

ELC Webinar

12:00pm, February 10, 2010

Greenhouse Gas Roundup

Adam Driedzic
Staff Counsel





Since 1982

Registered Charity

Edmonton-based

Alberta-wide



ENVIRONMENTAL LAW CENTRE



Water

Land Use

→ Climate Change ←

Cumulative Effects

Info-Education
Public Participation



"baseline"



"target"

"plan"

"Offsets"

"intensity" vs. "absolute"

"reporting" vs. "reduction"

"compliance" vs. "enforcement"

Baseline

→ Target

→ Plan:

Reporting

Reduction

- Intensity or absolute?
- Offsets?

Compliance

Enforcement

REGULATION











Education

voluntary

market

state

court



INCENTIVE

CHARGE

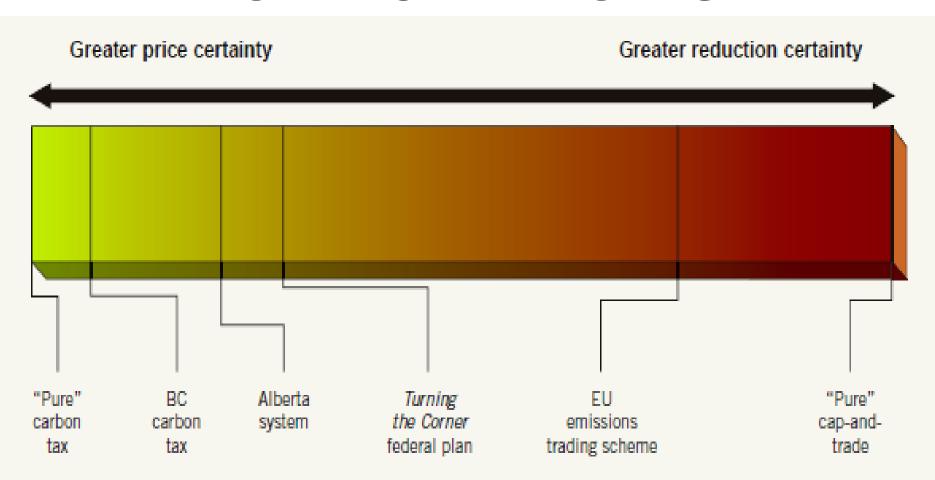
Carbon capture grant
Green energy fund

Carbon tax

Cap and Trade



"CARBON PRICING"



Achieving 2050: A carbon pricing policy for Canada, National Roundtable on the Environment and the Economy (2009)



"COMMAND & CONTROL"

PROHIBITION → **PENALTY**

CONDITION → **CONSEQUENCE**

- Force disclosure
- Declare health risk
- Fuel standard
- Environmental assessment
- Authorization condition
- Protected area



STATUTE

Force action

(Friends of the Earth)

Stop authorization

(Kearl oil sands)

(Alberta clipper)

(Aussie coal mines)

Control industry

COMMON LAW

Private tort

(Hurricane Katrina)

Public Nuisance

(Alaska Natives)

Private Agreement

(Shell oil sands)

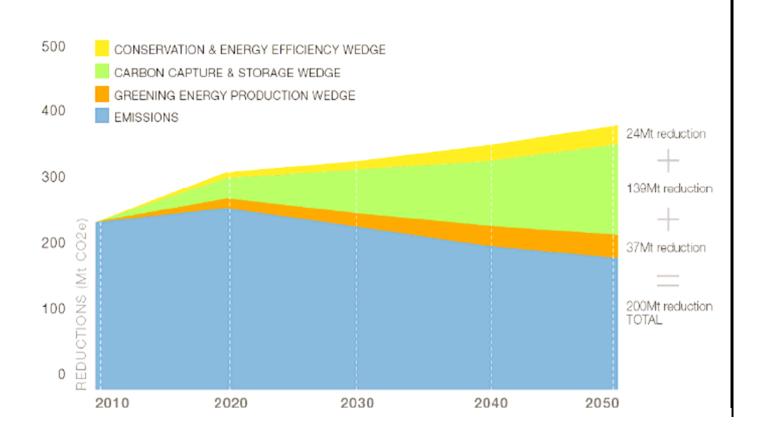
HUMAN RIGHTS

(no cases)

SHAREHOLDER

(no cases)

