



FREE REPORT

CANADA'S NATURAL HERITAGE WORTH FIGHTING FOR



PROTECTING THE ENVIRONMENT IS A SMART INVESTMENT IN OUR FUTURE



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Whether you're swimming in a crystal clear lake, having a snowball fight or just walking in the woods, Canadians enjoy many simple pleasures that are provided by nature. Healthy ecosystems also provide us with the things we need to survive, including food, water, clean air, pollination, medicines, climate regulation and flood control.

The health of Canada's environment is intrinsically linked to our well-being and quality of life, which is why its protection is so critical – now and into the future.

Caring for our environment requires both stewardship and strong laws. Canada must tackle climate change – the greatest challenge of our time – while also protecting our fisheries, safeguarding pollinators, standing up for our parks and endangered species, and conserving our freshwater. Plus, the actions we take here in Canada play an important role in preserving the global environment.

That is why it's so disturbing that Canada's environmental laws have been watered down, repealed or largely unenforced.

The federal government's omnibus budget legislation **Bill C-38**, introduced in April 2012, is a striking example. Bill C-38 was written with no public consultation, and dedicated one third of its 420 pages to rolling back environmental laws.¹

Since 2010, the Canadian government has withdrawn from the Kyoto Protocol on reducing greenhouse gas emissions; decreased

protection for species at risk; laid off and silenced hundreds of biologists, hydrologists and other scientists; gutted the *Fisheries Act*; eviscerated

the *Canadian Environmental Assessment Act*; and weakened the *Navigable Waters Protection Act*.

We can do better.

Confronting Canada's environmental challenges requires long-term thinking, thoughtful planning and an understanding that a healthy and stable environment is necessary to maintain a high standard of living – and for our very survival. The public good and environmental health must

come before corporate profits and short-term economic interests.

Canadians are fortunate to live in a country with so many natural assets, including some of the most remarkable wilderness and wildlife in the world. **What we have is truly special, and it's certainly worth fighting for.**

Read this paper to better understand what is at stake – for our climate, national parks, fish, freshwater and endangered species – and learn about the steps we can take to improve Canada's laws and protect our natural heritage for our children and grandchildren.

Photo top: Emerald Lake, Yoho National Park, BC (Barrett & MacKay/All Canada Photos), **below left:** Great blue heron (Roberta Olenick), **below right:** Backpacker in Banff National Park, AB (Ron Watts/All Canada Photos).



A HEALTHY, WEALTHY AND ENVIRO

WILDERNESS AND WILDLIFE ARE IN OUR NATURE

Canada is renowned for its extraordinary wilderness and wildlife. Grizzly bears, beluga whales, mountain caribou and peregrine falcons are part of the ecological fabric of our country, and part of our national identity.

But these iconic creatures are just a handful of the 726 species at risk here – a number that is growing every year.³ Loss of habitat, climate change, pollution and forest degradation pose the biggest threats to Canadian wildlife. However, it is the weak and ineffectual federal endangered species law, the *Species at Risk Act* (SARA), that is the greatest disappointment.

Introduced in 2002, the *Species at Risk Act* has been beset by many problems:

- Some at-risk wildlife aren't listed under SARA because the listing process is discretionary;
- SARA's automatic protections only apply to species at risk under federal jurisdiction;
- Critical habitat protection doesn't apply to species listed provincially (which includes the vast majority of Canada's endangered wildlife) unless the federal government issues an "emergency" or "safety net" order;⁴

- Recent changes exclude the National Energy Board (NEB) from having to address critical habitat requirements when it approves pipeline projects;⁵
- Recovery strategies for species at risk suffer lengthy, unlawful delays.⁶

In 2014, as a result of a Wilderness Committee court case, Canada's federal court found an "enormous systemic problem" with enforcement of the *Species at Risk Act*.⁷

The need for strong federal endangered species legislation is compounded by the fact that provinces such as BC and Alberta have no provincial endangered species law. Under the 1996 Accord for the Protection of Species at Risk, wildlife ministers from across the country committed to enact complementary legislation and policies to protect species at risk.⁸ Unfortunately, today the vast majority of Canada's endangered species still don't receive adequate provincial protection.

