

McKenna in spotlight as major environmental reforms expected in February

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Environment groups are hopeful the upcoming federal budget will set aside a ‘historic’ investment to protect land, freshwater, and ocean environments, an ask supported by more than 100 Parliamentarians.



Review of Canada's environmental assessment process has been the 'pre-eminent' focus of groups lobbying Environment Minister Catherine McKenna, pictured, and her parliamentary secretary Jonathan Wilkinson. The Hill Times file photograph

Environment groups say 2018 presents a turning point for environment, with the opportunity for a “major spend” on protected areas to meet international targets and for government to get it right on the environmental assessment overhaul.

Environment Minister Catherine McKenna (Ottawa Centre, Ont.), her staff and her department are consistently among the top lobbied, for their lead on a raft of legislation changes that will affect a handful of acts, including the Canadian Environmental Assessment Act, Fisheries Act, National Energy Board Act (<https://www.hilltimes.com/2017/12/13/liberal-government-roll-legislative-package-reforming-national-energy-board-early-2018-carr/128546>), Navigation Protection Act and carbon pricing.

Her parliamentary secretary Jonathan Wilkinson said in the last year the environmental assessment legislation, expected to be revealed in February, has been the “pre-eminent” focus of groups in the last year and will face further consultation when it goes to committee.

This year will be “very busy,” said Mr. Wilkinson (North Vancouver, B.C.) noting the Pan-Canadian Framework on Clean Growth and Climate Change, released December 2016 (<https://pm.gc.ca/eng/news/2016/12/09/communique-canadas-first-ministers>) with the commitment for carbon pricing by 2018 (<https://www.canada.ca/content/dam/themes/environment/documents/weather1/20170125-en.pdf>), was “just the beginning.”

“The implementation of all of the various measures like the clean fuel standard and the methane, regulations... and the implementation of carbon pricing—all of those things are going to be happening over the course of 2018,” said Mr. Wilkinson, who was the second most-lobbied MP in 2017, with 147 communications. Ms. McKenna was sixth with 128 and their counterparts—Natural Resources Minister Jim Carr (Winnipeg South Centre, Man.) and parliamentary secretary Kim Rudd (Northumberland-Peterborough South, Ont.)—are top of the list, too.

After months of consultation and recommendations from an expert panel, some environmental groups are predicting a bill will be tabled early in February, even next week, but Ms. McKenna's office is keeping vague, saying it will be the "next month or so."

Mr. Wilkinson said he didn't think the date to introduce the bill had been set but it would be "relatively soon in the sitting."

Groups said they're not sure how extensive the legislation will be and if it will address several acts at once.

"The environmental assessment legislation is by far the most controversial... it affects all industrial sectors," said Stephen Hazell, Nature Canada's conservation director, adding the big question is: "How many projects is [the bill] going to affect?"

Megan Leslie, CEO of World Wildlife Fund Canada and a former NDP MP, said she's worried that government has too low of a benchmark, looking only to bring the environmental assessment law to its pre-2012 state, before the Conservative government redesigned the environmental assessment process.

"This is once-in-a-generation. We don't do this kind of thought exercise on environmental protections every day," she said, adding the WWF has pushed for a system that takes "a holistic look" at projects.

"When you look at these four individual pieces of legislation separately, it sends a message to me that if we just make a couple tweaks here and there, that's enough," she said, adding she supports the "principles underlying the review"—evidence based and open consultation—after the "damaging" changes in 2012.



Former NDP MP and new CEO of World Wildlife Fund Canada Megan Leslie. *The Hill Times* file photograph

Those changes were supposed to streamline the process, scrapping the need for both the federal and provincial governments to assess the same projects but Ecojustice's Josh Ginsberg said it rarely involves regional studies specific to projects.

"What we get is an ad-hoc and very discretionary scheme and that doesn't help anybody," he said, adding "industry has no certainty."

The Mining Association of Canada said the process for reaching decisions whether a mine can be built must be timely, co-ordinated, and seamless.

“Mining projects are by far the biggest client of the Canadian Environmental Assessment Agency which administers the act,” said spokesperson Jessica Draker, who said the industry can play a part in the demand for more green technologies. “The regulatory environment is a key component of our competitiveness and our ability to grow.”

