



Environmental  
Law Centre

# 2017 Year in Review

THE ENVIRONMENTAL LAW CENTRE'S 2017 REPORT TO THE COMMUNITY

## Highlights from 2017

*With your support,  
the ELC continues to  
pursue enhanced  
legal protection of  
the environment for  
all Albertans*

### CONTACT US:

#### Environmental Law Centre

#410, 10115 100a Street  
Edmonton, Alberta T5J 2W2  
Phone: (780) 424-5099  
Toll Free: 1-800-661-4238

elc@elc.ab.ca  
elc.ab.ca

Charitable Registration  
#11890 0679 RR0001

### Spring 2017

- We welcomed Jason Unger as [ELC's new Executive Director](#)
- We continued our [climate change](#) blog series and reports, started in 2016
- ELC looked at [Whirling disease and the law: a call for pre-cautionary environmental management on World Water Day](#)
- We provided [Highlights of Federal Environmental Legislation Reviews](#)

### Summer 2017

- Summer student Jacob Marchel wrote a popular blog post entitled [Should Canada Follow Trump's Paris Agreement Withdrawal?: The Precautionary Principle will Guide Us](#)
- We took a look at the [Federal Response to the Environmental Assessment, the National Energy Board, the Navigation Protection Act and Fisheries Act Reviews](#)
- Our analysis of [Supreme Court of Canada's two decisions on Indigenous Consultation and the National Energy Board](#)

### Fall 2017

- We released [Environmental Bill of Rights: Action Today for Albertans Tomorrow](#) (the first in our environmental rights series)
- [Kyra Leuschen](#) and [Rebecca Kauffman](#) joined the ELC as staff counsel
- Green Regs n Ham was held in Calgary in October: [Hockey Fights and Contaminated Sites](#)
- We met with teachers about an environmental law program for high school students

### Winter 2017

- We looked at the Supreme Court's decision in [Ktunaxa Nation v British Columbia: The Qat'muk Grizzly Bear Spirit, the Jumbo Valley Ski Resort & the Protection of Sacred Lands in New Zealand](#)
- The ELC's case comment on the impact of Jordan in two recent environmental cases: [Delay, Environmental Offences and Private Prosecutions](#)
- We reviewed [amendments to the Environmental Powers of Municipalities](#)
- Jason provided his annual, light-hearted look at the year with [Christmas Constitutional](#)

**Partner with us today** to champion your vision of a future where our children and grandchildren continue to enjoy Alberta's clear air, clean water and a healthy environment.

## Leadership Report



**JoAnn Jamieson**  
*President of the Board of Directors*



**Jason Unger**  
*Executive Director*

# The ELC

got back to basics in 2017 while also dealing with significant organizational shifts.

Leadership of the organization was confirmed with Jason Unger as Executive Director, while JoAnn Jamieson continued as President of the Board. New board members also joined the ELC: Cameron Jefferies, Michelle Forrieter, Shari Clare and Alison Doebele (non-voting). We added program staff capacity in the fall with Kyra Leuschen and Rebecca Kauffman joining the ELC legal team. Our renewed program staff capacity allowed us to make strides on a variety of pressing projects regarding environmental rights and climate change regulation. All of this is possible because of the support of donors like you, along with key foundation and corporate supporters.

Admittedly getting traction to tackle the environmental challenges in Alberta hasn't been getting easier with the ongoing impacts of the economic downturn. Challenges like upstream oil and gas liability and orphan well sites remain key issues to be dealt with but elicit a host of economic concerns at the same time. This makes the ELC's work all the more relevant. Our *Model Environmental Bill of Rights* is a fundamental approach to environmental rights guarantees that should not falter or vary with vagaries of oil prices.

The ELC will continue to work on making the Bill a reality.

Projects related to education and law reform regarding methane regulation, oilsands emission caps and on privacy issues around energy consumption formed the bulk of our ongoing climate change work as the ELC seeks to ensure Albertans are informed about

the recent provincial and federal action in tackling climate change.

The ELC also continues to recognize the significant role and opportunity municipalities have to play in Alberta with its *Community Conserve* project, in partnership with the Miistakis Institute.

