Missing Values 2001

The Failure of Environmental Planning in Ontario



The Conservation Council of Ontario

October, 2001

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Section 4. of this report has been submitted to the fourteen EBR ministries under the procedures set out in the Environmental Registry, EBR Registry Number PN01E0001.

1. Introduction

Dang.

In January of this year, we were promised a whole new approach to environmental management by the provincial government.

Among other things, *Managing the Environment*[1] promised a provincial environmental vision supported by environmental strategies and actions in all ministries.

The proof, we said, would be in the ministry business plans. Our annual review of the thirteen ministries under the Environmental Bill of Rights has shown a consistent disregard for environmental values in all of the major development-oriented ministries. The next round of business plans would have to show a significant improvement in environmental commitments.

At the very least, we said, the government should announce a public consultation process for incorporating environmental values into ministry plans.

We have received neither the consultation process, nor the measurable commitment to a healthy environment.

This year, due to ministry restructuring, our report now covers 14 ministries. We have also included a special section comparing the various types of environmental plans and strategies across the government.

In particular, we have found:

- the Statements of Environmental Values are inadequate for most ministries, and are in need of a complete review;
- environmental strategies are more hype than substance;
- the government has made very few new environmental commitments, and it has failed to live up to some key historic commitments;
- there are very few environmental performance measures, in stark contrast to the performance measures the government is requiring from municipalities.

We, at the Conservation Council of Ontario, remain committed to the goal of a green Ontario, and to the integration of environmental values into all aspects of Ontario's society and economy. We encourage the government, particularly the development-oriented ministries, to take our recommendations seriously.

We must remember that a healthy environment is everybody's mandate, not just the Ministry of the Environment.



Chris Winter
September, 2001

1. "Managing the Environment" was prepared for the provincial government by the Executive Resource Group. Principal authors were Val Gibbons (a retired Deputy Minister) and Bob Breeze (on secondment from the Ministry of Transportation and now the Associate Deputy Minister for the Ministry of the Environment in charge of implementing the report). It was released in January 2001, and is available on the Ministry of the Environment's website, http://www.ene.gov.on.ca/envision/ergreport/index.htm.

   The Conservation Council's review of "Managing the Environment" is called "Protecting the Environment". It can be found at http://www.greenontario.org/cco/publications.html#protect.

2. Summary

A climate change strategy that doesn't exist

A flagship smog campaign that addresses only one per cent of the problem

A major policy review without any data

A new approach to environmental management that doesn't mention any environmental issues

A public consultation process that doesn't exist

This is Ontario's commitment to the environment?

Over the next year and beyond, we will be asked to believe that Ontario's Smart Growth initiative will control urban sprawl and protect our farmland and natural areas; that Operation Clean Water will guarantee clean, safe drinking water for generations to come; that Ontario's Anti-Smog Action Plan is creating cleaner air, and that Ontario's natural ecosystems will be protected in perpetuity.

We will be asked to believe that Ontario's government and ministries have integrated environmental values into their policy decisions.

We will be asked to believe these things without reliable data, and often without adequate consultation. We are being misled and managed. This is no way to run a government, and it is no way to protect the environment.

Missing Values is the Conservation Council of Ontario's annual review of ministry business plans and environmental commitments. This year, we expanded our review to look at the public, issue-oriented environmental strategies, and at the internal government planning exercises.

We found a comedy of errors and omissions that, at best, shows a lack of commitment and, at worst, leads directly to a decline in environmental quality and public health and safety. Here are some examples:

A climate change strategy that doesn't exist

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The Ministry of the Environment refers to its Air Quality and Climate Change Strategy. We have been unable to find such a strategy in print.

A flagship smog campaign that addresses only one per cent of the problem

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The government continues to tout Drive Clean as a major part of the solution to smog. Over its five year period, they say, Drive Clean will achieve reductions the equivalent of taking 23,000 cars off the road. Trouble is, in the past five years, vehicle registration in Ontario rose by 2.3 million, which means that, at best, Drive Clean is addressing one per cent of the problem. To make things worse, vehicle registrations in Ontario rose by 900,000 last year alone.

A major policy review without any data

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The five year review of the Provincial Policy Statement under the Planning Act is being called part of Ontario's commitment to "Smart Growth". Our request to the Minister of Municipal Affairs and Housing for data on land use trends over the past five years received the response

that the ministry is developing a series of indicators, and therefore could not provide us with any data in the timeframe requested. What value is a review without any data, we ask?

A new approach to environmental management that doesn't mention any environmental issues

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The Gibbons report, *Managing the Environment*, promised a new strategic approach to environmental issues. Unfortunately, it failed to address any issues directly, preferring to focus on bureaucratic management strategies such as "knowledge management", "continuous improvement", "compliance assurance", "risk analysis", and an "emerging issues process". Rather than figuring out which issues are "emerging", we'd have preferred a little more attention to the existing ones.

A major public consultation process that doesn't exist

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A report from the Manitoba Provincial Auditor on business planning across the country included survey results where Ontario claims it consults with stakeholders **prior** to the final approval of ministry business plans and performance measures. In fact, we only get to see a shorter, public version about three months after the official plans are approved. We have yet to receive any answers to our request for details on the stakeholder consultation process used by each of the fourteen ministries subject to the Environmental Bill of Rights.

In addition to our detailed review of individual ministry business plans, we reviewed seven issue-oriented strategies that have been developed by the government to respond to issues of concern:

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- Operation Clean Water
- Anti-Smog Action Plan
- Air Quality and Climate Change Strategy
- Waste Reduction Action Plan
- Smart Growth
- Oak Ridges Moraine Plan
- Living Legacy

We found that the government excels at zoning undeveloped areas as "protected natural areas", but that it has completely failed to address the fundamental conflicts between economic development and environmental protection. The government's strategies on pollution issues (water, smog, climate change, and waste) are a poorly designed collection of individual programs that fail to address the root causes of pollution. Even with the natural areas strategies, there are signs that the quality of the natural ecosystems will be compromised by the government's support for urban development, forestry and mining, and recreational uses in and around the parks and protected areas. The Conservation Council believes that environmentally-sound development is possible, but it requires government-wide commitment and attention to detail. Environmental health and conservation needs to be pursued with the same zeal as has recently been displayed with respect to reducing red tape and government expenditures.

We also uncovered a disturbing story of how the government's attempts to step up environmental protection without providing additional funding and staff resources have led to unsafe work conditions. In Sudbury, an inspection officer working to fulfil the Operation Clean Water commitment to inspect all area water treatment facilities logged 860 hours of overtime between January and mid April 2001 (about 60 hours of overtime per week). After completing an overtime shift, he failed to stop at a railroad crossing and drove into the side of a train, receiving serious injuries.

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In reviewing the government's procedures for developing business plans and performance measures, we found that the approach encourages the development of targets based on ministry programs rather than environmental objectives. The ability to report successes each year is almost guaranteed, while environmental conditions continue to deteriorate.

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On the positive side, there are signs that the government is beginning to see the need to integrate its various planning processes into a coherent process that actually identifies issues, targets, and meaningful performance measures. From several sources in different ministries, we have been told "be patient, our procedures are evolving".

Unfortunately, we don't have the luxury of time. We are losing 7,500 acres of prime farmland a year to urban sprawl, and 1,900 people die prematurely each year due to smog. Our failure to act today will lead to environmental, health, and economic costs future generations will have to bear.

In our conclusions and recommendations, we have called for an environmental summit to identify the priority environmental issues and targets for Ontario and to agree on a process that will lead to meaningful and comprehensive environmental strategies within two years.

