



Annual Report

2012

Join us in celebrating 30 years of excellence!



In 2012, the Environmental Law Centre (ELC) celebrated its 30th Anniversary. That's quite an accomplishment. On behalf of the Board of Directors, I offer our congratulations to Executive Director Cindy Chiasson and her staff for their continued hard work in ensuring that Alberta has laws and policies that properly protect the environment.

2012 was something of a watershed year in environmental law, in that the federal government enacted an entirely new *Canadian Environmental Assessment Act*, repealed and replaced the *Navigable Waters Protection Act* and made substantive amendments to the *Fisheries Act*. Provincially, Alberta passed the *Responsible Energy Development Act*, which will result in the dissolution of the decades-old Energy Resources Conservation Board and replace it with a new Alberta Energy Regulator that will have expanded regulatory powers over the environment.

The ELC provided thoughtful analysis and comments on all these significant changes to federal and Alberta environmental law, as well as on other important environmental issues such as the Enbridge Gateway Pipeline hearings, the development of the South Saskatchewan Regional Plan, etc.

In 2012, the Centre continued its evolution to becoming an organization that is more closely attuned to the community, both in terms of the need to fundraise to support the ELC's activities and to provide services on a for-fee basis. An important step to achieve these new functions was the hiring of Kim Kiel as the Centre's fundraising coordinator. I wish to acknowledge the excellent work done by Kim already, including the successful completion of the "30 in 30" fundraising campaign.

On a personal note, this will be my last message as President of the ELC, as I am stepping down at our upcoming AGM to make way for fresh blood. I want to specifically thank Cindy Chiasson for her patience in working with me these past 7 years. It's been a wonderful experience and I couldn't have done it without Cindy's unfailing assistance.

Congratulations to Gavin Fitch, who received a Queen Elizabeth II Diamond Jubilee Medal to honour his work with the Royal Canadian Geographic Society.

For many people, turning 30 marks a major threshold in their lives. Some decide that it's time for them to get serious and settle down, others take stock of their progress thus far and plan for the future, while a few decide to party on as if they were still in their teens.

In 2012, the Environmental Law Centre marked its 30th birthday. We'd spent 2011 taking stock of our organization and planning for our future, and last year we worked in earnest to put those future plans into action. We want to ensure that we continue to be relevant and impactful for Albertans and the environment. With that in mind, we took steps to become more efficient and focused in how we provide our services to the community. We're committed to wisely using the generous support of our donors and funders to achieve our mission.

Providing and explaining environmental information is one of our critical community services. We've seen substantial changes in recent years in how people access and use information and their preferred forms of information. To keep up with these changes and effectively serve our users, we've adjusted some of our services:



- We modified *News Brief* from a quarterly publication of lengthy, analytical articles. On Earth Day 2013, we launched a new version as a periodic, short e-newsletter with updates on our work and current environmental issues, to be more relevant to a broader audience. The in-depth analysis and research that our users value will continue to be available on our website, through our blog, and in other magazines and publications.
- As more people gather more of their information through online sources, fewer make use of traditional libraries. We carried out a needs assessment of our Martha Kostuch Library of Environmental Law, using a consultant to analyze costs, benefits and trends in its use over the years. Ultimately we found that further investment of funds and time was unlikely to reverse declining public use and made the difficult decision that it was no longer viable to continue the public lending function. We'll maintain a downsized library for our own uses and to accommodate other users where possible, while upgrading our website, updating our online resources and converting various library resources for electronic access.

We also looked more closely at the availability of environmental law services for Albertans. From Law Society of Alberta data, we determined that of over 8,600 lawyers in active practice in the province in 2012, only 5% practice environmental law and only 0.5% specialize to the extent of environmental law being more than half of their practice. We've modified our information request and lawyer referral services to give priority to our users with the greatest need and least resources. There are clearly access to justice issues for Albertans when it comes to environmental matters and our services are a key step to bridging that gap, though much work remains.

As you can see, turning 30 hasn't slowed the Environmental Law Centre down. We're grateful for the support from our donors and funders that enables us to make a difference through our work. We also offer our sincere thanks to our board of directors for their commitment and special thanks to Gavin Fitch, who has given us countless hours of leadership and wise counsel in his 7 years as our president. Together, we are all changing laws, policies and minds to protect our environment. That's truly something worth celebrating.

Congratulations to Cindy Chiasson, who received a Queen Elizabeth II Diamond Jubilee Medal to honour her significant contributions and achievements.

A handwritten signature in black ink, appearing to read 'Cindy Chiasson', written in a cursive style.

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.

In 2012 we focused on four strategic priorities: water management, land use and planning, environmental assessment and public participation and engagement.

Some key accomplishments in these strategic priorities in 2012 include:



Water Management

We were invited to share our expertise on regulatory processes with the provincial all-party Standing Committee on Resource Stewardship, as part of its consideration of potential hydro-electric development in northern Alberta. Cindy Chiasson and Jason Unger presented on the environmental law aspects. Consistent with our presentation, the Committee recommended cooperation between the Alberta and federal governments in impact assessment for hydro projects and noted that run-of-the-river projects, which have fewer environmentally negative effects, should be the preferred development model.