Federally, 2017 saw the review of several pieces and federal legislation, most notably the *Fisheries Act*, and law reform in relation to environmental was starting to take form assessment (resulting in Bill C-69 – the *Impact Assessment Act*). The ELC participated through a national environmental network on impact assessment and appeared before the expert panel that travelled the country gathering input on how federal assessment process should evolve.

In looking forward, ongoing challenges for Alberta remain. Habitat management, having an effective polluter pays system, and management of water in the face of climate variability will be on the ELC's plate moving forward.

Sometimes overwhelming but always invigorating, there are many barriers and opportunities the ELC sees when it looks at Alberta's law and policy landscape. Economic challenges being felt by the province and many of its residents only crystallize the need for effective and efficient regulatory systems that ensure all Albertans, today and into the future, enjoy clear air, clean water, clean land, healthy soils, and biodiversity.

*With your continued support, we will make this vision a reality.*

*JoAnn & Jason*



Environmental  
Law Centre

The Environmental Law Centre envisions a society where laws, through the following overarching legal goals, secure an environment that sustains current and future generations:

- Laws incorporate and abide by the following core environmental law principles:
  - Informed public participation ,
  - Precautionary principle,
  - Polluter pays and economic incentives align with environmental objectives,
  - Pollution prevention, and
  - Intergenerational equity.
- Laws and policies are guided by science.
- Laws create certainty around process rights and environmental conditions.
- Laws are proactive in addressing environmental risks and harms.



## Vision, Mission & Goals

# Championing laws for clean air, clean water and a healthy environment

The ELC's work focuses around these following core areas:

- Environmental laws protect environmental quality and the rights of citizens to attain and maintain a healthy environment.
- Laws offer a functional and effective response to climate change risks.
- Albertans are educated about legal rights, processes and support and promote the ELC's vision and mission.

As a charity, the Environmental Law Centre depends on your financial support to fulfill its mission . **Your support makes a difference!**



Environmental  
Law Centre

# Environmental Rights

## Environmental Rights in Alberta (2016/17)

### Module 1: Substantive Environmental Rights

### Module 2: Third Party Oversight and Environmental Rights

### Module 3: Citizen Enforcement for Environmental Quality

### Module 4: Access to Information

### Module 5: Costs in Court and Regulatory Proceedings

Special thanks to the Alberta Law Foundation for support of the ELC's *Environmental Bill of Rights* program.

## **Environmental laws protect environmental quality and the rights of citizens to attain and maintain a healthy environment.**

Future Albertans should be able to look to our laws as a source of pride for how they support and maintain their environment. To this end the ELC is advocating for a provincial bill of rights to provide that substantive and symbolic legal framework to ensure clean water, clean air, clean soil and biodiversity are not only a legal framing today but so that they can be in the future. The ELC sets out key recommendations in our September 2017 report *A Road Map for Environmental Rights in Alberta: Rights for a Sustainable Future*.

In the report we identify key areas that a bill of rights must embrace, including:

- A clear and substantive statement of environmental quality as an Albertan's right;
- A clear right of participation in relation to management of public resources, such as water, air and public land;
- A strengthening of legal rights during hearings;
- The creation of a third party agency for review and evaluation of environmental performance; and
- an expansion of environmental enforcement opportunities for Alberta citizens.

These recommendations (among others) are based on the need to ensure environmental quality today and into the future, facilitated by citizen engagement and legislative accountability.

In 2016, we released Phase 1 of the Environmental Law Centre's **Environmental Bill of Rights Program** which examined the current state of environmental rights in Alberta and several other jurisdictions, and makes a number of recommendations. [ENVIRONMENTAL RIGHTS IN ALBERTA: PHASE I: DO WE HAVE THE RIGHTS WE NEED?](#) A series of modules then delved further into each issue; you can read the reports released in late 2016 –2017 through the links on the left. The series continued in 2018 with a draft Bill of Environmental Rights released by the ELC, and can be found on the [ELC website](#).