We also call on the provincial government to:

1. develop a provincial statement of environmental values, consistent with the recommendation from the Gibbons report for a provincial environmental vision

2. undertake an immediate public review of the Statement of Environmental Values for each of the ministries under the Environmental Bill of Rights

3. provide clear provincial direction to integrate environmental values, targets and performance measures into ministry business plans

4. develop a meaningful public and stakeholder consultation process for ministry business plans **prior** to their final approval

5. provide stronger commitments and increased resources for
   - clean water
   - clean air
   - eliminating urban sprawl and protecting farmland and natural areas
   - green energy and energy conservation
   - waste reduction
   - hazardous waste reduction and pollution prevention

6. provide funding and data for an integrated and independent state of the environment report for Ontario.

3. The Failure of Environmental Planning In Ontario

This is the third year of our detailed environmental reviews of ministry business plans. Outside of a few ministries incorporating a statement of support for environmental values in their vision statements (but not in their commitments and performance measures), not much has changed.

If we are to believe our contacts in government, the process is evolving and we must be patient. Change takes time with government.

Unfortunately, we don't have much time left. Urban sprawl is continuing to eat up our farmland and natural areas, the exponential increase in car-dependency is ruining any chances we have of reducing smog and climate change. The next ten years alone will see a dramatic change in our landscape, air and water. The provincial government's programs and policies are helping to drive these changes. In fact, almost every environmental problem present in Ontario today is being fuelled by government policy and funding.

We have reached a crisis point. The government is incapable of harmonizing economic development with environmental values, and we must ask ourselves why. As the Environmental Commissioner of Ontario, Gord Miller, phrased it in the introduction to his 1999/2000 Annual Report:

> *..I was struck by the apparent inability of several ministries to respond adequately in finding solutions to the kind of environmental problems we face. This inadequacy may well be a symptom of a more fundamental flaw in our environmental protection system. It may be that ministries cannot "see" the problem. Their policy structures, organization and procedures are not able to detect developing issues because these tools were created for another time and a former set of environmental problems. These ministries may lack the organizational structures that would correspond to those perspectives.*[2]

We agree that the cause of the failure runs deeper than politics. After three years of analyzing ministry business plans, we have to conclude that it is too simple to blame the politicians alone for this mess. Without a doubt, the lack of meaningful political commitment to the environment is a major stumbling block, but we are also of the opinion that, even if this commitment were present, there are additional barriers in the government bureaucracy that would still result in the government's failure to develop effective environmental strategies.

This year, in addition to our regular analysis of ministry business plans, we have looked at several other government approaches to managing the environment. They include:

1. **Public Strategies** – heavy on the hype and, more often than not, weak on substance;
2. **Internal Planning Processes** – the bureaucratic language of business plans and performance measures and the Gibbons report's new framework for environmental management;
3. **The Environmental Bill of Rights** – how the ministry's interpret their legal obligation to "consider the environment"

We start with a brief outline of what an environmental strategy should look like – a simple template that can be applied to any issue, but never is. Next, we take a case study of issue-based strategies -- the government's response to the Walkerton crisis. It's a perfect example of what we mean by the failure of environmental planning in Ontario.

We continue with a summary of the other major issue-oriented strategies, and we look at a number of different and interconnected attempts to introduce environmental values into the government's planning processes.

[2] The Environmental Commissioner of Ontario, "Changing Perspectives: Annual Report 1999/2000", October, 2000, Office of the Environmental Commissioner.

How to Plan for a Healthy Environment

Strategic planning is not rocket science. It's actually a very simple process of identifying a long-term goal (or vision), intermediate objectives, quantifiable targets, and a list of actions designed to meet the targets. Depending on your ability to meet the targets, you adjust your actions accordingly, or introduce new measures as needed.

The real challenge of strategic planning, especially if you are the government, is having the courage to tackle the most important issues head on.

Cut through all the promises and the jargon, this is what people want to see: **results**! Not just any old results, but meaningful results. We want to know that when the plan is implemented, the problem will cease to exist. Instead, what we see is a bold vision that quickly loses steam in the implementation, and with few or any mechanisms for tracking results.

These are the basic elements we look for in a strategy:

Scope: a clear understanding of the issue and the root causes.

Vision / Goals: a clear statement of what we want the world to look like

Targets: quantifiable statements of what results we want to achieve, and by when.

Actions: a complete list of actions that will achieve the results.

Reporting: regular progress reports and opportunities to review and strengthen the strategy.

Consultation: public and stakeholder input in the design and review of the strategy.

The Conservation Council has used this model in developing the Green Ontario internet site, http://www.greenontario.org. The website is a comprehensive overview of Ontario's environmental scene, with links to hundreds of other websites. The Provincial Strategy section of the website contains factsheets documenting the current strategies and activities for many of the current environmental issues facing us today.

From urban sprawl to hazardous waste, we have found that there are very few issues, if any, where Ontario has a comprehensive strategy in place to address the root causes of the issue. Where programs and strategies do exist, they are largely directed to manage the problem rather than develop long-lasting solutions.

To frame our research, the Conservation Council developed a number of guiding principles. They can be found in the Background Principles paper (http://www.greenontario.org/strategy/princ.html). One of the most important ones is an environmental hierarchy of solutions:

Prevention	it is preferable to prevent environmental damage by finding alternatives to the activity in question.
Reduction	where alternatives are currently not available, the next recourse is to reduce the impact of the activity as much as possible.
Stewardship	where environmentally-damaging activities are inevitable, or have already occurred, we must minimize the impact and help the ecosystem to heal.

Here again, we have found that the majority of government's environmental activities are directed to environmental stewardship, or at best, reduction. The principle of prevention, where economic development is in harmony with the environment, is not in evidence.

Figure 1

The Conservation Council of Ontario's Strategic Plan

Vision

We seek a Green Ontario, with a healthy environment and where environmental values are integrated into our social and economic development.

We see three main requirements for a healthy environment:

1. Protect Nature
2. Conserve Resources
3. Prevent Pollution

These requirements can be applied equally to government policy, economic activities and corporate policy, and healthy community development and public awareness.

Objectives

- Raise awareness and commitment to a healthy environment
- Promote an integrated, strategic approach to achieving environmental goals
- Promote cooperation on environmental priorities
- Demonstrate and support innovative ideas.

Targets

- A province-wide Green Ontario Network by 2003
- Province-wide strategies on at least five drivers of environmental health by 2005
- One new innovation project by 2005.

Actions

Current activities include:

- Documenting Ontario's environmental commitment (via the *greenontario.org* website)
- Policy research on environmental strategies and participation in public consultation (eg. *Missing Values*)
- "Common ground" meetings and special events.

Proposed activities include:

- develop a Green Ontario Network of organizations, companies, municipalities, agencies and others committed to a Green Ontario.
- initiate an annual State of the Environment Conference
- develop a Smart Growth Alliance in support of our principles for urban development and healthy communities
- promote a provincial Green Energy Fund to ensure that energy conservation and green energy is less expensive than energy from polluting energy sources.

Past projects of note include:

- Community Action Plans: a low-cost model for organizing communities and local groups
- Community Forests: a pilot project on a sustainable local economy for Geraldton
- Urban Streams Rehabilitation: demonstrating alternatives to concrete channels.

Leading by example

Over the years, the Conservation Council has developed its own strategic plan, consistent with our founding President Frank Kortright's vision of a "Big Plan" for conservation in Ontario.

As we enter our 50th anniversary year, we still believe Ontario needs good environmental planning to address the many pressing environmental problems.

