

Annual Report

2011





Last year, I reported on how the ELC has to develop new fund-raising capacity to replace a stable revenue source, reclamation search service fees, lost due to the provincial government taking over the service. At the time of writing my 2010 report, the Centre was in the early stages of participating in a program for non-profit agencies to build fund-raising capacity.

As often happens in the life of an organization, this exercise took the Centre in unexpected directions. Of particular note, the Board and Centre staff realized that one of the obstacles to the Centre realizing its full potential was that our Strategic Plan was no longer providing the direction needed. So in the middle of participating in the fund development program, the Centre rewrote its Strategic Plan. It was a fascinating exercise which has resulted in what we all agree is a fantastic new plan.

With our Strategic Plan rewritten, we were then able to complete a brand new Fund Development Plan and "Case for Support." Clearly, nobody at the Centre was sitting on their hands last year! Together, these excellent documents chart a course for the ELC to continue to thrive in the future, notwithstanding changes to its funding sources.

The Plan will see the Centre raising revenues from two sources: fundraising and "social enterprise." Implementation of the Plan will be led by the Centre's Executive Director, Cindy Chiasson, supported by a part-time fund development coordinator and, in the short term, the same fundraising consultant the Centre has been using for the past year. The Board wishes to thank Cindy and her team for leading the Centre in 2011 through this challenging process.

Of course, all the while the Centre continued to do in 2011 what it has always done: careful analysis and principled advocacy in environmental law. For example, the Centre continued its work in such areas as the *Land Stewardship Act* and the development of regional plans, advocating for genuine interest standing and developing model environmental assessment laws. This latter project has assumed particular significance in light of the wholesale rewriting of federal environmental assessment law being proposed in the current Budget.

This is a time of transition for the ELC and much remains to be done, but the work done by the Centre in 2011 has laid the foundation to successfully complete that transition. Congratulations!

"It is not the strongest of the species that survive, nor the most intelligent, but the most responsive to change."

– Charles Darwin

I came across this quote a few months ago and it's held a spot since then on my office white board. It reminds me daily of the Environmental Law Centre's constant companion during 2011 and into 2012: change. At the ELC, it's a given that we have to be able to deal with ongoing change to survive and thrive.

In 2011, the ELC saw and worked with change in three main areas:

1. The "environment" in which we work: Political shifts in Alberta and increased concern over issues such as land use planning, water management and public engagement in policy and regulatory processes brought us new contacts and more opportunities to work with the public, community and environmental groups and the Alberta government on improving our environmental laws and policies. The controversies around environmental assessment, citizen engagement and the public interest that arose with the start of the Northern Gateway pipeline hearing have raised challenges for us to deal with, including pending changes to federal environmental assessment and fisheries legislation and more adversarial attitudes towards environmental issues at the national level.
2. How we work: Staffing and technology changes saw us place staff in new locations, with staff counsel now based in Calgary and Canmore. We use the internet and social media more frequently and our reach has expanded significantly, with our information and education activities serving more than 30,000 users in 2011. Our collaborative efforts have increased, particularly in relation to land use and water issues, and we've worked with Miistakis Institute, Livingstone Landowners Group, Canadian Parks and Wilderness Society, West Coast Environmental Law and many other organizations. We're also revisiting some of our program activities to ensure continued relevance; in 2012, we're focusing on reviewing and making our library and information request services more effective.
3. What we work on: Over the past year, we've dug deep into how we can improve as an organization. We're working to diversify and stabilize our funding. Our board and staff developed a new strategic plan with much sharper focus; going forward, we're concentrating on water, land, environmental assessment and public participation. We also launched a number of new, exciting and timely projects: development of model environmental assessment laws; outreach and education on land use planning for headwaters protection in southern Alberta; research and outreach on genuine interest standing in regulatory proceedings; and development of model wellsite reclamation legislation.



While the state of environmental law and policy in Alberta and Canada is far from certain at present, the ELC's commitment to ensuring environmental protection and public involvement remains firm and constant. I want to thank our Board of Directors for their tremendous support, our fantastic staff for their dedication and excellent work, and Tony Myers and Ken Balmer for their great work and guidance on our organizational initiatives in 2011.