Environmental  
Law Centre



## ***Laws offer a functional and effective response to climate change risks.***

As part of its program on climate change, the ELC has published a series of reports – the **Climate Change Legal Roadmap** – outlining climate change actions taken in other jurisdictions and making recommendations for Alberta.

In 2016, the ELC published the following reports in this series: *[A Snapshot of Alberta's Climate Change Law & Policy](#)*, *[Carbon Pricing Recommendations for Alberta: Lessons from the Latest Developments in WCI Jurisdictions](#)*.

In 2017, the ELC continued to explore issues around climate change and released *[Climate Change Legal Roadmap: Oil Sands Emission Limit under the Climate Change Leadership Plan](#)* and *[Methane Reduction under the Climate Change Leadership Plan](#)*.

As well, we kept on top of a variety of developments in energy and environmental policy and regulation, blogging about such topics as:

- [Canada's Progress on Mitigating and Adapting to Climate Change: A Look at the 2017 Fall Reports of the Commissioner of the Environment and Sustainable Development](#)
- [Public Impact on Climate Change Law and Policy](#)
- [Climate Change Blog Series: Federal Government releases its Technical Paper on the Carbon Pricing Backstop](#)
- [Supreme Court of Canada issues two decisions on Indigenous Consultation and the National Energy Board](#)
- [LawNow.org: Alberta's Climate Leadership Plan – An Update on Law and Policy Developments](#)

You can read more about the ELC's in-depth review of climate and energy topics on our blog here: [CLIMATE AND ENERGY BLOG](#)

*In 2018, the ELC has embarked on the development of a climate legislation adaptation and mitigation guide. Watch for its release in Fall/Winter 2018.*

## **Response to Climate Risks**



Special thanks to the Alberta Law Foundation for its support of the ELC's *Climate and Energy* series.



**Environmental  
Law Centre**

## ***Albertans are educated about legal rights and processes.***

Perhaps one of the most challenging aspects for the ELC is effectively communicating and sharing how laws can be effective tools for protecting the environment. Our work includes encouraging public engagement through participation, feedback and sharing the ELC's resources to interested and concerned Albertans.

### **Educating Albertans**

#### **Top Blog Posts 2017**

With 25 blog posts in 2017 and 7,133 visits to those posts, elc.ab.ca had over 9,800 visitors and 90,648 page visits! The most popular blog posts in 2017 were:

[The costs of protecting the environment](#)

[Highlights of Federal Environmental Legislation Reviews](#)

[Supreme Court of Canada issues two decisions on Indigenous Consultation](#)

#### **OUTREACH 2017**

We undertook a comprehensive communications strategy in 2017, conducting a discovery workshop with 40 Albertans to get a sense of their concerns around the environment, building our online presence on the web and on social media platforms. Our audience can access our research, publications, analysis and recommendations through our website and blog. We reach out a few times per year through our newsletters to around 2,100 subscribers.

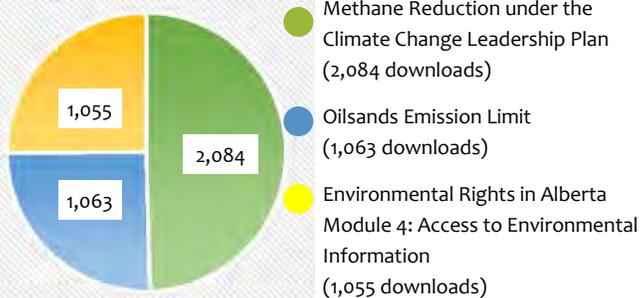
#### **ENVIRONMENTAL LAW 101 for HIGH SCHOOLS**

In 2016, we began work on a project to bring an environment law program to high schools. This work has continued through 2018 and soon the ELC will launch a website for high school teachers and their students to access and supplement their social studies and science learning about environment, climate change and the legislation that impacts these issues in Alberta and Canada.

#### **GREEN REGS N HAM 2017**

In 2017, we hosted Greens Regs n Ham in Calgary on October 3. Starting in 2018, we are hosting this breakfast event in Edmonton every spring and in Calgary every fall. Watch for news of our next event through our newsletter or on the blog. (And read more about the Fall 2017 Green Regs n Ham event on the next page).