In last year's report on ministry business plans, we recommended that the government develop integrated strategies to address five of the key drivers of sustainability:

- protected areas
- land use planning
- energy conservation
- hazardous waste, and
- solid waste

Of these, the only the province's Living Legacy strategy to expand the system of parks and protected areas approaches the definition of a fully integrated strategy.

The Ministry of Natural Resources has done an excellent job in identifying candidate sites and consulting with the public, however (as we note in the review of this year's business plan) there are other activities within the ministry that are working counter to the goal of ecosystem protection.

In other areas, the government's actions are woefully inadequate – energy conservation being one example. Here, the Conservation Council of Ontario has identified an opportunity for provincial leadership in promoting green energy and conservation, by establishing a Green Energy Fund.

Consumers are currently being charged an additional 0.7 cents per kilowatt hour to cover Ontario Hydro's stranded debt. We believe that a portion of that charge should be earmarked for a fund that will help eliminate the premium that is currently charged for green power and energy conservation. The guiding principle is a simple one: we should not have to pay more for power that doesn't pollute.

Operation Clean Water – The Government's Response to Walkerton

In the wake of the May, 2000 tragedy in Walkerton, where seven people lost their lives and 2,300 people fell sick due to tainted water supplies, the Ontario Ministry of the Environment launched Operation Clean Water on August 8, 2000 as the coordinating effort for a number of separate initiatives aimed at improving Ontario's water quality (see the description, next page).

Operation Clean Water was intended to reassure the public that the government was in control of the water contamination problem, and that it was taking concrete steps to correct any shortcomings in the management of Ontario's water resources. In reality, the Operation was three consultation exercises (on the regulation of small facilities, nutrient management, and groundwater), an outside consultant's review of the operations of the Ministry of the Environment, and one concrete measure to upgrade provincial water quality guidelines into regulated standards.

There was no public consultation around Operation Clean Water itself; no chance for the public to suggest what the scope, goals, specific targets, or actions should be as part of a clean water strategy for Ontario. Had there been, you could be sure that other important issues would have been raised as well, including: hazardous waste, mine and landfill leachate, land use planning, pesticide use and factory farming.

Operation Clean Water still receives prominent attention in the current Ministry of the Environment Business Plan. The ministry has made good on its commitment to regulate drinking water standards, it increased inspections to cover all water, sewage, and industrial treatment plants, and it initiated a groundwater monitoring network.

Yet, when we look at the Environment Ministry's performance measures and targets for Clean Water (as reported in this year's business plan) they are woefully inadequate. In fact, aside from the regulated standards for drinking water, little has changed or been added from the previous year:

Goals/Outcomes	Measures	Targets/Standards	2001-2002 commitments
Cleaner Water	Quality of Drinking Water	Water Supplies in compliance with Drinking Water Protection Regulation standards (as reported).	Inspect all of the province's municipal water treatment plants Review the Drinking Water Surveillance Program.
	Quality of ground and surface water	Improvements in specific indicators of Ontario's aquatic ecosystems as measured by: Percentage of sportfish consumption restrictions in the Great Lakes reduced by 10% by the year 2010 (1995 base – 589 restrictions or 33.9% restricted)	Begin to implement a comprehensive strategy to protect Ontario's groundwater in cooperation with local conservation authorities and municipalities. Inspect 155 municipal sewage treatment plants and 145 industrial sewage treatment facilities. Inspect at least 150 facilities for which permits to take water have been issued.
			Source: Ministry of the Environment 2001-2002 business plan page 12

For its part, the Ministry of Agriculture, Food and Rural Affairs has no environmental performance measures whatsoever. It has recently introduced a Nutrient Management Act to address the issue of groundwater pollution from agricultural operations. According to the ministry, the Act is designed to "build on the existing system by giving current best management practices the force of law, and creating comprehensive, enforceable, province-wide standards to regulate the management of all land-applied materials containing nutrients"[3].

[3] EBR Registry Number AC01E0001, a Notice of Proposal on the Environmental Registry for the Nutrient Management Act, June 15, 2001

There are numerous concerns with the legislation, including whether or not the "best management practices" are adequate to protect the health of nearby residents, and the loss of municipal control over "factory" farms[4].

There is another side to Operation Clean Water that is equally disturbing. Last year, the Ministry increased its commitment to testing all provincial water treatment facilities – a total of 645 municipal water treatment plants, 169 municipal sewage treatment facilities, and 277 industrial waste-water facilities. What they did not provide was the extra funding and staff required to carry out this testing.

Figure 2

OPERATION CLEAN WATER

http://www.ene.gov.on.ca/envision/WaterReg/bkg.WaterQuality.pdf

The Ontario government's continuing efforts to improve water quality and protect public safety include a number of separate initiatives, all coordinated as part of Operation Clean Water.

These initiatives address a range of water management and environmental health issues. They include:

- **Consultations on regulation of small facilitie**s. Consultation on testing and reporting requirements and a new regulation for small waterworks will begin shortly. The government will propose several mandatory measures to ensure the safety of Ontario drinking water for patrons of small establishments that use their own wells or surface water sources.

- **Consultations on nutrient managemen**t. The government released (July 10) a consultation report proposing strict environmental safeguards for agricultural practices. Consultations are now taking place and will continue into early September. The goal is to introduce legislation this fall. A parliamentary assistants' task force completed an initial consultation in February; their work led to development of the current consultation report which outlines areas for legislation.

- **Consultations on groundwater managemen**t. A parliamentary assistants' committee began consultations with a range of stakeholders with interests in water use and management last spring. Discussions focused on examining principles for guiding local decision-making on water allocation and longer-term approaches to water management, including water conservation.

- **A management expert's review of operations of the Ministry of the Environmen**t. Premier Harris announced June 16 that public sector management expert Valerie Gibbons would assist Environment Minister Dan Newman in improving his ministry's environmental protection efforts. The search for continuous improvements to public health and safety and a clean environment are a top priority. Gibbons began work in July.

- **Standard setting, compliance and enforcement for environmental health issues.** The government wants to ensure that Ontario standards governing important environmental health areas such as water, air and food are among the best in the world. For example, a tough new regulation on water quality announced today means high standards, fast reporting requirements and tough penalties.

[4] R. Brennan, "Municipalities may lose right to block factory farms", The Toronto Star, September 06, 2001.

In Sudbury, two inspection officers are responsible for both water and sewage facilities in the entire district. No additional staff were hired to meet the additional workload. As a result, the two officers logged 659 and 860 hours of overtime from December 31 200 to May 4 (about 60 hours per week). In April, one of the officers, after a 24 hour shift, failed to stop at a railroad crossing and drove into the side of a train. He received severe injuries and is still off work.[5]

Ontario's Public Environmental Strategies

Operation Clean Water is not the only environmental strategy mentioned in the ministry business plans. These are the other major strategies and a brief assessment of their strengths and weaknesses.

Anti-Smog Action Plan

The Anti-Smog Action Plan (ASAP) is a multi-sector commitment to achieve a 45% reduction in NOx and Volatile Organic Compounds (VOCs) by 2012. Ministry of the Environment commitments include setting emission standards for the major sources, the Drive Clean vehicle inspection program, and air monitoring. At the same time, however, the Ministry of Transportation is promoting highway development and has eliminated the provincial role in funding public transit.

Strengths

- clear targets
- an advisory committee

Weaknesses

- insufficient activities to meet the targets
- data skewed to show success

As we report in the section on the Ministry of the Environment[6], the government claims that Drive Clean will achieve reductions equivalent to taking 23,000 cars off the road. They fail to mention that vehicle registrations in Ontario increased by 900,000 last year alone.

Air Quality and Climate Change Strategy

This strategy is referred to in the Ministry of the Environment Business Plan[7], but it doesn't exist – at least not in a public form. Several years ago, the government had committed to stabilize greenhouse gas emissions at 1990 levels, but this firm target has fallen by the wayside.

