

# CLOCK IS TICKING

**A Mid-Term Report Card on the Federal Government  
and its Work on the Environment**



May 2018

# INTRODUCTION

When the new federal government took office in 2015, it arrived with a great deal of optimism and promise. Their campaign language had raised the expectations of many sectors, including the one fostering sustainability in Canada.

The Liberal Party election campaign platform, “Real Change,” included a 12-page “New Plan for Canada’s Environment and Economy,” detailing commitments interlaced with facts and evidence about the environmental conditions across the country.

The platform was followed by post-election mandate letters that the Prime Minister issued to his Cabinet members - released publicly for the first time in federal politics. The mandate letters outlined an ambitious environmental agenda that included increasing protected areas to meet international commitments, reforming key environmental laws, addressing climate change, and reforming the charitable rules under which many environmental groups operate.

Without a doubt, the new federal government made meaningful and welcome commitments. But how has this government kept these commitments and performed on environmental issues? How much has been accomplished and how much remains to be done?

This report will answer those questions using a framework that looks at the actions taken to date and compares them to the promises made. In other words, our assessment is not against what actions we think are needed, or what the science tells us is needed, but on the promises made by the current government.

Using seven issue areas, we define the issue, recount the commitments made, and provide an update on progress achieved, or not. We do this by analyzing the new or proposed laws, regulations and policies (draft and final versions), as well as reviewing financial commitments that invest in sustainability. In addition, we solicit the opinions of experts, review media coverage where warranted, and provide high-level commentary on the issue at hand.

**We then score progress on each issue, on a scale of 1-5, using the following benchmarks:**

**Score of 5: Done** – commitment met, outcome meets expectations

**Score of 4: Significant Progress** – some outstanding substantive policy issues or implementation matters to be addressed

**Score of 3: Some Progress** – serious gaps remain in either policy development or implementation details

**Score of 2: Needs Significant Improvement** – little meaningful movement to meet commitment

**Score of 1: Failure** – nothing has been done to meet commitment



# EXECUTIVE SUMMARY AND SCORES



## Overall

In many areas, the Government kept its electoral and mandate letter promises in principle. Their execution, however, has been mixed. We are concerned that:

- the Paris Agreement targets for carbon emission reductions are quickly becoming out of reach and Canada is unlikely to meet its insufficiently ambitious climate targets because it insists on expanding oil sands production and oil and gas output more broadly;
- in spite of renewed efforts, Canada is not on track to meet land and freshwater protection targets, and concerns remain about standards of protection for marine and terrestrial areas;
- species at risk are not being protected, especially umbrella species like the Woodland Caribou and the Orca;
- the environmental/impact assessment legislation needs further work; and that
- the legal reform for charities is stalled.

We are pleased with the federal government on its:

- financial investments in climate and conservation;
- reform of the *Fisheries Act*;
- renewed leadership and funding for land and freshwater protection;
- support for Indigenous-led conservation initiatives;
- meeting the 2015 marine protection target; and for
- suspending the politically-motivated audits on charities.

We look forward to continuing our work with the federal government in its remaining mandate to improve the environmental conditions in the country, to meet our international commitments, and to invest tax dollars wisely in climate and conservation projects.

# Issue 1. Climate Change

## **The Paris Agreement and National Emission Reduction Targets**

Canada was an early signatory to the Paris Agreement.

**Score: 4** - significant progress; increase ambition to meet existing target and then develop a new target

## **The Pan Canadian Framework on Clean Growth and Climate Change**

The Framework meets the government's election commitments and mandate letter instructions, but achieving the 2030 national emissions reduction target is not yet mapped out, execution is lagging behind, and intergovernmental coordination must be strengthened to ensure success.

**Score: 3** - some progress made but serious gaps remain

## **Carbon Pricing**

The government introduced draft legislation for carbon pricing in the House of Commons with the proposed *Greenhouse Gas Pollution Pricing Act*. We remain optimistic that the federal government will ensure that all provinces and territories will have programs in place that meet the carbon pricing requirements.

**Score: 3** - some progress made, but serious gaps remain in policy development and implementation details

## **Methane Regulations**

The Government of Canada has committed to regulations that would limit damaging and wasteful methane emissions from both new and existing oil and gas facilities nationwide. We look forward to working with the federal government to ensure that they are implemented with the greatest rigour, and that provincial methane regulations are as strong or stronger.

**Score: 4** - significant progress

## **Clean Fuel Standard**

The Clean Fuel Standard regulatory framework indicates good progress. However, given its importance, the timelines and ambitions must not slip, and its associated emission reductions must be credible.

**Score: 3** - some progress made, but serious gaps remain in policy design and implementation details

## **Canada-wide Zero Emission Vehicles Strategy**

We are looking forward to the completion of the government's strategy for implementing the ZEV goals and resisting any residual opposition by industry to ambitious ZEV sale targets.

**Score:** too early to assign a score

## **Regulations to phase-out of coal-fired electricity generation**

Given the overwhelming evidence that coal needs to be phased-out rapidly, the federal government needs to maintain its vigilance, phase out coal for electricity production, and not negotiate any equivalency agreements that weaken the federal regulation.

**Score: 4** - significant progress made; the final regulation will be a strong result if substantially similar to the draft version

### **Pipelines**

The federal government has been supportive of building several new tar sand pipelines, granting federal approvals to Kinder Morgan and Line 3, while denying the approval of the Northern Gateway pipeline. It has failed to demonstrate how the new pipelines align with its climate targets, as they will result in some 23 to 28 megatonnes of additional carbon pollution.