#### **Top Publication Downloads in 2017**



**Environmental  
Law Centre**

#### **FAST FACTS**

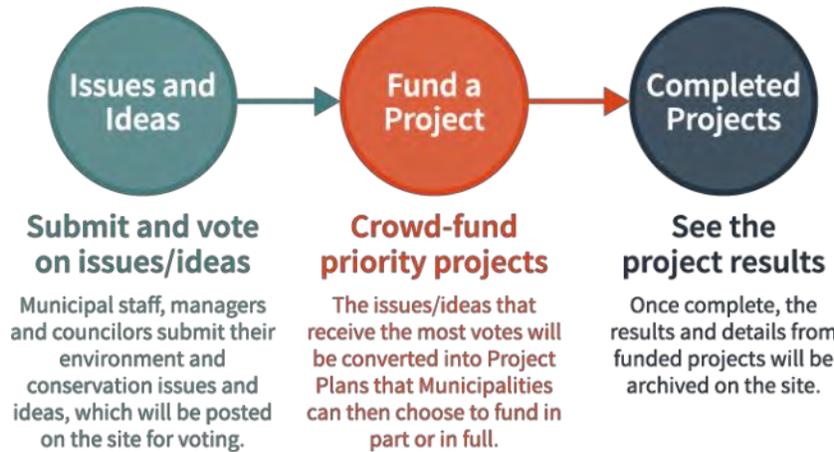
We posted 72 Facebook posts in 2017, 12,365 impressions and 697 followers

Follow us [@environmentallawcentre](#)

We tweeted 70 times in 2017, 34,446 impressions and 1,649 Twitter followers

Follow us [@ELC\\_Alberta](#)

**Community Conserve: a forum for Alberta municipalities to identify common environment and conservation issues, then pool their resources to address them**



In 2017, the Community Conserve collaboration delivered the following to assist municipalities in addressing conservation and environmental issues:

- [How Municipalities Apply Environmental Reserve in Alberta: A White Paper](#)  
A discussion paper to inform municipal planners on how environmental reserve is applied in Alberta and observations on the implications of the new Conservation Reserve tool
- [A Conservation Easement Guide for Municipalities](#)  
A practical how-to guide for municipalities considering holding conservation easements or establishing a conservation easement program
- [ALSA's Conservation Tools for Municipalities: A Webinar Series](#)  
Informational webinars on conservation easements, transferable development credits, conservation offsets, and conservation directives
- [The Scope of Municipal Powers and the Environment](#)  
Part 1 of the Municipalities and Environmental Law Series



Community Conserve

The Community Conserve team includes



**Miistakis Institute**



Environmental Law Centre




**aamdc**  
trade • jubilee  
Partners in Advocacy & Business

A collaboration made possible with support from:  
Max Bell Foundation  
An Anonymous Foundation



## SUPPORTERS

### MAJOR PROJECT SUPPORTER

Alberta **LAW**  
FOUNDATION



*In 2017, you gave generously to stronger environmental laws and rights in Alberta that ensure Albertans continue to enjoy our clean air, clean water and healthy environment.*

## Thank You!

Sherie Angevine  
Cheryl Bradley  
Alan Breakey  
Pam Bryan  
Cenovus Employee  
Foundation  
John Clements  
Cliff Wallis  
John Cuthbertson  
Corbin Devlin  
David Duggan  
Dr. Raquel Feroe  
Timothy Haufe  
David Ho  
Andrew Hudson  
Thomasine Irwin  
Arlene Kwasniak  
Debra Lindskoog

Alastair Lucas  
Jacob Marchel  
Max Bell Foundation  
Michael Morin  
Brian O'Ferrall  
Rod Olstad  
Sean Parker  
David Poulton  
Mary Richardson  
Greg Shyba  
Kara Tersen  
The Chawkers Foundation  
Sarah Palmer  
Dennis Thomas  
Donna Tingley  
and other donors who prefer  
to remain anonymous

## GREEN REGS 'N' HAM SPONSORS



Environmental  
Law Centre



As a charity, the Environmental Law Centre depends on your financial support to fulfill its mission. **Your support makes a difference!**

# The Environmental Law Centre's 2017 Volunteer Board of Directors

## BOARD EXECUTIVE

JoAnn Jamieson, *President*

Tim Haufe, *Vice-President*

Ian Murray, *Vice-President/  
Secretary Treasurer*

Dave Poulton, *Past President*

## DIRECTORS AT LARGE

Gregory Taylor, Ph. D.