Weaknesses

- no goals or targets
- weak implementation
- no consultation or public review

Waste Reduction Action Plan

The Waste Reduction Action Plan dates back to the early 1990's. It is no longer active, but the goal of a 50 per cent reduction in solid waste lives on (if somewhat amended). However, most of the provincial programs in support of waste reduction have been eliminated and replaced with the Waste Diversion Organization, an arms-length multi-stakeholder organization funded by some of the major companies involved in recycling and waste reduction.

[5] Dennis Burke, National Servicing Representative, CUPE, personal communication, September 27, 2001
[6] See comments on Ministry of Environment, page 25, and Ministry of Transportation, page 72.
[7] See page 28.

Strengths

- industry financing for waste reduction

Weaknesses

- a vague target that has been significantly watered down over the years to avoid having to admit failure (the original goal was a 50 per cent reduction based on 1987 levels by the year 2000)[8]
- there are no provincial support programs. Funding is shared 50/50 between major industry stakeholders and municipalities.

Smart Growth

Ontario's "Smart Growth" initiative was first announced by the Premier in January 2000, a discussion paper with goals and guiding principles was released in May, and a formal strategy is to be announced later this fall. However, the government is proceeding with numerous initiatives under the Smart Growth banner, a sure sign that the strategy is little more than a marketing scheme for existing initiatives[9].

Strengths

- Smart Growth has helped raise public awareness about urban sprawl and the failure of the planning system to provide adequate protection for natural and agricultural areas
- An advisory task force was established.

Weaknesses

- the proposed goals and guiding principles were significantly different from the established goals for smart growth[10]
- the government is proceeding in advance of the results of the public consultation
- there will be no public and independent report from the advisory task force
- weak implementation combined with actions that contradict the true goals for smart growth
- no targets or performance measures

Oak Ridges Moraine Plan

Faced with overwhelming public pressure to protect the moraine, the government set up an advisory panel to recommend a plan to protect the natural and ecological features of the moraine. A summary of the panel's recommendations was released to the public on July 17, with a series of public consultation sessions that followed[11]. The government intends to introduce legislation based on the advisory panel's recommendations and the consultation process.

Strengths

- recommendations developed through a multi-stakeholder process
- good opportunities for public input (although the government refused requests for a public meeting in Toronto)
- clear goals and targets for protected areas

Weaknesses

- concern has been raised about the adequacy of the protection measures
- government plans for highway expansion will have a negative impact on the moraine
- the plan does not address the underlying development pressures on agricultural land and natural areas.

[8] See page 29 for details.
[9] See also the comments on Municipal Affairs and Housing, page 64, and Ministry of Transportation, page 74
[10] See the Conservation Council of Ontario, "Smart Growth Ontario: A Vision Statement", June, 2001, http://www.greenontario.org/smartgrowth/
[11] Ministry of Municipal Affairs and Housing, "Share Your Vision for the Oak Ridges Moraine", July, 2001, http://www.mah.gov.on.ca/oakridgesmoraine/shareyourvision-e.pdf

On the whole, the planning process and recommendations for protecting the Oak Ridges Moraine show that the government is capable of developing a good environmental plan with proper stakeholder and public input within a reasonably short period of time. While not perfect, it does show that when sustainable development is a priority for the government, environmental planning can be conducted within a short time frame and with good results.

Ontario's Living Legacy

Ontario's Living Legacy is the government's strategy to create 378 new parks and protected areas in the province. It started with "Lands for Life" in February 1997, an extensive consultation process on how the government should manage the Crown lands and resources in an area covering 45 per cent of the province. Ontario's Living Legacy was announced on March 29, 1999, with the commitment to achieve the internationally-recognized target for parks and protected areas of 12 percent within the planning area. Since then, the government has been developing management plans for each of the new parks and nine signature sites (areas requiring special protection).

Strengths

- clear and strong goals
- strong implementation
- excellent public consultation
- good reporting and public review

Weaknesses

- concerns have been raised over allowable activities in new parks
- other initiatives of the ministry may lead to unsustainable development of the remaining Crown Lands (especially the recent decisions to promote mineral and timber development of the northern boreal forest, to expand the allowable size of clear-cutting operations, and to promote recreational hunting)

Summary

Looking back to the Conservation Council's requirements for a healthy environment (protect nature, conserve resources, and prevent pollution) we can see where the government's strengths and weaknesses lie with respect to environmental planning.

Ecosystem Requirement	Key Government Actions	Comments
Protect Nature	• Living Legacy (378 new parks) • Oak Rides Moraine plan	Good progress on protecting areas, little progress on reducing development pressures
Conserve Resources	• deregulate electricity • efficiency standards • transit supportive guidelines *(Smart Growth)*	Resource efficiency is not part of the government's economic plan.
Prevent Pollution	• baseline standards *(Operation Clean Water, Smog Plan and Air Quality strategy)* • emissions trading *(Smog Plan and Air Quality strategy)* • Drive Clean *(Smog Plan)* • facilitate brownfield development *(Smart Growth)* • voluntary initiatives *(waste reduction and pollution prevention)*	The guiding philosophy is one of pollution management, not pollution prevention.

In short, the government's strengths in environmental planning have been in zoning natural areas. Its weakness has been in developing effective strategies to control pollution and in making tough decisions concerning appropriate development activities.

Placing boundaries around areas not yet developed is relatively easy. Changing the nature of our development patterns so that we consume less resources and create less pollution is a far more challenging task. Thus far, it is one that the government has been reluctant to face head on.

Internal Government Planning

With respect to the ongoing planning processes within government, there are three initiatives that are worthy of special attention:

- **Ministry Business Plans**, including the process for establishing performance measures for ministries and the lack of a meaningful consultation process;
- ***Managing the Environment***, the government's new strategic framework for environmental management; and,
- **The Environmental Bill of Rights**, including the requirement for each ministry to be consistent with a Statement of Environmental Values.

A) Ministry Business Plans

In 1996, the Government of Ontario introduced the concept of "ministry business plans" to Ontario. A business plan outlines the vision, core activities and performance commitments from each ministry. The intention is to ensure that ministry performance is consistent with the priorities and directions of the current government.

Our review of this years business plans for the fourteen ministries under the Environmental Bill of Rights can be found in Section 4.

Increasingly, the government is relying on a process called "performance measures" as the primary indicator of a ministry's success in achieving its goals. It's worth looking at these performance measures to determine the extent to which we can expect them to reflect the goals of a healthy environment.

Performance Measures

How would you measure the government's performance? The answer should be: "by the amount of progress on issues that are important to society." Oddly enough, that's just about what the Management Board instructions to the ministries says:

> *One objective of the business planning process is to focus attention on the fundamentals – the mission and purpose of the ministry, its core businesses, the results to be achieved, and the means of assessing success – as a positive way to direct operations towards future needs and away from past practices.*
>
> *Measuring performance drives change by identifying potential problems and allowing adjustments to be made to ensure that goals are achieved. This kind of approach lets staff and managers measure progress and report the benefits, successes and, at times, failures of their programs and services, reinforcing current efforts and driving new directions.*
>
> Performance Measurement In the Business Planning Process:
> A Reference Guide for Ministries,
> December 2000



So far, so good.

If a healthy environment is one of the government's priorities, as we have been told it is, then we should be able to see environmental goals and performance measures in the ministry business plans.

No such luck. Of the fourteen ministries included in this review, very few had environmental goals and/or measures. In fact, outside of the Ministries of the Environment and Natural Resources, only the Ministry of Energy, Science and Technology gave the environment any serious consideration. Even there, the ministry's commitment to an "environmentally-sustainable energy industry" is to deregulate the electricity market.