At the Environmental Law Centre (ELC) we envision an Alberta where the environment is a priority, guiding society's choices.

We work to ensure that Alberta's laws, policies and legal processes sustain a healthy environment for future generations.

We drive towards an Alberta that has strong and effective environmental laws, policies and legal processes where Albertans are actively and meaningfully engaged in decisions and processes that affect the environment.

The ELC's strategic objectives for 2012 to 2015 are:

Overcoming Water Challenges



- Advocate for management policies that will protect and preserve our water for generations to come;
- Recommend flow and allocation law reform that will guarantee equal access for all Albertans;
- Develop conservation tools that will ensure Albertans have the water we need for our homes, businesses and recreational activities;
- Assess the ability of charities to hold water licenses in order to protect environmental flows; and
- Work towards a centrally funded and coordinated system to ensure our watersheds are healthy.

Addressing Land Stewardship



- Push for improvements to the *Alberta Land Stewardship Act* and regional plans to ensure that the environment is a priority in all planning outcomes;
- Promote conservation tools that will result in substantive environmental gains;
- Analyze and critique governance and integration issues associated with regional planning; and
- Pursue the protection of Southern Alberta's headwaters.

Improving Environmental Assessments



- Recommend an improved process for environmental assessment in Alberta and Canada;
- Develop and advocate for model legislation that will give governments a blueprint for thorough, meaningful assessments; and
- Engage stakeholder groups such as environmental, Aboriginal and industry organizations in order to produce well-informed, thoroughly researched recommendations.

Promoting Genuine Interest Standing



- Determine whether administrative boards and tribunals should award standing based on a genuine interest;
- Compare Alberta to other jurisdictions to establish best practices;
- Host a conference for lawyers and organizations trying to achieve standing; and
- Produce recommendations for law reform and advocate for their adoption resulting in deeper, more meaningful and more successful public participation.

To carry out its work with the public, the ELC depends on donations, grants, contract work and volunteers. Environmental Law Centre donors will receive a tax receipt* and are entitled to donor benefits. Donations supporting public programming can be made to the Environmental Law Centre by:

- Fax to (780) 424-5133;
- Mail to #800, 10025 – 106 Street, Edmonton, AB T5J 1G4; or
- On our website at www.elc.ab.ca.

Please contact Cindy Chiasson, Executive Director, with any questions you may have about donating to the ELC.

*Canada Revenue Agency Registration Number 11890 0679 RR0001

Donor Benefits

Benefactors, Patrons, Partners and Friends

Benefactor (\$5,000 and over) and Patron (\$2,500 - \$4,999)

- Tax Receipt
- ELC Annual Report and audited financial statements
- Acknowledgement in the ELC Annual Report and on the ELC website
- Notification of all Centre public seminars, conferences and new Centre publications
- Website link on ELC website

Alberta Law Foundation
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- Tax Receipt
- ELC Annual Report and audited financial Statements
- Acknowledgement in the ELC Annual Report and on the ELC website
- Notification of all Centre public seminars, conferences and new Centre publications

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To see the ELC's 2011 audited financial statements, please visit our website at www.elc.ab.ca.

The ELC gratefully acknowledges the

**Alberta LAW
 FOUNDATION**

for providing the ELC's annual operating grant.

We couldn't do it without volunteers.

Board of Directors

The Board of Directors is the volunteer mainstay of the Centre; the Directors freely gave their time to support the ELC's goals.

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Other volunteers also helped the Centre in 2011:

Sir John A. Mactaggart Essay Prize in Environmental Law, Judging Committee

Donna Tingley, Natural Resources Conservation Board
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Debbie Bishop, Ackroyd LLP

Environmental Assessment Reform, Research Assistant

Hasna Shireen

ELC Bylaws Revision

Ky Kvisle

Environmental Assessment Model Laws

Pippa Feinstein

Library/Administrative Assistant

Finola Hackett

We would also like to thank Iris Djurfors, former ELC librarian, for her many years of service and wish her the best in her retirement.

Thank you!

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