Dr. Damilola Olawuyi

Sean Parker

Dr. Ludwig (Lu) Carbyn

Shari Clare

Cameron Jefferies

Michelle Forrieter

Alison Doebele (non-voting)

*The ELC extends a special thank you to the dedicated team of volunteers who provided leadership and strategic direction in 2017*

**Volunteer  
Leadership**



From left to right: Dave Poulton (Past President), Ian Murray (Secretary/ Treasurer), Alison Doebele (non-voting director), Paul Leong (City of Calgary), Nigel Bankes (Faculty of Law at the University of Calgary), Jason Unger (Executive Director), JoAnn Jamieson (President), Shay Anderson (Minister of Municipal Affairs), Michelle Forrieter (director)

## GREEN REGS 'N' HAM 2017

### It's a wrap: Hockey Fights and Contaminated Sites

Tackling a topic that is of increasing concern to Albertans was on the agenda for an early morning breakfast talk on Tuesday, October 3rd 2017. Government representatives, environmental lawyers, industry professionals, law students and others gathered at the University of Calgary downtown campus to hear local experts discuss contaminated sites and orphaned wells, and the challenges and opportunities they pose for municipalities. [Read more](#)

To be notified about our next Green Regs and Ham in Calgary or Edmonton, [sign up for the ELC Alberta EnviroLawConnect newsletter](#)



Environmental  
Law Centre



# YOU CAN MAKE A DIFFERENCE

We'd love to hear from you. We appreciate all feedback and suggestions. Mail to: #410, 10115 100A Street, Edmonton AB T5J 2W2; Fax: 780-424-5133; email your scanned reply to: [elc@elc.ab.ca](mailto:elc@elc.ab.ca) or **make your gift securely online**. Thank you for your support!

## Please accept my gift to the Environmental Law Centre:

My Name: \_\_\_\_\_

Phone #: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Prov. \_\_\_\_\_ PC. \_\_\_\_\_

May we publicly acknowledge your gift?

Yes  No, I prefer to remain anonymous

**Make a secure donation online:** [www.elc.ab.ca](http://www.elc.ab.ca)

Charitable tax receipts will be issued for all donations.

Yes, I'd like to become a monthly Sustaining Donor!

Please debit \$ \_\_\_\_\_ each month from my:

Bank Account (enclose a voided cheque)

Credit Card (fill out details below)

Or: Enclosed is my one-time gift of \$ \_\_\_\_\_

Please charge my  Visa  MasterCard

Card Number: \_\_\_\_\_

CVC Code: \_\_\_\_\_ Expiry: \_\_\_\_\_

Cardholder Signature: \_\_\_\_\_



Your tax-creditable donation makes a difference. You support the thousands of people who annually access our environmental information services. This year, we plan to raise \$100,000.\* Please contact our Fund Development and Marketing Director, Kara Tersen at [ktersen@elc.ab.ca](mailto:ktersen@elc.ab.ca) with any questions.

*\*it will cost us approximately \$25,000 (3%) of our annual budgeted revenues in 2018 to reach our fundraising goals*

### CONTACT US:

#### Environmental Law Centre

#410, 10115 100a Street Edmonton, Alberta T5J 2W2

Phone: (780) 424-5099

Toll Free: 1-800-661-4238

Email: [elc@elc.ab.ca](mailto:elc@elc.ab.ca)

Website: [www.elc.ab.ca](http://www.elc.ab.ca)

Blog: [elc.ab.ca/blog/](http://elc.ab.ca/blog/)

Charitable Registration

#11890 0679 RR0001

Facebook: [@environmentallawcentre](https://www.facebook.com/environmentallawcentre)

