

From: <contact information removed>
Sent: July 18, 2016 12:57 PM
To: EA Review / Examen EE (CEAA)
Subject: Revisions to Canadian Environmental Assessment Act

Dear Canadian Environmental Assessment Agency Staff,

Thank you for giving me the opportunity to contribute to this discussion.

Canada needs a new environmental assessment law that represents the environment and community concerns as well as honours Canada's international commitments (the UN 2015 Paris Agreement and the UN Declaration on the Rights of Indigenous Peoples). The Canadian Environmental Assessment Act, 2012 as mandated by the former Stephen Harper government does neither.

To ensure that the Expert panel review is broad and there are adequate resources to identify solutions to strengthen EA, I offer the following suggestions:

1. Delete the proposed definition of environmental assessment.

The "Context" section of the current Terms of Reference is too narrow to adequately describe environmental assessment. The Panel must explore and define goals and purpose of modern-day EA to set the context for a new process.

2. Consider whether the National Energy Board and Canadian Nuclear Safety Commission are appropriate regulators for EA.

Instead of asking the Panel to assess how the NEB and CNSC are conducting environmental assessments, they must ask whether these bodies SHOULD BE.

Who is the appropriate independent regulator to be responsible for EA?

3. Look at the big picture.

Goals and purpose are only the base of this examination. The Panel must review solutions such as strategic and regional assessment, cumulative effects of projects, effective co-management with First Nations governance, who should be responsible for assessments and making final decisions.

4. Ask for contributions by leading environmental problem solvers.

There are many scientists and NGOs who have offered effective solutions to environmental stewardship. The problem is that government Ministers and administrators had no interest in listening to them. This is an opportunity to include these problem solvers to ensure innovation, direction and a focus for discussions on law and policy reform.

5. Transparency and accountability.

Beyond a summary of comments received, it is important to understand how the Panel considered input it received during the course of the review.

6. Public review of draft report.

To ensure that the Panel's report truly reflects public and stakeholder comments, outcomes of co-management discussions with First Nations and expert opinion, the Terms of Reference must provide for a public comment period and First Nations consultation on a draft of the Panel's report. The January 31st deadline for the final report must be changed to a deadline for the draft.

7. Govern as if a healthy environment was a human right.

<http://www.amnesty.ca/our-work/good-news/groundbreaking-ecowas-court-judgment>

http://wcel.org/resources/environmental-law-alert/dutch-climate-court-win-what-does-it-mean-canada?utm_source=LEB

http://wcel.org/resources/environmental-law-alert/does-kenya%E2%80%99s-climate-change-act-lead-way-climate-lawsuits?utm_source=LEB

<http://www.care2.com/causes/success-chevron-ordered-to-pay-19-billion-for-environmental-damage.html>

http://wcel.org/resources/environmental-law-alert/canada%E2%80%99s-ghg-emissions-cost-world-8800-lives-and-154-billion-every?utm_source=LEB

http://wcel.org/resources/environmental-law-alert/climate-victims-and-demand-climate-compensation?utm_source=LEB

https://www.amnesty.org.uk/blogs/yes-minister-it-human-rights-issue/oil-shell-niger-delta-nigeria-bodo-fishermen-uk-court-settlement%20?utm_source=Email&utm_medium=Mass&utm_campaign=General%20fundraising%20or%20membership&utm_content=2015%20Roundup-financial_Shell%20pay%20out

I offer the links above to indicate how 'the environment' is no longer considered to be separate from our health and well being. David Boyd has discussed how many countries have included the right to a healthy environment in their constitutions or governance laws. It is time to ensure that Canadians have a human right to a healthy environment instead of being governed so that Big Fossil Fuel corporations make their quick buck profits at our expense.

With Hope For Real Change Now,

Ms Onni Milne

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