The only other environmental reference in the performance measures is in the Ministry of Municipal Affairs and Housing's Land Use Planning section, where its measure for rehabilitating "brownfields" (contaminated lands) is: "client satisfaction with the Smart Growth initiative to reduce land use planning barriers to brownfield redevelopment". This is a development goal, not an environmental one.

Our review of performance measures found:

1. There are very few environmental performance measures
2. There are very few hard targets
3. There is no opportunity for public consultation (see also the section below on public consultation).

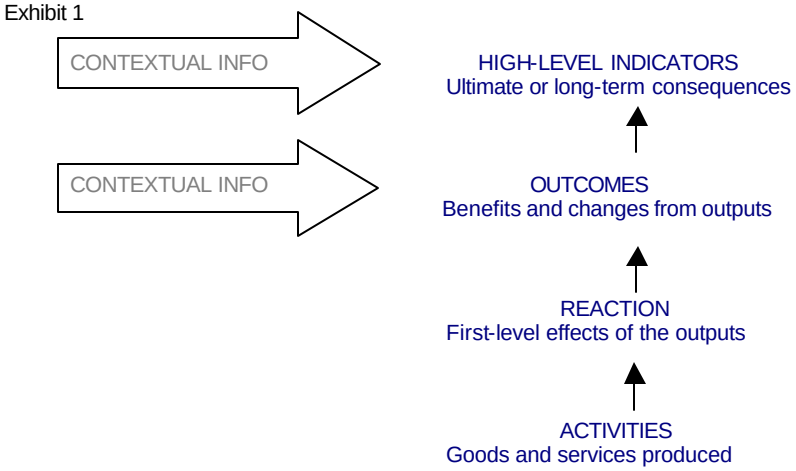
Part of the problem lies in the language used to describe how ministries should develop performance measures. Figures 3 and 4 are taken from *Performance Measurement In the Business Planning Process*, the reference guide from Management Board on how to establish performance measures.

Figure 3.
Management Board's Logic Model

▸ What is a Logic Model?

A logic model is a tool to develop and tell the performance story of a program. It describes the logical linkages and relationships among various program components, for example, activities, outputs, targeted population or customers reached, and short term and long term outcomes. Exhibit 1 shows what a simple logic model looks like.

Exhibit 1



Source: Performance Measurement In the Business Planning Process: A Reference Guide for Ministries, December 2000 Page 11

Figure 4.
How to Develop a Logic Model (Excerpt)

Step 1: Identify Program Components

The first step in developing a logic model is to analyze and group the information about your program into a chart form similar to the one depicted in Exhibit 2. The questions in the second column will help you identify and organize the information. The third column gives you some examples of what each box may look like.

Exhibit 2:

Program Components	Questions to Ask	Examples of Answers
High-Level Indicators (why)	Why engage in these activities?	Cleaner environment
Outcomes(so what)	How do we know our outputs are having the intended effect?	Improvement in air quality
Reaction (they do)	What is the immediate response to the output?	Facilities comply with regulations
Activities / Outputs (we do)	What does the program do?	Inspect facilities

Source: Performance Measurement In the Business Planning Process: A Reference Guide for Ministries, December 2000 Page 12

The example given in Figure 4 parallels almost exactly the Ministry of the Environment's latest performance measure for clean water:

Goal/Outcome	Measures	Targets/Standards	2001-2002 Commitments
Cleaner Water	Quality of drinking water	Water Supplies in compliance with Drinking Water Protection Regulation standards (as reported).	Inspect all of the province's drinking water treatment plants Review the Drinking Water Surveillance program.

The net result is that the inspection of water treatment plants becomes, in effect, the measure of the ministry's ability to guarantee clean water. The end result of the performance measurement process is to redefine the goal according to the current activities of the ministry. The government will be able to report its success in meeting its commitments, while at the same time the quality of the environment will likely continue to deteriorate.

Each ministry is responsible for developing its own performance measures. There is no requirement for inter-ministerial coordination and no integration of the performance measures into broader, issue-based strategies (such as Operation Clean Water).

This may change in future years. We understand that the Ministry of the Environment, in implementing the recommendations of the Gibbons Report, has expressed an interest in playing a stronger role in coordinating environmental planning and performance measures across key ministries.

The Lack of Public Consultation

Each year, once the official ministry business plans have been approved, every ministry is required to prepare a shorter, public version of its plan. These plans are released usually in June with a press release and a posting on the Environmental Registry. The announcement on the Environmental Registry also includes mention of a deadline for public comments.

This year, the deadline for comments was September 14, more than five months after the start of the government's fiscal year. By September, the government is already working on next year's plan. In effect, our comments on ministry business plans are a year out of date.

In last year's review of ministry business plans, we recommended that the government strengthen its consultation processes by establishing a senior level environmental advisory committee (similar to the former Round Table on the Environment and Economy) and advisory committees on the major issues of concern.

To the best of our knowledge, the public comments period is the only form of consultation used by the government with respect to business plans. It came as a surprise, then, to learn that Ontario has been promoting its business planning process as a model of public and stakeholder consultation.

Business planning is becoming common practice by governments across Canada, and provincial governments are always comparing notes on planning procedures. A December 2000 report from the Manitoba Office of the Provincial Auditor surveyed the business planning practices of Canadian Provinces, including Ontario. The report is entitled "Inter-Jurisdictional Comparison on Trends and Leading Practices in Business Planning and Performance Measurement", and it is available on the internet at http://www.pao.mb.ca/reports/business_planning/StudyofTrends.pdf

In the section on stakeholder consultation, the Ontario government indicated that it provides opportunities for stakeholder consultation on both the business plans and the performance measures **prior** to their final approval:

Survey Question	***Ontario's Response***
Is the business planning process in your jurisdiction designed to provide an opportunity for input into the business planning process prior to finalization of the plan?	*Yes*
What approach is used to solicit input into the business planning process?	*Meetings by ministries/departments with stakeholders.*
Is the performance measurement process in your jurisdiction designed to provide an opportunity for input into the performance measurement process prior to the finalization of the plan?	*No for general public, yes for stakeholders*
What approach is used to solicit input into the performance measurement process prior to finalization of plans?	*Meetings by ministries/departments with stakeholders*

In response to our request for clarification of the consultation process, Management Board informed us that its role is to provide each ministry with recommended best practices for the various steps in the business planning process. The directive to ministries specifically mentions stakeholder consultation, but it is up to each ministry to develop its own consultation process:

> Management Board Secretariat is responsible for developing and maintaining directives governing administrative practices within the Ontario Public Service. The Business Planning and Allocations Directive identifies a number best practices for ministries to consider in their business planning process. One of those best practices is consultation with stakeholders. The directive notes that ongoing consultation to understand customers' needs is important to continuously improving

service delivery. Each ministry has the opportunity to chose the consultation process that best informs its planning all through the year[12].

Appendix 2. of the current Business Planning and Allocations Directive includes the relevant section on stakeholder consultation

> ***Consultation***
> *Stakeholders play a central role in determining how the ministry should deliver its services. They are also key to ensuring the quality of those services.*
>
> *The views of external stakeholders, especially end users of ministry services, should be taken into account through consultation during the design (and re-design) of service delivery and performance measures for services and programs. As well, regular surveys and data collection will help ministries understand their customers' needs and continuously improve program delivery.*

We have written to each ministry with a request that they provide details of the stakeholders they consulted with prior to the approval of their business plan and performance measures. No responses have been received to date, but we understand that the Ministry of the Environment is developing a response.