Twitter: [@ELC\\_Alberta](https://twitter.com/ELC_Alberta)

To sign up for the ELC e-newsletter: [elc.ab.ca/newsandmedia/news/](http://elc.ab.ca/newsandmedia/news/)

Photos courtesy: Kara Tersen, [Travel Alberta](http://TravelAlberta.com), [Unsplash.com](http://Unsplash.com)



Environmental  
Law Centre

# FINANCIAL R E P O R T

## 2017 Condensed Financial Statement



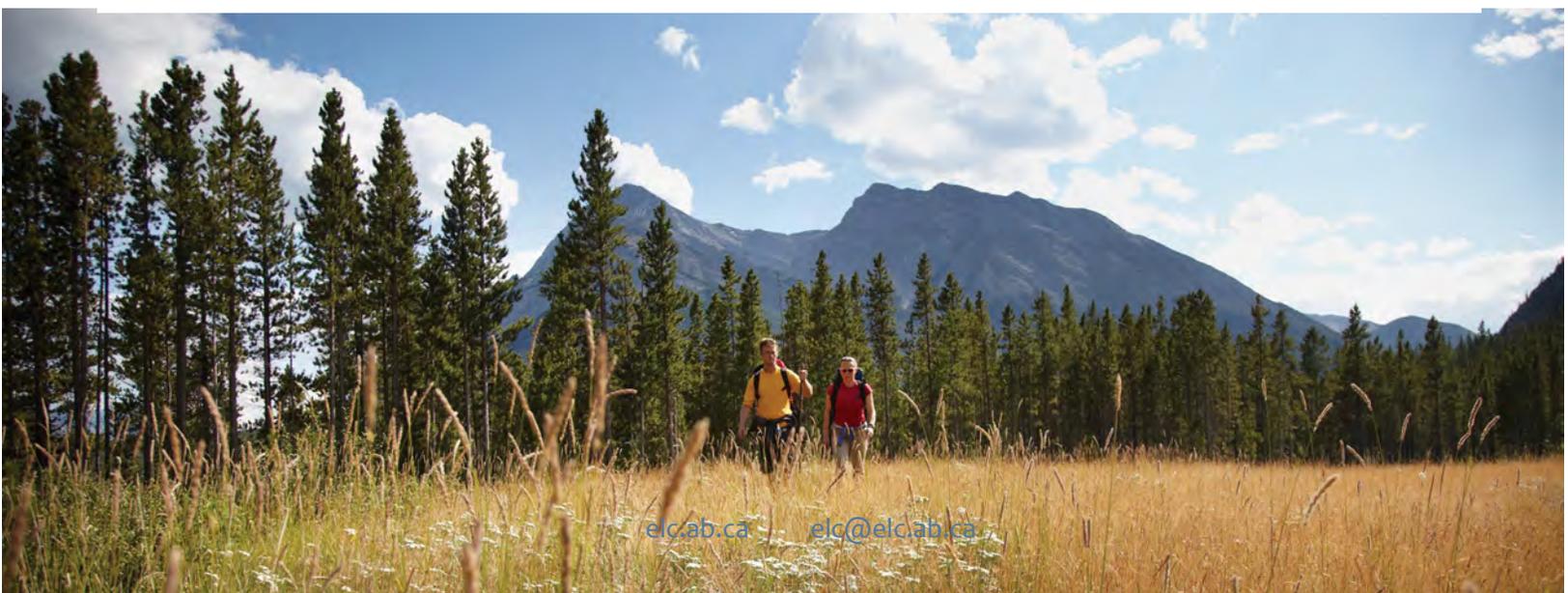
Environmental  
Law Centre

[elc.ab.ca](http://elc.ab.ca)

[elc@elc.ab.ca](mailto:elc@elc.ab.ca)