Recovering our species at risk under federal law isn't rocket science. What species need is a retooling of SARA that removes political discretion and ensures

science-based listing. They also require critical habitat safeguards that apply to provincial lands when provincial laws don't protect species as well as they would be protected under SARA. Lastly, defending endangered wildlife means issuing recovery strategies that meet legal deadlines, and promptly implementing action plans to give species a chance.



Photos (clockwise from top right): Canada warbler (Robert McCaw), Birdwatching in Rondeau Provincial Park, ON (Steve Ogle/All Canada Photos), Endangered killer whales on BC's coast (John E. Marriott), Bird's-foot violet (Robert McCaw).



NATIONAL PARKS: PROTECTING THE BEST OF CANADA

Created in 1885, Banff is Canada's first and perhaps best known national park. Home to wolves, lynx, river otters and endangered woodland caribou, Banff is a haven for wildlife and wildlife enthusiasts.

Today our national park system has grown to 44 parks and reserves, covering over 300,000 square kilometres.⁹ These parks protect important wilderness areas, provide habitat for wildlife, generate billions of dollars in visitor expenditures and give us an opportunity to reconnect with nature.

Our national parks protect some of the best of Canada. **But today, they're struggling after years of financial clawbacks and dramatic staff cuts.**¹⁰ Decades of underfunding have resulted in almost \$3 billion in deferred work on park infrastructure, including visitor centres, access roads and historic sites.¹¹

Development is also putting

increasing pressure on our national park system. The proposed expansion of a ski hill in Jasper National Park, which would negatively impact the threatened Tonquin caribou herd, is just one example of financial concerns being placed above ecological integrity in our national parks.¹²

To make Canada's parks the best they can be, we need forethought and political will. For starters, the federal government needs to work with the provinces to expand our protected area system. Currently, provincial and national parks protect just 10 per cent of Canada's land base – compared to a global average of 15 per cent.¹³

The federal government also needs to reverse funding and staff cuts, repair crumbling park infrastructure in a timely manner and recommit to keeping development out of our protected areas.

Canada has made international commitments to safeguard 17 per cent of the country by 2020 – but we are far from attaining that goal.¹⁴



Photo: Endangered woodland caribou in Tonquin Valley, Jasper National Park, AB (John E. Marriott).

DOING OUR FAIR SHARE FOR A HEALTHY CLIMATE

Until recently, Canada led the global community in addressing many environmental challenges – including the push to protect the planet's ozone layer from harmful gases. Signed in 1987, the Montreal Protocol to save the ozone layer was the most successful international agreement on the environment ever implemented, and it showed how effective Canada could be as an international leader.¹⁵

Unfortunately, this legacy of leadership has not carried through to the present. The world is now fighting to come to terms with climate change, and the international agreement designed to confront it is the Kyoto Protocol.

Sadly in 2011, Canada became the first country to withdraw its participation in this important global accord.¹⁶

Government representatives have attended climate meetings since, but Canada has played an obstructionist role. The "Fossil of the Year" award, which recognizes the world's climate

laggards at these international meetings, was awarded to Canada five years in a row.¹⁷

Canada's recent actions have led the world to believe that our country has hitched its wagon to the fossil fuel industry. The damage to Canada's reputation has cost us, both in moral and economic terms. We need to change that.

Imagine a future where Canada is restored to its position as a global leader, negotiating effective agreements that prevent the worst impacts of climate change. To get there, Canada needs to take the lead

in ongoing efforts to achieve a replacement for the Kyoto Protocol.

Here at home, our government must introduce an effective

price on carbon pollution, and end its continued subsidies to the oil, gas and coal industries. Unless there is a level playing field for renewable energy to compete with dirtier fossil fuels, the transition to a cleaner world will not be possible.



Photo: Polar bear family (Jakob Dulisse).

ENVIRONMENTALLY SUSTAINABLE CANADA

HEALTHY FISH NEED HEALTHY HABITAT

Taking kids out to explore in nature is both exciting and rewarding. And there is something particularly fascinating about searching for little fishes. When we see a school of minnows speed through the shallows or watch a trout surface to feed on insects, we catch a glimpse of their mysterious underwater world.