B) Managing the Environment – The Gibbons Report

This past January, a report on best management practices for the environment was submitted to provincial government. The report was written by Valerie Gibbons (a former Deputy Minister) with the assistance of Bob Breeze (ADM of Policy, Planning and Standards for the Ministry of Transportation) and the Executive Resources Group. It had been commissioned by the government to look into the best practices of other jurisdictions and make recommendations on how Ontario should approach its environmental problems.

Managing the Environment[13] proposed a major shift, not just within the Ministry of the Environment, but also within government as a whole. It categorized this shift as being away from the "traditional regulator" approach towards "a strategic approach to managing the environment".

The report was praised by the Premier, who said it supported the major changes the government had tried to implement but which had been resisted by the opposition, the ministry, and interest groups who were trying to hang on to the status quo.[14] The government has moved quickly in carrying out key recommendations of the report: a new Cabinet committee on environmental policy was formed, and Elizabeth Witmer was appointed as the Minister of the Environment with a mandate to reshape the ministry. Bob Breeze, one of the report's authors, was appointed the Associate Deputy Minister in charge of transition to the new management model.

The Conservation Council reviewed *Managing the Environment* and published our revised version of its recommendations in *Protecting the Environment*[15]. The Council concluded:

1. *Managing the Environment* should be treated as a framework study only. The breadth and depth of analysis and consultation in *Managing the Environment* is inadequate to justify a major shift in government resources without further research and consultation;

[12] Susan Worley, Director Management Board Secretariat, personal correspondence, July 17, 2001
[13] Executive Resources Group, Managing the Environment, January 2001, available at http://www.ene.gov.on.ca.
[14] As quoted in The Sudbury Star, February 8, 2001.
[15] Conservation Council of Ontario, Protecting the Environment, April 2001, available at http://www.greenontario.org/cco/publications.html

2. The recommendations should be reorganized into three categories:
   - **Environmental** – those that strengthen the government's role in protecting the environment
   - **Internal Planning** – those that are intended to improve government decision-making
   - **Transferred Responsibility** – those that will lead to a shift in roles and responsibilities away from the provincial government

3. With some conditions, the environmental recommendations should be implemented immediately. These include:
   - increased resources for the environment,
   - improved strategic planning for the environment, including a provincial vision, clear goals and performance measures
   - strengthening the regulatory framework
   - strengthening cross ministry responsibilities
   - pilot projects in "compliance assurance" for economic instruments and pollution prevention
   - improved ecosystem monitoring and reporting, and
   - improved consultation with stakeholders and the public.

4. The internal planning recommendations are designed to help the government understand and manage environmental issues. They are unlikely to have any direct and measurable effect on the health of the environment. These recommendations should be implemented only if it can be demonstrated that they will not unnecessarily divert scarce resources from other important functions, and that they will not lead to unnecessary delays in government leadership. The recommendations in this category are:
   - "Knowledge Management Strategies"
   - an "Emerging Issues Process"
   - risk analysis
   - a research fund

5. The transferred responsibility recommendations are not clearly based on adequate research. In particular, we found that the terms of reference, the underlying assumptions and the scope of the research in *Managing the Environment* appear to support a predetermined set of conclusions. The report failed to present any empirical evidence to support its recommendations, it did not include an examination of past and current practices in Ontario, and it did not include a comparative analysis of alternative approaches. We believe these recommendations require more detailed consultation and analysis:
   - "compliance assurance"
   - "place-based" planning
   - arms-length agencies

6. *Managing the Environment* will not achieve the government's goal of "establishing Ontario as a leading environmental jurisdiction and as a model in the future for other jurisdictions to emulate." The report does not directly address any of the current environmental challenges facing Ontario. As the report itself suggests, achieving the goal of environmental leadership will require direct and measurable action on the current issues of concern, from urban sprawl, public transit and the Oak Ridges Moraine, to clean water, green power and waste reduction. Herein lies the government's greatest challenge, not in changing management processes, but in showing results across all ministries and on the ground.

One of the Council's recommendations was to "integrate environmental goals into Ministry Business Plans". Six months is the blink of an eye in government planning, so it is perhaps unfair to expect significant changes in this year's business plans resulting from the Gibbons report. However, we had asked that if there were no significant improvements in environmental commitments evident in the business plans, then, at the very least, the government should set in motion the process whereby next year's plans would show a marked improvement in environmental values, actions, and performance measures.

The Ministry of the Environment has established an Implementation and Transition Secretariat and a staff of 24 staff people under Associate Deputy Minister Bob Breeze. Included in the office structure for the secretariat are:

- A Directors Advisory Council (of Ministry branch directors)
  - Brian Nixon, Director Land Use Policy Branch and Acting Director Water Policy Branch
  - Brian Ward, Director Kingston Regional Office
  - Janet O'Grady, Director Human Resources Branch
  - Jim Smith, Director Standards Development Branch
  - Michael Williams, Director Environmental Assessment and Approvals Branch
- A Stakeholder Involvement Office
  - Steven Davidson, Director
- A Strategic Policy Branch
  - Catherine Brown, Director
- New Program Development
  - Daniel Cayen, Director

Management Board has told us that the requirements and guidelines for the planning process and the development of performance measures are continuing to evolve. We also understand that the Ministry of the Environment will be taking a greater interest in the business planning process for next year. This may qualify as "continuous improvement", but it may be too slow a pace to result in any meaningful change in environmental performance.

C) The Environmental Bill of Rights (EBR)

The Environmental Bill of Rights[16] sets out the requirements for the provincial government with respect to environmental management and public participation in government decisions that may significantly affect the environment. The EBR was proclaimed in February 1994. It is similar to the current government's Taxpayer Protection and Balanced Budget Act in that it binds future governments to act in what is considered to be a responsible manner.

The founding principles of the EBR are stated in its Preamble :

- *The people of Ontario recognize the inherent value of the natural environment.*
- *The people of Ontario have a right to a healthful environment.*
- *The people of Ontario have as a common goal the protection, conservation and restoration of the natural environment for the benefit of present and future generations.*
- *While the government has the primary responsibility for achieving this goal, the people should have means to ensure that it is achieved in an effective, timely, open and fair manner.*

The purposes of the Act are:

- to protect, conserve and, where reasonable, restore the integrity of the environment by the means provided in the Act;
- to provide sustainability of the environment by the means provided in the Act; and
- to protect the right to a healthful environment by the means provided in the Act.

EBR, Section 2 (1)

These purposes include the following:

1. The prevention, reduction and elimination of the use, generation and release of pollutants that are an unreasonable threat to the integrity of the environment.
2. The protection and conservation of biological, ecological and genetic diversity.

[16] The Environmental Bill of Rights can be downloaded at http://www.ene.gov.on.ca/envision/env_reg/ebr/acts%20and%20regs/index.htm



3. The protection and conservation of natural resources, including plant life, animal life and ecological systems.
4. The encouragement of the wise management of our natural resources, including plant life, animal life and ecological systems.
5. The identification, protection and conservation of ecologically sensitive areas or processes.

EBR, Section 2 (2)

This second set of purposes are of particular importance in that they provide a framework for the ministries to identify environmental issues relevant to their ministry and to assess the environmental implications of their activities.

Statements of Environmental Values (SEVs)

Statements of Environmental Values[17] are a means for government ministries to record their commitment to the environment and be accountable for ensuring consideration of the environment in their decisions. The EBR requires a Statement of Environmental Values (SEV) from 13 government ministries. The SEV explains:

- How the purposes of the EBR will be applied when decisions that might significantly affect the environment are made in the Ministry; and
- How consideration of the purposes of the EBR will be integrated with other considerations, including social, economic and scientific considerations, that are part of decision-making in the Ministry.