Land Use and Planning

Adam Driedzic presented several education outreach sessions in southwestern Alberta to assist the public and community groups in consultations on the South Saskatchewan Regional Plan, with a focus on headwaters protection and land conservation tools. More than 200 people, 6 community organizations and a municipality made use of our services to add to their knowledge and engagement on land use planning.

Adam Driedzic brought attention on off-highway vehicle (OHV) management to thousands of Albertans by publishing articles in *Wildlands Advocate* and participating in numerous public forums throughout 2012. OHV management is quickly becoming a hot topic in many parts of Alberta.



Environmental Assessment

Brenda Heelan Powell worked tirelessly participating in consultations, attending workshops and monitoring developments with regards to the *Canadian Environmental Assessment Act 2012*. The result was that ELC comments on transboundary bridges and some oil and gas activities in marine areas were incorporated into the Regulations Designating Physical Activities under that Act.

ELC comments also resulted in some changes to wording related to project thresholds for environmental assessment.



Public Participation and Engagement

Adam Driedzic prepared and sent a briefing to Ted Morton, then Minister of Energy, regarding standing issues at administrative boards and tribunals. This resulted in an ELC presentation at the Canadian Council of Administrative Tribunals conference. ELC staff members also met with officials from Alberta Energy in relation to the briefing. In short, we were at the table to advocate for public interest standing.

Our blog received nearly 14,000 views over the course of 2012, up 30% from 2011. Crucial information that only we can provide is getting into the hands of more Albertans every year.

Cindy Chiasson and Jason Unger prepared a brief to the Minister of Energy on the *Responsible Energy Development Act*. The purpose of the brief was to ensure that this Act provides Albertans with ways to participate and also protects the environment. As a result of this brief, they met with Energy Minister Ken Hughes and various department officials to discuss ELC concerns and advocate for the environment and you.

We salute our sponsors!

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This donation isn't moot!



In November 2012 five student legal teams argued a reference case in the 2nd annual Twitter Moot*. Hosted by West Coast Environmental Law, the event sought to clarify whether a right to a healthy atmosphere exists in Canada.

After an incredibly fast and well-argued hour of mooting, we prevailed. In an act of putting our money where our mouths were, we donated the \$500 prize to the ELC, whose wonderful staff members constantly work to clarify important environmental law issues like the moot problem.

We are very grateful for all the work you do and the dedication of everyone on the ELC team. Your work is so important for the future of Alberta and our earth.

Pippa Feinstein and
Samuel Harrison

Your gift makes a difference

Donating to the Environmental Law Centre is a powerful statement of your commitment to protecting – and responsibly developing – Alberta's natural resources with the best tools and decision-making possible. It ensures that Albertans can access the information they need to protect the environment. Donors receive a charitable receipt and are acknowledged online and in print and receive exclusive invitations to special events. Depending on the level of commitment, we offer special recognition opportunities, as well as employee engagement opportunities, to celebrate and honour your generosity. We invite you to consider these additional ways you can support the Centre and protect the environment.

Multi-year Gifts – it's difficult to plan and assess change in a single year. Three to five year commitments give us the flexibility to plan, assess and evolve programs as needed. It also reduces administrative burdens and costs, and actually attracts future donations as many foundations require matching funds. Your multi-year gift is a meaningful way to support the Environmental Law Centre.

Gifts of Securities – we are able to accept gifts of stocks and securities. There are many tax benefits to donating securities over cash donations. Please contact our Fundraising Coordinator for more information (1-800-661-4238).

Gifts in your Will – a bequest in your will is one of the most significant ways you can support a legacy of change. Laws and policies don't change overnight. They are a lifetime's work. You will leave a meaningful legacy by investing in a lifetime's work.

Have something else in mind? Call our office (1-800-661-4238) to discuss your idea, your question, or to make a donation.

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for their generous
support.

*moot: a discussion of a hypothetical legal case as an academic exercise

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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Gavin Fitch, Barrister & Solicitor, McLennan Ross LLP

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Other volunteers also helped the Centre in 2012:

Administrative

Chantal Chiasson
Benjamin Dewing

Library

Jean-Pierre Chiasson

PSA Production

Garrett Eschak

Public Interest Standing Project

Natasha Edgar
Kelly Thompson

Model Environmental and Sustainability Assessment Law Project

Pippa Feinstein
Stephen Hazell
Robert Gibson
Meinhard Doelle

Thank you from the ELC staff!



Cindy Dewing
Search Service
Coordinator



Jessica Dodds
Bookkeeper



Adam Driedzic
Staff Counsel



Cathy Halonen
Executive Assistant



Brenda Heelan
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Debra Lindskoog
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Leah Orr
Communications
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Jason Unger
Staff Counsel

Audited financial statements are available on the ELC website at www.elc.ab.ca on the "About ELC" page.

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