Alberta's 2008 Climate Change Strategy



Climate Change and Emissions Management Act

Specified Gas <u>Emitters</u> Regulation

100,000 tonnes

Targets:

- 1. Intensity now / hard later
- 2. Fixed process exempt
- 3. "Existing" v. "new" (2000)

Compliance:

- 1. Improve efficiency
- 2. Pay to fund \$15 / tonne
- 3. Trade with regulated facility
- 4. Buy outside offset in Alberta

Specified Gas <u>Reporting</u> Regulation

50,000 tonnes

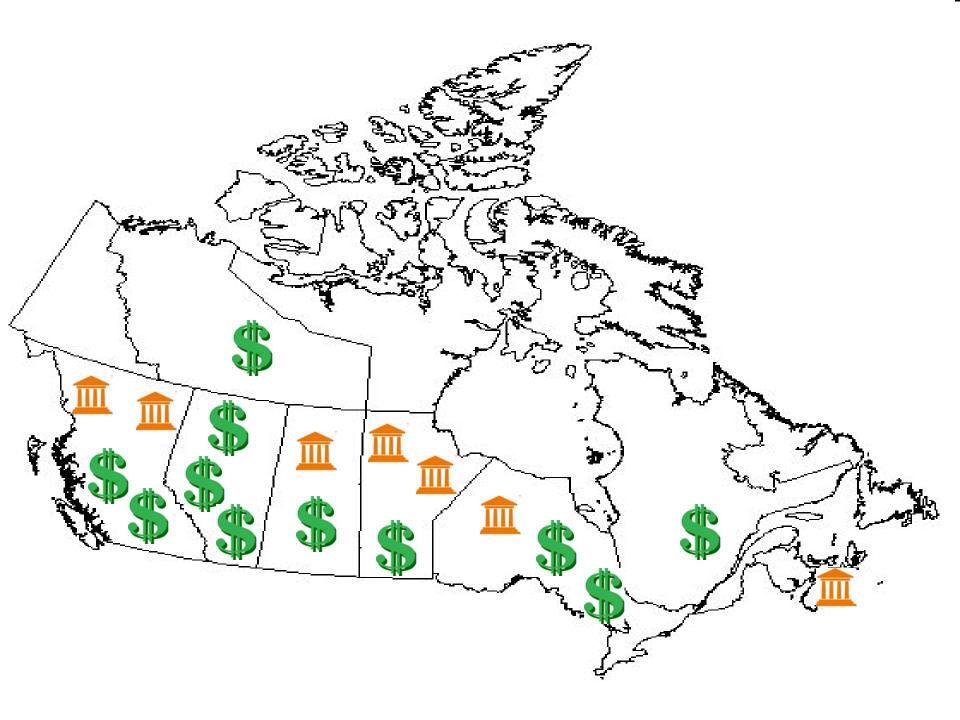
No Targets:

Inventory only

Compliance:

1. March 31, 2010

Enforcement: Fines





Turning the Corner

proposed

Reduction Regulation

Major industries

Targets:

- 1. intensity now / hard later
- 2. Fixed process exempt
- "Existing" v. "new" (2004)

Compliance:

- 1. Improve efficiency
- 2. Pay to fund \$15 / tonne or direct
- 3. Trade with regulated facility
- 4. Buy outside offset in Canada
- 5. Kyoto CDM
- 6. Credit for Early Action

