

# Environmental Petitions “Getting Answers”

Presentation to Canadian Environmental  
Network AGA

June 2009

Rebecca Aird, Petitions Manager



# Process Established in 1995

*Along with other amendments to Auditor General Act*

- **Commissioner** of the Environment and Sustainable Development (currently Scott Vaughan)
- Departments and agencies required to prepare and regularly update sustainable development strategies



- **Auditor General** (currently Sheila Fraser) formally tasked to address environmental consideration in audits



# Eligibility: The Basics

- Any Canadian resident
- Environmental matter  
“in the context of  
sustainable development”
- Federal mandate
- 28 designated departments &  
agencies



# Important Characteristics

- Multiple signatures not required
- Can be as simple as a letter
- Response is from Ministerial level
- Statutory 120 day response time
- Web publication



# Range of Requests Possible

## Requests for information/explanation e.g.:

- Federal responsibilities on an issue
- Federal position on an issue
- Rationale for existing policies, standards, actions

*national*

*regional*

*local*

## Requests for action e.g.:

- Investigate suspected contraventions/enforce a federal law or regulation
- Review/improve an environmental law, regulation, or policy



# Petitioners

- Majority of petitions have been from individuals
  - Individual petitioners often motivated by impacts on personal or family health or local environment*
- Many also from environmental groups
- Others: MPs, first nations, business associations
- Over 300 petitions received since 1995



# Leading Sources of Petitions



# Most Petitioned Departments

- Environment Canada
- Fisheries and Oceans Canada
- Health Canada
- Transport Canada
- Natural Resources Canada





# Top Petition Topics

Biological Diversity

Environmental (human) health

Environmental Assessment



# [Examples]

## **Biological Diversity**

- ➔ *Proposed expansion of the Marmot Basin Ski Area*
- ➔ *Gravel removal in the lower Fraser River*
- ➔ *Status of the swift fox population*
- ➔ *Programs for biodiversity and species at risk*

## **Human (Environmental) Health**

- ➔ *Numerous petitions on electromagnetic radiation, nuclear contamination, fluoridation*
- ➔ *Canadians rights to a healthy environment*
- ➔ *Regulation of fire-retardant chemicals*
- ➔ *Impacts on Athabasca River from oilsands production*
- ➔ *Protecting Canadian drinking water*

## **Environmental Assessment**

- ➔ *Gravel removal in the lower Fraser River*
- ➔ *Development of the Nahanni National Park Reserve*
- ➔ *DFO's use of letters of advice & operational statements*



