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## **Environment Canada told to cut staff, spending: Impact compounded by provincial cuts and Harmonization**

**The Ottawa Citizen ,Paul McKay**

The Chretien government has ordered new staff and spending cuts at Environment Canada on the eve of a "harmonization" accord that would give more eco-enforcement powers to provinces that are cutting their own environment budgets.

The latest Environment Canada cuts are outlined in a confidential memo written by deputy minister Ian Glen. It says up to 200 jobs must be eliminated.

One hard-hit branch will be the Environmental Protection Service, which helps set and enforce regulations in Canada's most pollution-intensive industries: mining, chemical production, and pulp and paper.

The new cuts follow a \$221-million reduction in Environment Canada funding and staff reductions of 1,400. Also hit will be atmospheric research and forecasting programs, weather offices, and environmental conservation programs.

The Ontario government has already reacted to earlier federal cuts by saying it will refuse to conduct future fish habitat protection and enforcement in provincial lakes and rivers. That could leave those habitats effectively unpoliced.

The federal cuts mirror recent reductions in provincial environment budgets:

- Ontario's Environment Ministry operating budget has been cut 43 per cent since 1995, from \$290 million to \$165 million. Staff levels have been reduced 36 per cent, from 2,430 to 1,550. The ministry now accounts for .17 per cent of Ontario government annual spending.

- Alberta's Environment Protection Ministry has had a 31-per-cent cut in operating and capital funding since 1992, from \$405 million to \$317 million. By the year 2000, the budget is projected to be \$296 million. Staff levels will be cut 33 per cent, or 1,550 full-time positions, in the 1993-2000 period.

- Newfoundland's Environment Department budget has been cut 60 per cent since the 1994-95 fiscal year, from \$10.6 million to \$3.6 million. New Brunswick's annual spending on environmental planning, operations and enforcement has declined from \$16.8 million to \$12 million since 1991-92.

The deputy minister's memo says the 200 federal job cuts are imminent, and concludes: "Cuts in these areas are consistent with the on-going direction of federal-provincial harmonization. The priority has remained safeguarding Canadians from health and safety risks."

Environmentalists say the proposed accord, due to be adopted in early November, is a national abdication of environmental regulation in the guise of reducing "green tape."

"The history of Canadian environmental law has always been that there is a safety net, where one jurisdiction picks up where the other leaves off, or refuses to act," says Paul Muldoon, staff lawyer for the Canadian Environmental Law Association. "The accord devolves much of the federal ability to act to the provinces, many of which may not have the capacity, or the political will, to pick up that ball. The consequence is: less oversight and enforcement."

Ontario Environment Minister Norm Sterling has praised the proposed agreement, vowing that it will help reduce federal-provincial duplication of environmental programs, laws and costs.

"Harmonization is about governments working in partnership to enhance protection of the environment," said Mr. Sterling when the Canadian Council of Ministers of the Environment endorsed the accord in principle. "Our citizens deserve a clean environment no matter where they live in Canada, but right now differing environmental standards can result in a patchwork of protection."

But an independent report commissioned by the council of ministers in 1995 found that there were few problems to fix.

"Most overlap and duplication which existed has been addressed by the negotiation of bilateral (federal-provincial) agreements or working arrangements," concluded the report prepared by the consulting firm KPMG.

And a 1996 Canadian Bar Association critique of the proposed accord warned: "Delegating enforcement and monitoring functions to the provinces and territories diminishes the federal government's responsibility for a high standard of environmental protection throughout Canada. Where the province or territory lacks resources (human and monetary) and yet assumes these shifted responsibilities, it is highly likely that environmental protection will suffer."

Behind the scenes, the ministers are singing a different tune about environmental harmony.

On September 18, Mr. Sterling's government privately slammed the federal Department of Fisheries and Oceans for cutting funds for sea lamprey control in the Great Lakes, and gave the federal minister formal notice that Ontario will refuse to conduct future fish habitat protection and enforcement in provincial lakes and rivers.

"It is now appropriate for DFO to assume full responsibility for review and authorization of projects under the (federal) Fisheries Act, including those formerly conducted on DFO's behalf," wrote the director of the provincial fish and wildlife branch. "The Ministry of Natural Resources will no longer be providing enforcement support for fish habitat sections of the federal Fisheries Act."

The impasse abruptly ends an eight-year delegation of federal water pollution and fish habitat regulation to Ontario. The Fisheries Act, widely regarded as the most powerful water pollution

law in Canada, was enacted by the Trudeau government to combat provincial inaction, and set national standards to prevent pollution havens.

Also last month, Hydro-Quebec lost a Supreme Court of Canada challenge to federal toxic waste regulations. The utility is charged with dumping PCBs into a Quebec river, and claimed the federal law exceeds constitutional powers. Ironically, the federal toxics law was introduced by Lucien Bouchard when the Quebec premier was federal environment minister in the Mulroney government.

The Supreme Court ruling makes it clear that federal pollution laws such as the Fisheries Act can be applied where provinces fail to act. But who will enforce such laws is getting murkier by the month. With staff and funding cuts at both the federal and provincial levels, environmentalists say the problem is not duplication: It is effective immunity for polluters.

In Ontario, 980 Environment Ministry jobs have been cut since 1990. The most recent cuts in January (303) included 38 field inspection staff, 16 scientists who helped set pollution standards, and six air-quality specialists. The compliance and enforcement branch budget was cut by 30 per cent from 1995 to 1997, while the full-time prosecution staff has dropped from 10 to four. Lab testing funds dropped 40 per cent. Water sampling stations have been cut by 80 per cent in the Great Lakes, and no surface-water testing was done in northern Ontario in 1996-97. Funding for beach cleanups was cut by 97 per cent.

“Ministry budget and staffing cuts have resulted in offices being completely shut down,” says Nancy Johnson, an Environment Ministry employee and union spokeswoman. “We have longer response times to spills and complaints. The cuts also impact on our ability to respond to emergencies such as the recent Hamilton (plastics company) fire. Some of the biggest impacts, because of the nature of our business, will not likely be seen for years.”

Federal Environment Minister Christine Stewart was unavailable for comment.