CEPA

Reporting Regulation

50,000 tonnes

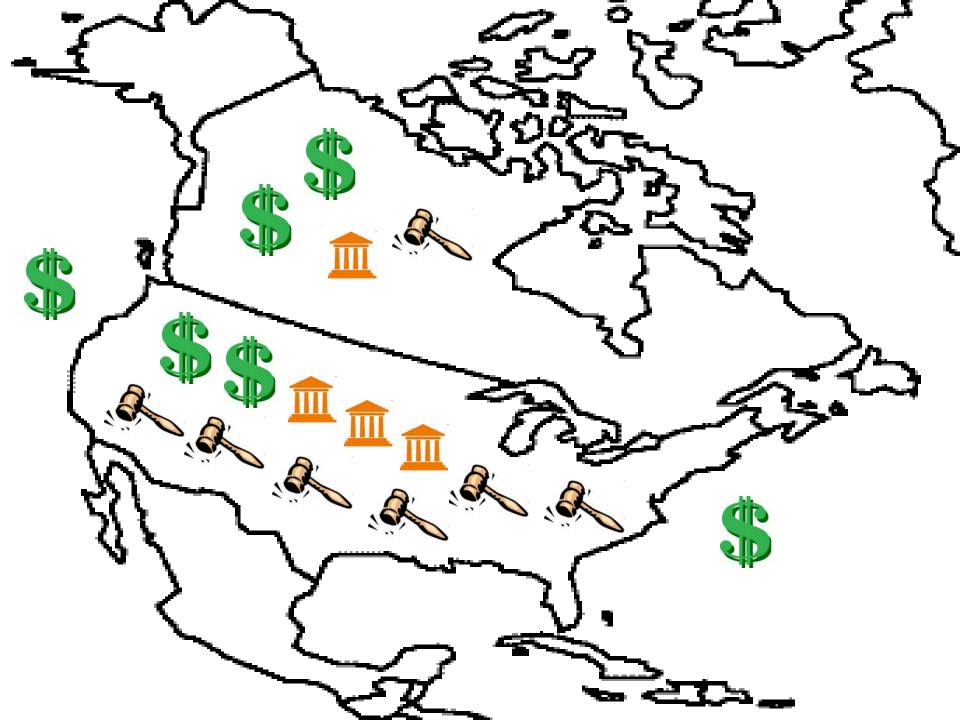
No Targets:

Inventory only

Compliance:

June 1, 2010

Enforcement:





| | BASELINE | TARGET | | | Over Kyoto |
|-----------------|----------|--------|------|--------|------------|
| | | 2012 | 2020 | 2050 | |
| ВС | | | 33% | 80% | |
| Alberta (1) | Business | | 50% | | |
| Alberta (2) | 2005 | | 14% | | 60-80% |
| SASK | 2006 | | 20% | | |
| MAN | 1990 | | | | |
| ON* | 1990 | | 15% | 80% | |
| PQ | 1990 | | 20% | | |
| | | | | | |
| CANADA (Bill) | 1990 | | 25% | 80% | |
| CANADA (kyoto) | 1990 | 6% | | | |
| CANADA (policy) | 2006 | | 20% | 80% | |
| CANADA(Cop15) | 2005 | | 17% | 60-70% | +2.5% |
| USA (congress) | 2005 | | 20% | 80% | |
| USA (senate) | | | | | |
| USA (Cop15) | 2005 | | 17% | | -3% |

Reporting Thresholds

| | Tonnes / year | |
|----------|----------------------|--|
| WCI | 10,000 | |
| | | |
| US (EPA) | 25,000 | |
| CANADA | 50,000 | |
| BC | 10,000 | |
| | 20,000 | |
| | 25,000 | |
| AB | 50,000 - was 100,000 | |
| SK | | |
| MN | | |
| ON | 25,000 | |

ALBERTA



U.S. BILLS

W.C.I.

offsets

RGGI

E.U.

B.C. TAX

Free permits

Rio →

UNFCCC

United Nations Framework Convention on Climate Change

Stage 1

2008 - 2012

Stage 2

2012 - 20116

Kyoto

Marrakesh

Copenhagen

- Baseline
- Target
- Plan compliance
- Plan enforcement "at stage 2"

Copenhagen Accord

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emission target





Copenhagen Accord





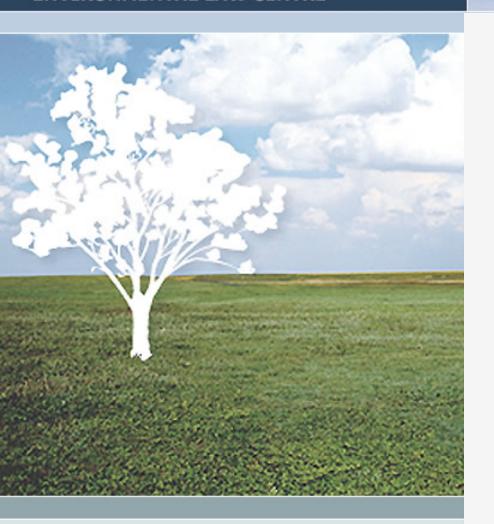








- 1. Kyoto CDM
- 2. Kyoto Joint implementation
- 3. International offset: (REDD- plus)
- 4. Domestic sink: LULUCF



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Library

Research & law reform

Well site searches

Enforcement searches

Lawyer referrals

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