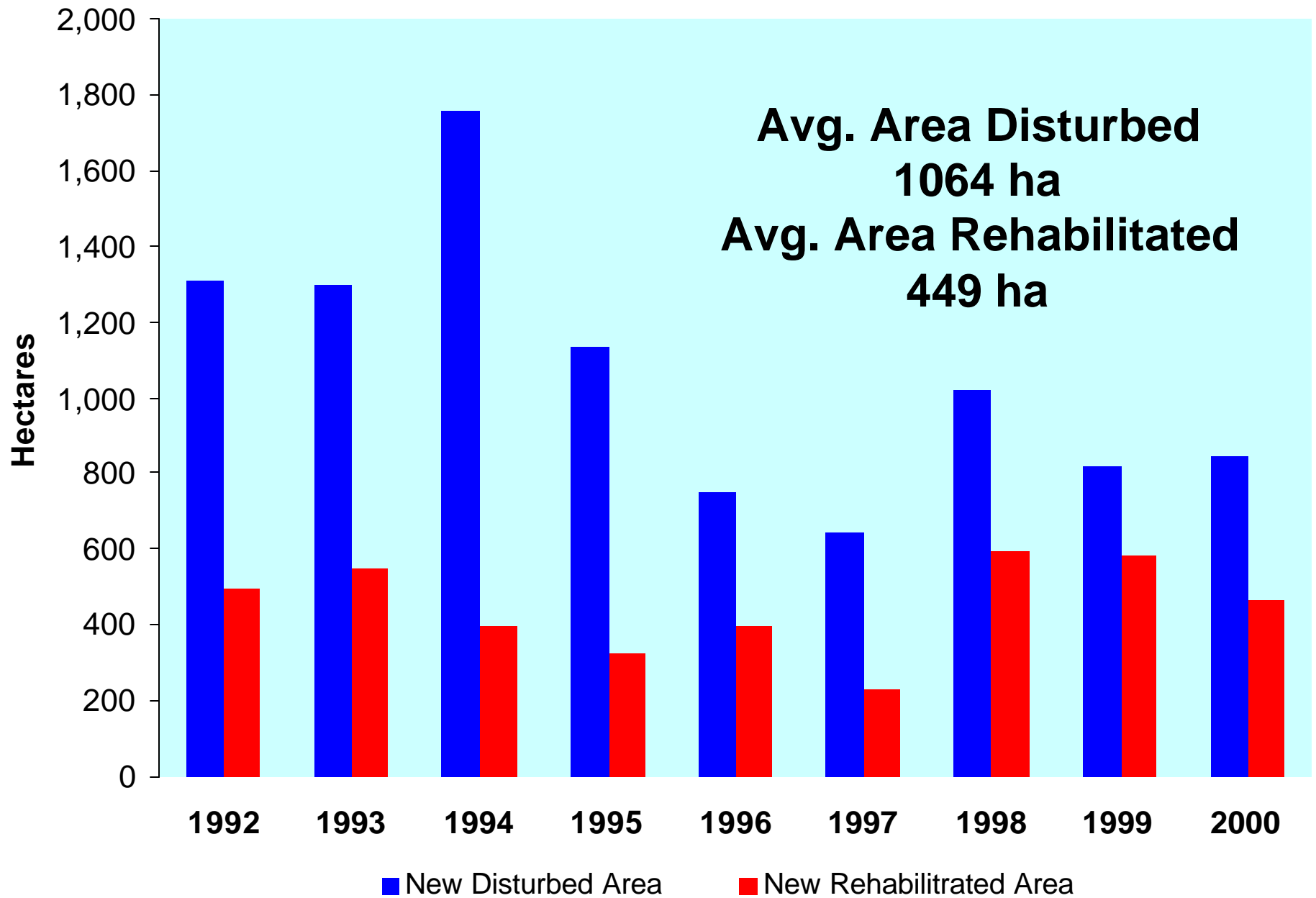


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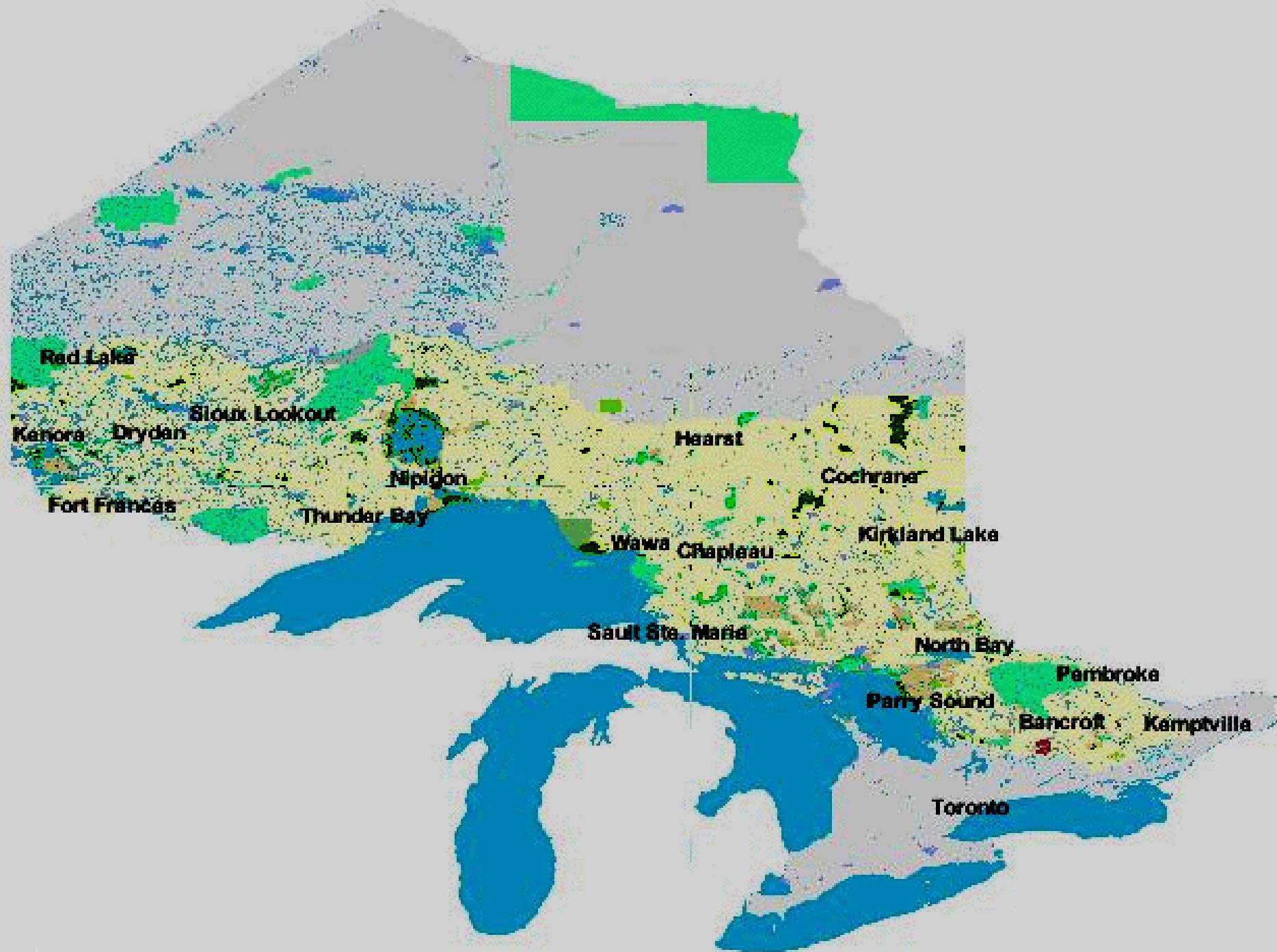
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- **access to land is getting difficult ...**
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- **they are self-regulated so they have little voice in government ...**
- **they are being held accountable for past performance and credibility is an issue**





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- pre 1997 multiple user conflicts abound
- essentially only two categories of Crown land  
... provincial parks and everything else
- province went thru a 2 yr process now called Ontario's Living Legacy
- they cut a deal with all parties on the final disposition of the land – 378 parks and protected areas covering 12% of the land representing the ecosystem diversity