***Health risks posed by electromagnetic radiation exposure from cellular towers***

***Canada's use and export of chrysotile asbestos***

***Impact of oil sands development in Alberta***



***Scrap-metal storage activities in Gros-Cacouna, Québec***

***Right to clean air, clean water and a healthy environment***

***Environmental impact of metal mining effluent regulations on fish habitat***



# Majority of 2007-08 petitions grouped around specific issues

**Electromagnetic radiation**



**Fluoridation**



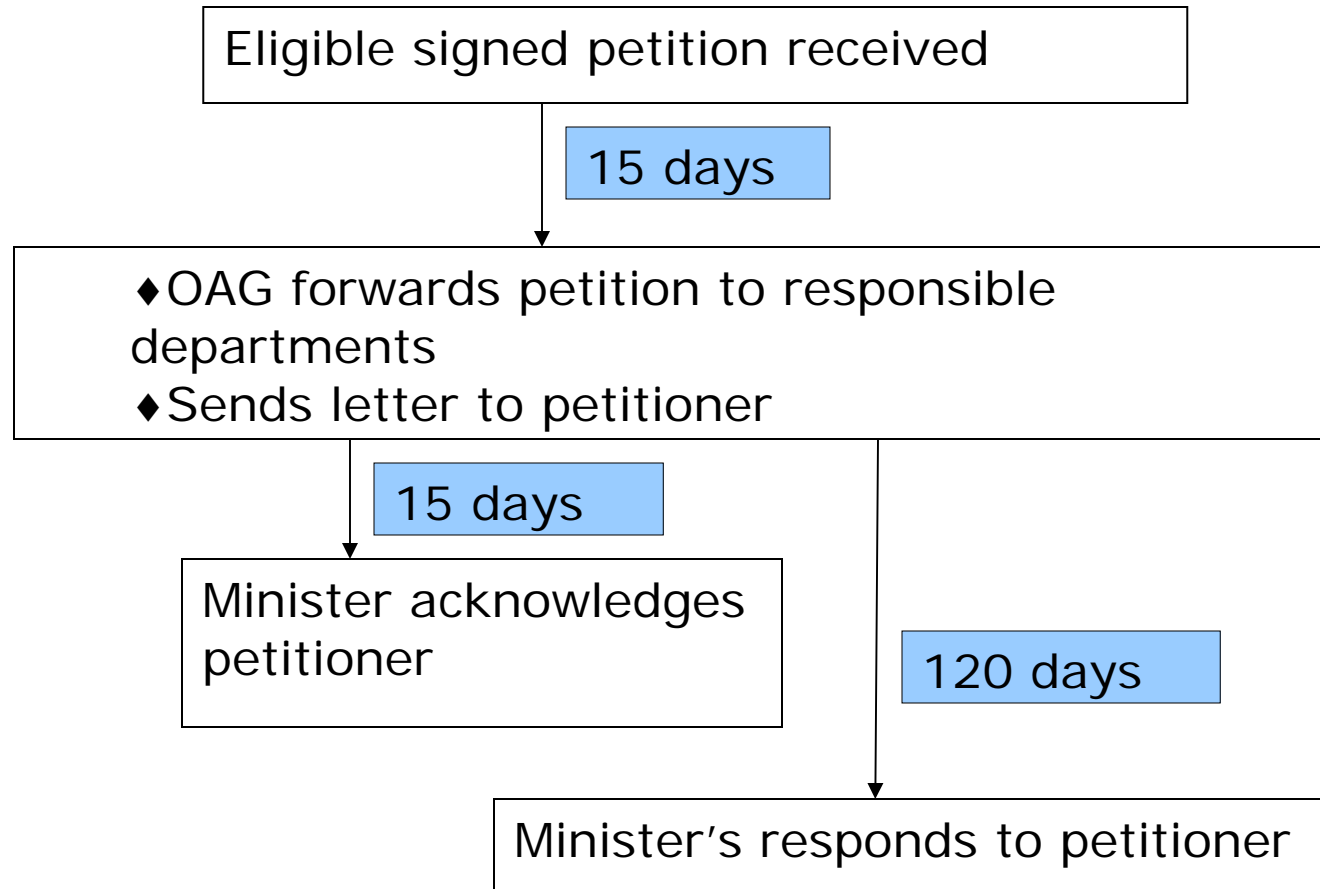
**Nuclear Contamination**



**Oil sands**



# Statutory Timelines



# Role of Petitions Team & OAG

## -- The Basics --

- Provide information about process
- Give feedback on draft petitions to promote clarity and adherence to basic guidelines
- Review submitted petitions for eligibility
- Determine responsible departments and forward petitions
- Monitor replies
- Report annually to Parliament
- Post petitions & responses on OAG website



# The point?



# Petitions Help Inform

## Petitioners

- Clarify Ministerial positions on issues
- Bring new information to light
- Reveal gaps in knowledge, policies, programs

## Departments

- Offer a bellwether for emerging public concerns
- Focus attention on issue in & across departments

## Our office

- Help inform our audit planning work





# Petitions can stimulate action

- Prompt investigation
- Trigger or accelerate action – enforcement, program and policy review, etc.



# Historic military dumpsites off Canada's Atlantic Coast



Projectile 105mm  
High Explosive



Live 60mm mortar High  
Explosive unearched at  
Tracadie Range, NB



A piece of unexploded  
ordnance washed up on a  
beach.

Photos: DND

## Petition #50A

- Questions about presence of chemical warfare agents and munitions off Canada's east coast
- DND committed to identify disposal sites, perform risk assessments, and mitigate or eliminate risks as necessary.
- CESD audit in 2004 and follow-up in 2008
- DND has made "satisfactory progress" on the first step of identifying and assessing the risks.

# Upholding the Value of the Process: What We Can Do

- Review responses for basic elements
- Track and report on adherence to timelines
- Reflect views from petitioner survey in annual report
- Track and report on common and emerging issues and themes
- Highlight examples of strong and weak responses
- Promote audit attention to responses as warranted
- Communicate with departments



# Getting Value from the Process: What Petitioners Can Do

- Use the Guide (“Getting Answers”)
- Know what information is publicly available and target for “value-added”
- Be focused, concise, & avoid questions not likely to yield substantive response
- Be aware of potential publishing constraints
- Respond afterwards to petitioner questionnaire
- Follow up on commitments to investigate or take action and let us know
- More generally - Use the Petitions Catalogue as a research tool