Section 7. of the Act describes how each of the prescribed ministries is required to prepare a Statement of Environmental Values:

> *Within three months after the date on which this section begins to apply to a ministry, the minister shall prepare a draft ministry statement of environmental values that,*
>
> *(a)explains how the purposes of this Act are to be applied when decisions that might significantly affect the environment are made in the ministry; and*
>
> *(b)explains how consideration of the purposes of this Act should be integrated with other considerations, including social, economic and scientific considerations, that are part of decision-making in the ministry.*
>
> *1993, c. 28, s. 7.*

The EBR further requires that...

> *The minister shall take every reasonable step to ensure that the ministry statement of environmental values is considered whenever decisions that might significantly affect the environment are made in the ministry.*
>
> *1993, c. 28, s. 11.*

Therefore, it is reasonable to conclude that the Environmental Bill of Rights requires Ministries to consider their environmental values in the preparation of business plans. As the former Environmental Commissioner of Ontario has documented in the past three Annual Reports, this requirement has not been met.

The Environmental Commissioner's Review of SEVs and Business Plans

The Environmental Commissioner of Ontario has maintained a running watch on how ministries have interpreted their Statements of Environmental Values[18]. The former Environmental Commissioner of Ontario, Eva Ligeti, included a review of SEVs and Ministry Business Plans in each of her annual reports from 1996 through to the latest 1998 Annual Report.

[17] Statements of Environmental Values can be viewed at http://www.ene.gov.on.ca/envision/env_reg/er/sevs/index.htm

[18] To view the annual reports of the Environmental Commissioner of Ontario, go to http://www.eco.on.ca/



1996 The 1996 Annual Report reviewed how five ministries had applied their SEVs in their Business Plans: Management Board Secretariat; Citizenship, Culture and Recreation; Economic Development, Trade and Tourism; Health; and Labour. Only the Ministry of Labour had included a commitment to environmentally sound practices and greening its programs:

> *Each Ministry acknowledged in their SEVs that much of their activity has environmental significance, but they gave little consideration to their stated environmental goals in carrying out that activity during 1996.*
>
> *This lack of attention to SEVs is unacceptable. Environmental accountability requires political and administrative will. Otherwise, the Statements of Environmental Values remain more rhetoric than institutional principles and practice.*
>
> Environmental Commissioner Eva Ligeti,
> 1996 Annual Report, April 1997
> p 58

1997: The 1997 Annual Report of the Environmental Commissioner found that the Business Plans had an even poorer level of environmental recognition and commitment:

> *In my 1996 Annual Report, I recommended that ministries make every effort to apply the environmental values contained in their Statements of Environmental Values (SEVs) and integrate them into their business plans. Our review of these plans revealed that commitments to the environment in the ministry SEVs are not reflected in the majority of the 1997 business plans. In fact, the plans of only three ministries (MOE, MNR, and the Ministry of Northern Development and Mines) mention their ministry's responsibility for the environment. The 1997 plans are even weaker than last year's in terms of integrating the environment into ministry business.*
>
> Environment Commissioner Eva Ligeti,
> 1997 Annual Report, April, 1998
> p 18

1998: The Environmental Commissioner found little progress in integrating SEVs into Business Plans:

> *In my annual report last year, I found that commitments made in the Statements of Environmental Values by provincial ministries were not reflected in their 1997 Business Plans. I encouraged ministries, when developing their 1998 Business Plans, to reflect how environmental health has been incorporated into the core businesses of the ministry. However, the majority of the 1998 plans show no improvement in this area.*
>
> Environment Commissioner Eva Ligeti,
> 1998 Annual Report, April, 1999
> p 35

The Commissioner reported one positive development, a commitment from Management Board to incorporate environmental considerations into the 1999-2000 business plans:

> *There was a positive development related to business planning in 1998. Management Board Secretariat has informed me that it has added environmental considerations into the 1999-2000 business planning framework for all ministries. In preparing next year's business plans, each EBR ministry is being asked to describe its strategy for honouring its Statement of Environmental Values. I look forward to seeing these strategies in the 1999-2000 Business Plans.*
>
> Environment Commissioner Eva Ligeti,
> 1998 Annual Report, April, 1999
> p 36



1999: The new Environmental Commissioner, Gord Miller, is maintaining the pressure on the government to integrate environmental values into ministry business plans:

> *Ministries were asked to respond to the recommendation that all EBR ministry should incorporate SEV commitments into their business plans, and track and report towards meeting those commitments.*
>
> *Most ministries stated that although these links are not always explicitly described in their public business plans, consideration of the SEV commitments form an integral part of their business planning process. The Ministries of the Environment, Natural Resources, and Health were the only ministries that explicitly referred to their SEVs in their 1999-2000 business plans. The ECO encourages all ministries to explicitly incorporate their SEV commitments into their public business plans.*

Conclusions

While there are many worthwhile individual environmental initiatives underway within the government, environmental planning as a whole is a shambles:

- There is no provincial environmental vision
- Environmental values are poorly integrated into the government's business planning process
- The ministry Statements of Environmental Values have been, in some cases, stripped of environmental value, and in other cases, are largely ignored in setting ministry priorities
- Issue-oriented strategies show some signs of progress, but they address the symptoms rather than the cause of the problem. The Oak Ridges Moraine initiative, for example, will slow down development on the moraine, but it won't address the pressures of urban sprawl.
- Environmental concerns are generally treated as "steps in the planning process" (i.e. environmental assessment and public consultation), not as a planning priority.

In short, environmental issues are treated as secondary issues until a crisis forces a high profile response. The more immediate the crisis, the more immediate the response.

The Ministry of the Environment is showing some signs of progress in implementing the recommendations of the Gibbons report regarding improved environmental planning, but the progress is slow at a time when environmental issues such as water quality, smog and urban sprawl demand immediate and government-wide action.

What is missing from the equation is leadership – the ability to translate environmental goals into coherent policy and programs across all ministries, and to stimulate environmentally-sound development across Ontario. Here are some suggestions:

1. Define a vision of a healthy environment for Ontario, including the relationship between the environment and the health of Ontario's people and communities, and a sustainable and resource-efficient economy.
2. Review ministry Statements of Environmental Values, to ensure each ministry has identified its environmental responsibilities and its role in environmental leadership
3. Strengthen public involvement in setting environmental priorities.
4. Identify opportunities for environmental leadership and ensure that all relevant government laws, policies, economic instruments, and programs work to promote environmental sustainability.



4. 2000-2001 Ministry Business Plans

The Ontario government released its 2001 - 2002 Ministry Business Plans on June 18. A subsequent notice on the Environmental Registry has provided for a period for public comments expiring September 14, 2000.

The complete set of twenty four plans can be found on the Management Board website (http://www.gov.on.ca/MBS/english/press/plans2001.html).

The purpose of this review is to assess the environmental implications of the current plans, and the degree to which the business plans reflect the stated environmental values of the ministry. The review has been scoped to include only the thirteen ministries that are required to produce Statements of Environmental Values under the Environmental Bill of Rights (see Table 1).