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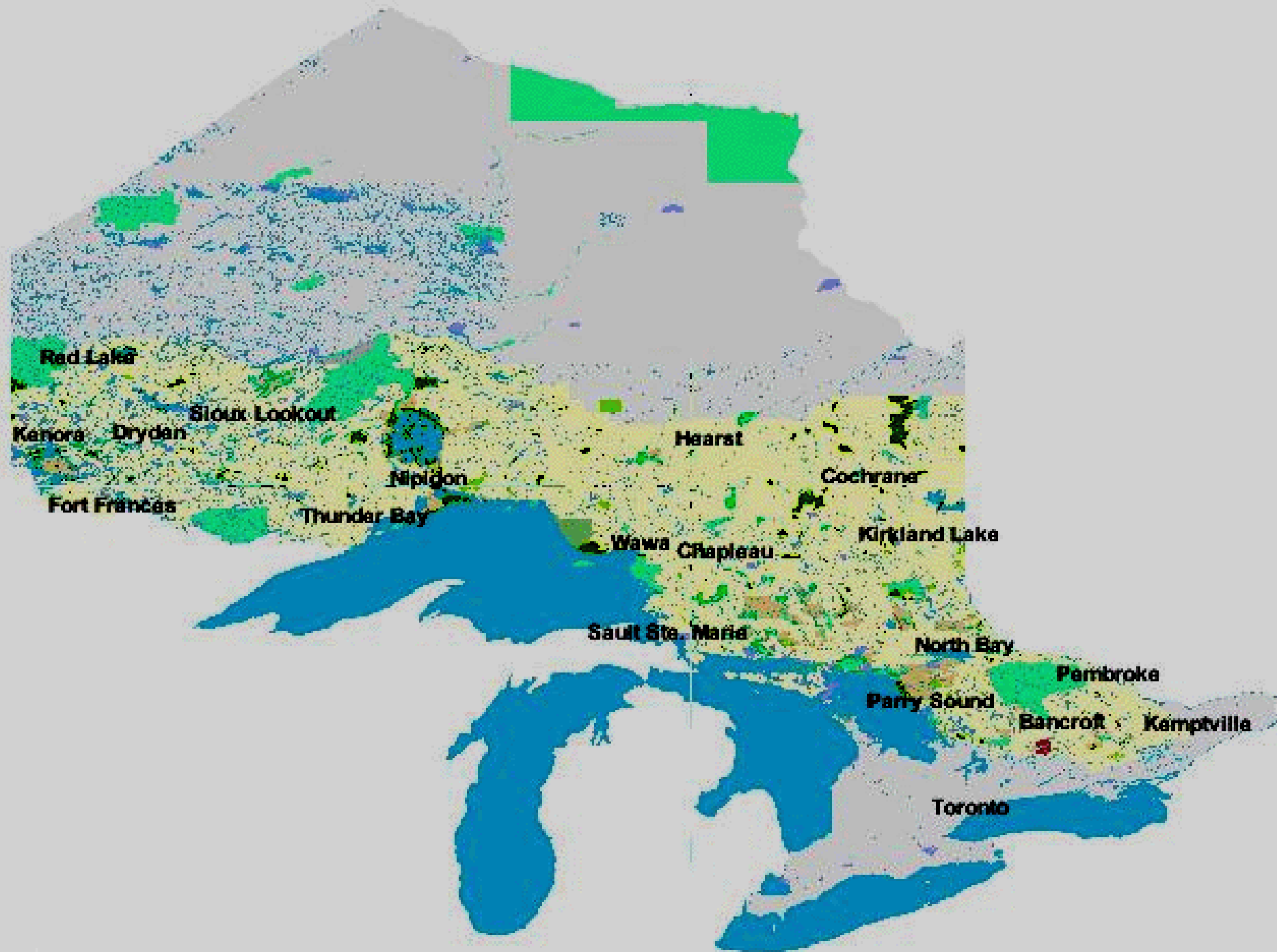
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- **historical bad practices led to loss of credibility ... and almost led to loss of markets for their products**
- **a sincere commitment to sustainable forestry has saved the industry**

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- last unaltered ecosystems of the province ... wolverines and woodland caribou
- the wood is needed and so is the work
- forestry will bring roads ... and mineral exploration and hydro development

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- **no regional planning framework is proposed, no percentage of landscape specified for protection**

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- **government agencies have a smaller role and the public is directly and increasingly engaged**
- **the times require increased transparency and accountability if credibility is to be maintained**

**Thank You for Your Attention**

**For more information ...**

**The  
Environmental Commissioner  
of Ontario**

**[www.eco.on.ca](http://www.eco.on.ca)**