Fish aren't just fun to watch – they are an essential component of healthy, functioning ecosystems. They are a key part of the food chain, providing sustenance for humans and animals alike, and in many ways they help maintain a healthy environment.

For example, each year wild salmon in BC provide a feast for land mammals such as grizzly bears and wolves. When those mammals carry the fish out of streams and into the forest, the remains of the nitrogen-rich salmon decompose and “fertilize” the huge coastal trees.¹⁸

From the paperclip-sized carmine

shiner to the largest freshwater fish in the country, the white sturgeon, fish provide protein, employment and recreational values for Canadians. They are also indicators of a healthy aquatic environment – measuring the health of fish and fish populations helps us determine the quality of our water.

In 2012, Canada's federal Fisheries Act was gutted. This important law previously stated that, “no person shall carry out any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat.”¹⁹ But now, instead of protecting fish habitat, the revised Act only protects select Aboriginal, commercial and recreational fisheries.



Photo: Father and son catching trout (Steve Ogle/All Canada Photos).

“To take habitat out of the *Fisheries Act* is a very serious error because you can't save fish if you don't save habitat.”

– Former Canadian Fisheries Minister John Fraser²⁰

An open letter to the federal government from 625 prominent Canadian scientists stated:

“We believe that the weakening of habitat protections in Section 35 of the *Fisheries Act* will negatively impact water quality and fisheries across the country, and could undermine Canada's attempt to maintain international credibility in the environment.”²¹

When the *Fisheries Act* stopped protecting fish habitat, 132 habitat staff from the federal Department of Fisheries and Oceans (DFO) were laid off.²² **In 2013, the government cut another \$100 million from the fisheries budget, further limiting our ability to monitor fish populations.**²³

After disasters like the Mount Polley mine tailings dam collapse in BC, which spilled massive amounts of toxic slurry into fish-bearing streams, federal fish biologists are needed more than ever to monitor and lead cleanup efforts.

To preserve fisheries and aquatic environments in Canada,

the federal government needs to reinstate protection for fish habitat under the *Fisheries Act*.

Adequate funding to ensure enough fish biologists can monitor freshwater and marine habitat is also crucial. In addition, commercial and sport fisheries must be operated sustainably, and open-net fish farms eliminated to make sure we have abundant wild fish stocks in Canada's future.

Our kids know that all the little fish are important – it's time for the federal government to recognize that, too.



Photo: Sockeye salmon in Adams River, BC (Isabelle Groc).

FRESHWATER: OUR MOST VITAL RESOURCE

From long before European contact until the establishment of railways, rivers were the primary mode of transportation in Canada. People moved by water, transporting goods and establishing settlements. The *Navigable Waters Protection Act* – one of Canada's oldest laws – was introduced to safeguard waterways and ensure that Canadians could continue to travel along our many rivers and lakes.

Until recently the Act protected every body of water you could float a canoe across, and required federal approval for any new structure that went over, under or through a waterway. **But in late 2012, the federal government removed the majority of Canada's waterways from protection under the *Navigable Waters Protection Act*.** In fact, they removed “water” from the law's name entirely, and renamed it the *Navigation Protection Act*.²⁴

While the Act was originally meant to preserve our right to “navigate” through the nation's waters, it offered added protection against potential threats to freshwater from harmful projects like mines and pipelines. **Now, the law only protects a tiny list of 97 lakes and 62 rivers –**

leaving 99 per cent of Canada's water bodies unprotected.²⁵

This occurred after the government had already gutted the *Fisheries Act*, which previously protected water by safeguarding fish habitat. Around the same time, the government also abandoned responsibility for funding and operating the greatest freshwater research facility on the planet: the Experimental Lakes Area (ELA).

Canada is estimated to contain more than two million lakes and rivers²⁶, and seven per cent of the world's freshwater.²⁷

Because we have such an abundance of it, clean water is something we expect in Canada. The reality, though, is that our waterways and freshwater are not getting the care they deserve.