The environmental assessment review has been a “big focal point” for lobbying on the Hill over the last year, Ms. Draker said, with the association posting 305 communications in the lobbying registry in 2017.

An expert panel commissioned by the Liberal government recommended the new process have a “one project, one assessment” approach, while ensuring co-operation between governments where multiple assessments are required.

Mr. Ginsberg said he is concerned about a rumour that when the bill is finally tabled, parts will go to different committees.

“It’s important to look at the bill as a whole. It’s one system and so to parcel it off ... to preclude the main committee from studying that part strikes me as a problematic way to go about it.”

Several observers pointed to the make-up of Ms. McKenna’s office and the perception that it’s “not balanced” given several staff have transitioned from the NGO sector.

“There’s a feeling out there that the minister’s office is anti-industry,” said one lobbyist who spoke on a not-for-attribution basis because they have to work with government. “It’s almost that their view is they understand industry’s motives and they don’t need to hear from them. It’s causing some issues.”

Her chief of staff Marlo Reynolds used to be executive director of the Pembina Institute, a post that a Conservative group has attacked (<https://www.hilltimes.com/2017/08/09/bernier-nuttall-linked-conservative-group-attacks-mckennas-chief-staff-liberal-mps-fundraising-campaign/115466/staff-member-page>) in the past. Her director of communications, Julia Kilpatrick, was recently (<https://www.hilltimes.com/2017/12/13/environment-minister-mckenna-plucks-new-d-comms-clean-energy-canada/128159>) hired from her post in that position for Clean Energy Canada. Former policy adviser Adam Baylin-Stern, who left her office in September, used to work for a clean-energy think-tank, Sustainable Prosperity in Ottawa.

Neither Ms. McKenna’s office nor Mr. Wilkinson said they’d heard that assessment of their offices.

“We’ve tried to be clear as we’ve gone through the consultation process that part of the exercise is restoring the faith that Canadians have that the system for assessing projects is fair and transparent but part of it is also about ensuring there is certainty for industry around timelines and what is essential to have a project proceed through to approval,” said Mr. Wilkinson.

Jonathan Wilkinson, parliamentary secretary to Environment Minister Catherine McKenna is the second most lobbied MP of 2017. *The Hill Times* file photograph.

Lobbying reports over the last year show a fairly even split between environment and industry groups communicating with both top environment MPs, including a combined 12 communications with the Mining Association of Canada alone. Ms. McKenna's office said in the last four months it had a combined 78 meetings with industry.

Mr. Wilkinson's sense, rather, is that groups are waiting to see the legislation and understand government is "acting in good faith" to have environmentally sustainable projects.

Government is going to have to "throw down some markers," the lobbyist said, to give groups a sense of what to expect.

"[Environmental] progress need not come at economic expense but that dichotomy is certainly believed by a lot of people," they said. "It's up to the government to show that's not the case but I think there's a lot of nervous sectors out there."

Budget could make 'historic investment' in conservation

Mr. Hazell said Ms. McKenna has asked for a "major spend" in the next budget on environment and nature. He added he doesn't know if it'll make it to the budget, but it's being "considered."

"We know there's a big ask in the upcoming federal budget... it looks like there is a fair amount of support for that," he said.

Ms. McKenna's office said it couldn't comment on budget requests.

"We are committed to conserving at least 17 per cent of land and water throughout protected areas, conservations and other conservation measures by 2020 and we will need to invest to make that happen," said Marie-Pascale Des Rosiers, Ms. McKenna's press secretary.

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Nature Canada is part of the 19-member Green Budget Coalition calling for \$1.4-billion in the next budget (<https://drive.google.com/file/d/0B-kp6M6OY8JGbDZaNHJKMWlCdlk/view>). Mr. Hazell said that ask is bolstered by a cross-partisan call from more than 100 MPs and Senators who signed a letter sent (<https://www.facebook.com/willamoscanada/photos/pcb.1248596928617065/1248581831951908/?type=3&theater>) to Finance Minister Bill Morneau earlier this month, asking for that same amount.

Liberal MP and former environment lawyer William Amos (Pontiac, Que.) co-ordinated the ask to expand protected areas for what the Quebec politician said would be “a historic investment.”

If government complies it would be the biggest spend on nature in Canada’s history, Mr. Hazell said.