**Score: 2** - needs significant improvement

### **Regulations of Hydrofluorocarbons**

Canada ratified the Kigali Amendment to the Montreal Protocol and published its final domestic regulations to phase out hydrofluorocarbons.

**Score: 5** - commitment met

### **Fossil fuels subsidies phase-out**

The federal government eliminated two small fossil fuel subsidies in Budget 2017, while renewing the Mineral Exploration tax credit. The government has not yet identified its remaining fossil fuel subsidies nor published a road map to show how it intends to meet its commitment to phase-out fossil fuel subsidies completely by 2025.

**Score: 2** - needs significant improvement

### **Financial Commitments in Federal Budgets related to Climate Change**

The federal Budgets of 2016, 2017 and 2018 made significant investments in clean energy, clean technologies, public transit, green infrastructure and the implementation of the PCF. We are concerned over some delays in program funding and note that Canada has yet to increase its contribution to global climate financing.

**Score: 4** - significant progress

## **Issue 2. Biodiversity and Habitat Conservation**

### **Endangered Species**

While we are pleased with signs of an increase in the speed by which species are assessed, it is still not nearly fast enough, as the *Act* has not yet led to meaningful shifts in the welfare of species at risk in Canada. Despite best intentions, the federal government can and must do better to protect Canada's species at risk.

**Score: 3** - some progress made but serious gaps remain in implementation

### **Land and Freshwater Protected Areas**

The new intergovernmental *Pathway to 2020* is promising, yet concerns remain that governments will attempt to achieve a significant portion of the 17% target by counting more existing conservation measures rather than by protecting new areas.

**Score: 3** - some progress made with significant implementation gaps remaining



### **National Park Management**

Nearly half of national park ecosystems are in 'fair' or 'poor' condition, so Ministerial direction and funding to re-focus Parks Canada on their conservation mandate is urgently needed.

**Score: 2** – needs significant improvement; little meaningful movement to meet commitment, however Minister's response to Round Table on Parks Canada could improve mark

### **Marine Protected Areas**

The federal government has exceeded their promise of 5% marine protection by 2017 by reaching 7.7%. However, conservation groups have cautioned that stronger protection measures are needed to effectively protect Canada's marine ecosystems and species.

**Score: 4** – significant progress; 2017 commitment was met; however, work still needed on quality of protection

### **The 2018 Budget**

The scope of the investment at \$1.3 billion and the support for Indigenous-led conservation initiatives are good. As well, provincial and territorial government action and other conservation partnerships are excellent. Few details have been released on how this funding will be allocated, which will be key to ensure strong conservation outcomes.

**Score: 5** – done and commitment was met; Funding allocation and work plan will determine impact

## **Issue 3. Environmental Assessment**

Bill C-69 meets the commitment to introduce new EA processes, but falls short of the mark of restoring public trust and ensuring decisions are based on science and Indigenous knowledge. Serious flaws need to be corrected before Bill C-69 becomes law, and we look forward to the parliamentary process as an opportunity to fix those flaws.

**Score: 2** – needs significant improvement; with little meaningful movement to meet commitment, but with the potential to improve the law at Committee

## **Issue 4. Water**

### ***Fisheries Act***

On the whole, Bill C-68 restores the lost protections found in previous versions of the *Fisheries Act*.

**Score: 4** – significant progress with some outstanding policy issues that can be addressed at Committee

### ***Canadian Navigable Waters Act***

In taking an approach which focuses narrowly on navigation, and by allowing developers or the Minister (depending on the circumstances) to bypass the requirements for a transparent approval process, the *Canadian Navigable Waters Act* fails to deliver on the commitment made.

**Score: 2** – needs significant improvement with little meaningful movement to meet commitment, with the potential to improve the law at Committee

### **The Great Lakes**

So far, the federal government has announced a relatively small financial investment for the Great Lakes and a weak and voluntary *Lake Erie Action Plan*.

**Score: 2** - needs significant improvement; with little meaningful movement to meet commitment: we are unsure how these actions “renew the commitments to protect the Great Lakes”

### **The Cohen Commission on Salmon in the Fraser River**

Many of the recommendations by the Cohen Commission have deadlines attached to them which have lapsed. In many cases, where the federal government reports to have “acted on” the recommendations, it has fallen short of actually completing them.

**Score: 2** - needs significant improvement as there has been little meaningful movement to meet the commitment

## **Issue 5. CEPA Reform**

We are looking to the Government to introduce a bill and modernize CEPA this spring, and changes should be in line with the recommendations of the Standing Committee’s report, with passage of the new CEPA before the next election.

**Score:** too early to assign a score; score will depend on converting the promising work of the Committee into a Bill, introducing it in June and passing it promptly

## **Issue 6. Reforming the Charitable Regulatory Framework**

There is a perplexing level of disconnect between political enthusiasm for charities legal reform and action taken to date. We look to results on this file in the next year.

**Score: 2** - needs significant improvement

## **Issue 7. Civil Society Participating in Public Policy**

The federal government has established a culture of opening up participation opportunities, using experts, and creating multi-stakeholder panels and committees.

**Score: 5** – done and commitment was met



This assessment was conducted by a group of leading environmental organizations across Canada. Member organizations only contributed to those sections that fall within their mandates.