In addition to overuse, agricultural runoff, human sewage, oil spills and industrial waste (especially from mining) are having frightening effects on our freshwater. Removing chemicals and heavy metals from polluted water is incredibly

expensive, and often impossible. **The real answer is to ensure water stays healthy by regulating the activities that reduce water quality.**

To maintain the health of freshwater across the country, Canada must strengthen the laws that once offered important protection for our waterways – including protecting fish habitat under the now-weakened *Fisheries Act*. The federal government must also reinvest in freshwater research through the ELA, and crack down on polluters that are putting our clean freshwater at risk.

Photos (top to bottom): Harlequin duck (Robert McCaw), Overlooking Peyto Lake in Banff National Park, AB (Michael Wheatley/All Canada Photos), Family canoe trip in Riding Mountain National Park, MB (Barrett & MacKay/All Canada Photos).



WHO'S LOOKING OUT FOR OUR ENVIRONMENT?

Protecting our environment requires an understanding of the risks and impacts industrial activities will have on our lands, waters, air and wildlife. Environmental assessments are the starting point for informed decision-making on projects that will impact Canada's environment – including proposed mines, pipelines, dams and waste facilities.

Public hearings, impartial expert panels and publicly-available information about these projects help ensure that the environment is being properly considered and protected.

Yet after the drastic weakening of the Canadian Environmental Assessment Act (CEAA) in the 2012 omnibus budget bill, thousands of developments are now exempt from federal environmental assessments – projects that would have previously required a review under CEAA.²⁸ It could be decades before the consequences of these changes are fully understood.

Pipelines no longer receive reviews under CEAA, but instead are reviewed solely by the National Energy Board (NEB). The NEB Act was also debilitated in 2012, so pipeline reviews are now only a shadow of what they once were. Public participation has been severely restricted, timelines have been shortened and the scope of review hearings has been narrowed.

In an obvious effort to quell opposition to new oil pipelines, the government has changed the rules so that Canadians must apply and be accepted if they want to submit comments on these projects.

Here's one shocking illustration of the public participation chill: Prior to 2012, the Enbridge Northern Gateway pipeline proposal across BC considered evidence and opinions from over 10,000 participants and commenters.²⁹ But under the restrictive new NEB guidelines, the Kinder Morgan Trans Mountain pipeline proposal was limited to just over 1,650 participants.³⁰

Further proof of the failing public process came in July 2015, when the NEB announced they would hold hearings for the proposed Trans Mountain pipeline in Burnaby, BC in September. Incredibly, the general public was not allowed to attend the hearings, but were instead encouraged to watch them online.³¹

Our vision for robust environmental oversight includes a truly "public" process, with accessible information on all projects. Environmental impacts should be independently assessed by experts, followed by open public hearings so companies can be questioned about their proposals. Finally, the reasons for government decisions on projects need to



Photo: Mining in the Alberta tar sands (Garth Lenz).

be fully explained. With proper environmental oversight, we can safeguard the ecological integrity of our air, lands, waters and species.

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LET'S SAY YES TO A CANADA WITH CLEAN AIR, FRESH WATER AND CLIMATE STABILITY

Canadians know we live in a special place. Clean air, fresh water, wide open spaces, abundant wilderness and amazing wildlife help make our country one of the best and most beautiful places to live. We understand that protecting our environment isn't just the right thing to do – it is a smart and sensible investment in our future.

Our forests, fisheries, climate, species and water provide us with essential services, but their health and viability are also directly related to our enjoyment and quality of life. That's why it is so concerning that laws to protect our natural heritage have been systematically dismantled and weakened. **We can change that.**

Canadians are resourceful, hardworking, fair-minded and tenacious. We understand the value of protecting what we have, and the importance of planning for the future.

So let's roll up our sleeves and protect what makes Canada great.



Photo: Birdwatcher with black-capped chickadee (Don Johnston/All Canada Photos).

TAKE ACTION

Here are some things you can do right now to stand up for Canada's natural heritage:

1. Contact local decision-makers or your elected representatives to ask what specific steps they will take to better protect Canada's environment. Pick a topic that is near and dear to your heart.
2. Increase environmental awareness in your community by distributing this publication to your friends, neighbours and co-workers. Contact us at papers@wildernesscommittee.org for additional copies.
3. Write a letter to the editor of your local paper on an issue of environmental concern in your community.
4. Make environmental protection a top consideration when you vote.

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