

ECO-Crisis in Ontario's Democracy

November 26, 2018

We had really wanted to share news about the OHI's emerging efforts to add some new program elements, and maybe even diplomatically remind folks that tomorrow is Giving Tuesday. But that will have to wait as we must express our grievous concerns about an omnibus bill with the Orwellian title of the Restoring Trust, Transparency and Accountability Act, 2018.

We believe that Schedule 15 of the Bill represents a significant crisis for the very things in the title: on-going trust, transparency, and accountability in how Ontario manages its environment, and our democracy, for this and future generations.

Why?

- Schedule 15 proposes significant harmful changes to the Environmental Bill of Rights (EBR) and the Environmental Commissioner's Office (ECO). One of the best explanations is found in a legal analysis done by the Canadian Environmental Law Association, as per the box below; and,
- The schedule is part on an omnibus bill with 44 other schedules that will change scores of laws and regulations. As such, it is clear that many issues in the Bill will not get the discussion they deserve as it appears the government is intent on using its majority to pass the bill as quickly as possible, and has not signaled if how and when people may depute on the bill, or aspects of it, at committee.

Excerpt from CELA's legal analysis of Bill 57

"...CELA finds that in comparison to the current EBR regime, the legislative amendments set out in Schedule 15 will significantly reduce public trust, transparency and accountability in governmental decision-making in the environmental context, as described below.

In addition, CELA notes that Bill 57's explanatory text is inaccurate (if not misleading) since it implies that all of the existing statutory powers, duties and functions of the Environmental Commissioner of Ontario (ECO) are simply being transferred, in their entirety, to the Auditor General and the Environment Minister. This is not the case since Schedule 15 attempts to scope, narrow or eliminate several key powers, duties and functions currently exercised by the ECO under the EBR.

Accordingly, if the provincial government is seriously committed to ensuring effective oversight and meaningful public reporting on environmental law and policy matters in Ontario, then CELA recommends that Schedule 15 of Bill 57 be withdrawn forthwith"

You can read the full analysis [here](#).

So – what can be done? Please consider adding your name, and/or that of your organization, to one of two excellent petitions, at

<http://www.greenprosperity.ca/eco/> or

<https://ontarionature.good.do/peopleandenvironment/support/>

In addition, you might wish to consider personal contact to express any concerns you have about Schedule 15 with local MPPs, ministers, and parliamentary assistants. Contact information for local MPPs can be found at <http://www.greenprosperity.ca/Find-your-representative/>, while contact info for the others can be found at <https://www.ola.org/en/members/current/contact-information/ministry>. On this list, ministers are denoted with the pre-fix “Hon.”, while parliamentary assistants do not have the pre-fix.

While the new Ontario government appears to be in some haste to dismantle the EBR and the ECO, there are numerous highly-important files for which it has provided no direction to staff or the public, including with respect to the Great Lakes, the Greenbelt, biodiversity, and how it will fulfill its campaign commitment for \$500M for environmental initiatives that will include a fund to invest in new emission reduction technologies.

The OHI believes that narrowing the mandate of the EBR and collaring the independence of the ECO constitute a real crisis, in stark contrast to the promise of the government for the very trust, transparency, and accountability upon which it campaigned.

Talk with you downstream,

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