# S T A T E M E N T O F O P E R A T I O N S

For the year ended December 31,	2017	2016
<b>Revenues</b>		
Fee for Service and Search fees	\$ 541,197	\$ 534,269
Alberta Law Foundation (net)	239,305	288,748
Grants	31,655	79,345
Donations	70,806	15,898
Miscellaneous income	6,946	19,133
Interest Income	775	271
Reimbursed expenses	1,764	1,887
<b>Total Revenues</b>	<b>\$ 892,448</b>	<b>\$ 939,551</b>
<b>Expenditures</b>		
Advertising and promotion	487	329
Amortization	3,704	4,504
Consulting fees	99,052	94,177
Insurance	24,086	9,764
Interest and bank charges	19,646	23,463
Materials and supplies	2,833	6,312
Moving costs		6,081
Office equipment and technology	19,720	14,591
Postage and courier	254	1,491
Professional fees	19,272	27,381
Rent	57,810	74,670
Telephone and utilities	4,358	6,489
Training	1,891	15
Travel	10,519	14,324
Wages and benefits	446,374	560,227
<b>Total Expenditures</b>	<b>\$ 710,006</b>	<b>\$ 843,818</b>
<b>Excess of revenues over expenditures</b>	<b>\$ 182,442</b>	<b>\$ 95,733</b>



# FINANCIAL POSITION

December 31,	2017	2016
<b>Assets</b>		
<b>Current</b>		
Cash	\$ 564,617	\$ 395,292
Accounts Receivable	25,448	24,708
Prepaid Expenses	13,668	13,856
	<b>\$ 603,733</b>	<b>\$ 433,856</b>
Equipment	12,142	15,846
<b>Total Assets</b>	<b>\$ 615,875</b>	<b>\$ 449,702</b>
<b>Liabilities</b>		
<b>Current</b>		
Accounts payable and accrued liabilities	\$ 13,380	\$ 109,164
Deferred revenue	95,320	15,805
<b>Total Liabilities</b>	<b>\$ 108,700</b>	<b>\$ 124,969</b>
<b>Fund Balances</b>		
Restricted and reserve funds	\$ 507,175	\$ 324,733
	<b>\$ 615,875</b>	<b>\$ 449,702</b>

# FUNDRAISING ACTIVITIES

December 31,	2017	2016
<b>Gross contributions received</b>	<b>\$ 10,071</b>	<b>\$ 15,898</b>
Fundraising expenses	5,996	7,151
Public education programming	4,075	8,747
	<b>\$ 10,071</b>	<b>\$ 15,898</b>

This is a condensed version of the audited 2016 financial statements of the Environmental Law Centre. A full copy of the audited version may be obtained by request by emailing [elc@elc.ab.ca](mailto:elc@elc.ab.ca)

# S T A T E M E N T O F CASH FLOWS

For the year ended December 31,	2017	2016
<b>Cash provided by (used for) Operating activities</b>		
Excess of revenues over expenditures	\$182,442	\$ 95,733
Items not affecting cash		
Amortization	3,704	4,504
	<b>\$ 186,146</b>	<b>\$ 100,237</b>
<b>Change in non-cash working capital items</b>		
Accounts receivable	(740)	(9,865)
Prepaid expenses	188	(616)
Accounts payable and accrued liabilities	(95,784)	82,227
Deferred revenue	79,515	(18,195)
	<b>\$ 169,325</b>	<b>\$ 153,788</b>
<b>Investing activity</b>		
Purchase of equipment		(7,550)
<b>Increase in cash</b>	<b>\$ 169,325</b>	<b>\$ 146,238</b>
<b>Cash, beginning of year</b>	<b>\$ 395,292</b>	<b>\$ 249,054</b>
<b>Cash, end of year</b>	<b>\$ 564,617</b>	<b>\$ 395,292</b>



Environmental  
Law Centre

#410, 10115 100 A St. Edmonton, AB T5J 2W2

Phone: (780) 424-5099

Toll Free: 1-800-661-4238

elc.ab.ca elc@elc.ab.ca

Blog: <http://elc.ab.ca/blog/>

Facebook: <http://www.facebook.com/environmentallawcentre>

Twitter: [https://twitter.com/ELC\\_Alberta](https://twitter.com/ELC_Alberta)

Charitable Registration #11890 0679 RR0001

Photos courtesy [Travel Alberta](#)