Table 1
Ministries With Statements of Environmental Values

Ministries with Business Plans	Statement of Environmental Values
Agriculture, Food and Rural Affairs	X
Attorney General	
Children's Secretariat	
Citizenship	X
Community and Social Services	
Consumer and Commercial Relations	X
Correctional Services	
Economic Development and Trade	X
Education	
Energy, Science and Technology	X
Environment	X
Finance	
Francophone Affairs	
Health and Long-Term Care	X
Intergovernmental Affairs	
Labour	X
Management Board Secretariat	X
Municipal Affairs and Housing	X
Natural Resources	X
Northern Development and Mines	X
Ontario Native Affairs Secretariat	
Solicitor General	
Tourism, Culture and Recreation	X
Training, Colleges and Universities	
Transportation	X

Structure

For the most part, the report follows the structure of the Business Plans, with sections on:

- Statement of Environmental Values Highlights
- Ministry Vision
- Core Businesses and Achievements
- Key Strategies
- Key Performance Measures
- Consideration of the Statement of Environmental Values
- Three Year Trend
- Overall Grade

In looking at the bottom line for each ministry, two questions are asked. First, has the ministry met the letter of the law -- the requirements of the Environmental Bill of Rights (EBR) that each ministry consider its Statement of Environmental Values (SEV) in all decisions that might significantly affect the environment? More than the inclusion of a statement to the effect that the ministry will consider its SEV (as some ministries have done), the EBR requires that the consideration of environmental values be evident in the major policy decisions that are contained within the business plan.

The second question is whether the ministry is following the spirit of the law -- in other words, is it demonstrating leadership in environmental protection and sustainable development. A ministry is in compliance with the EBR if it seeks to minimize environmental damage. It is displaying true leadership if its economic and social development policies are ones that also help to protect nature, conserve resources, and prevent pollution.

Grading

Missing Values uses a rating system based on the EBR requirement that each ministry considers its Statement of Environmental in all major decisions that might significantly affect the environment. The grading system is expanded to include the spirit of the EBR as well as the letter of the law.



PASS

- reflects the ministry's Statement of Environmental Values and/or,
- supports the environmental goals as outlined in the Environmental Bill of Rights and/or,
- otherwise supports a healthy environment.



POOR

- a weak environmental commitment and/or
- poor consideration of the ministry's Statement of Environmental Values and the purposes of the Environmental Bill of Rights and/or,
- weak implementation may lead to failure in achieving the stated goal.



FAIL

- no apparent consideration of the ministry's Statement of Environmental Values or purposes of the Environmental Bill of Rights and/or,
- the activity has failed to achieve the stated environmental goal and/or,
- the activity will likely result in a decline in environmental quality.

What does "Failure" mean?

The EBR can be used at several levels. First, the Act describes the requirements for a healthy environment. Second, it requires ministries to produce a Statement of Environmental Values. Third, the Act requires each ministry to consider its SEV in all decisions that might significantly affect the environment. Finally, the Act requires ministries to post proposals and decisions on an Envi ronmental Registry and allow for public comment.

Legally (and in practice), ministries can be in compliance with the act with very little effort:

- There is no legislated requirement that a ministry SEV identify and address environmental issues. Some ministries (such as Agriculture, Food and Rural Affairs) have included no environmental commitments in their SEV other than a commitment to "consider" the EBR.
- "Consideration" of the SEV does not require action.
- Posting proposals for comment on the Environmental Registry does not require action.

Therefore, for the purpose of this review, a failure or caution generally reflects a failure by a ministry to incorporate the purposes of the EBR as elaborated in Section 2 (2) of the Act into its environmental values, business plans, and specific actions. The EBR states that "the people of Ontario have a right to a healthful environment", and it is on that statement and subsequent elaboration that this review is based.

Public Vs. Private Business Plans

Earlier this year, the Walkerton Inquiry revealed that the Ministry of the Environment's internal business plan for 1996/97 outlined the likely consequences of the cuts to the budget of the Ministry of the Environment[19]. The public version, released later in the fiscal year, said "environmental protection will not be compromised."

The inquiry has laid bare one of the major flaws of the ministry's business planning process. The public plans are largely an exercise in public relations. They are designed to present the government's management decisions in the most positive light.

There is a clear need for full disclosure of the government's business plans. If, as successive Management Board Chairs have said, the business plans are intended to provide public accountability, then we need to have access to the full business plans, and we need stronger public involvement in the early stages of the planning process.

For our part, we will continue to review the public versions of the business plans. We find that they provide an adequate overview of the government's priorities, and that the summary plans are an excellent means for reviewing the environmental commitments of the ministries. In many instances, the concise statements of the public plans make the environmental failings that much more obvious and easier to identify.

[19] See , in particular, the testimony of former Deputy Minister Linda Stevens http://208.38.27.85/trans/Walk_May_28_01/text.htm. For the complete transcripts of the Walkerton Inquiry, go to http://www.tscript.com/ and select the tab for Walkerton.

Ministry of the Environment

Minister: The Hon. Elizabeth Witmer
Deputy Minister: Jan Rush

	Approved Allocation		
	2001 –2002	**2000 – 2001**	**1999 – 2000**
Budget	$215 million operating $ 18 million capital	$158 million operating $ 65 million capital	$164.8 million operating $208.4 million capital
Staff	1,575	1,440	1,460

SEV Highlights

Guiding Principles for the Ministry of Environment and Energy (Page 1)

The Ecosystem Approach

The Ministry will adopt an ecosystem approach to environmental protection and resource management. This approach views the ecosystem as composed of air, land, water, and living organisms, including humans, and the interactions among them.

When making decisions, the Ministry will consider: the cumulative effects on the environment; the interdependence of air, land, water and living organisms; and the interrelations among the environment, the economy and society.

Environmental Protection

The Ministry's environmental protection strategy will place priority first on preventing and second on minimizing the creation of pollutants that can damage the environment. When the creation of pollutants cannot be avoided, the Ministry's priority will be first to prevent their release to the environment and second, to minimize their release.

In the event that significant environmental harm is caused, action will be taken to ensure that those responsible for the harm remediate it and to prevent a recurrence.

The Ministry will exercise a precautionary approach in its decision-making. Especially when there is uncertainty about the risk presented by particular pollutants or classes of pollutants, the Ministry will exercise caution in favour of the environment.

Resource Conservation

The Ministry will seek to ensure a safe, secure and reasonably priced supply of energy in an environmentally sustainable manner and will place priority on improving energy efficiency. It will also promote energy and water conservation, as well as encourage the use of the 3RS - reduction, reuse and recycling - to divert materials from disposal.

2001 - 2002 Business Plan

Environmental Commitments

"A New Vision and a Commitment to Continuous Improvement

Page 7 *The Ministry of the Environment's key strategies and commitments for 2001-2002 will be shaped by a fundamental shift from a traditional* command-and-control *focus, toward a new way to protect Ontario's environment. The February 7 report by management expert Valerie Gibbons – titled* Managing the Environment: A Review of Best Practices *– serves as the vision and guide for this ambitious new course of action.*

The Conservation Council has already reviewed the Gibbons report. Our report, *Protecting the Environment*, can be found on the Council's website, http://www.greenontario.org/cco/.

The commitment is reinforced with a new paragraph in the ministry's Vision Statement:

Page 2 *In the future, we will broaden environmental responsibility across all ministries and beyond, to involve community groups, business, academics, and the public, all within a climate of* openness, accountability *and* continuous improvement.

Applying the New Vision

Water Quality

Page 8 *In 2001-2002 the Ministry of the Environment will continue Operation Clean Water, a comprehensive action plan to ensure Ontario residents have the best and safest drinking water in Canada. The focus will remain on regular water sampling, stringent treatment requirements, public reporting and access to information.*

…the ministry will continue implementation of a comprehensive strategy to protect Ontario's groundwater in cooperation with local conservation authorities and municipalities. We will work with the Ministry of Agriculture, Food and Rural Affairs on a strategy for the management and application of materials containing nutrients including manure, biosolids, septage, and pulp and paper sludges.

The ministry is working cooperatively with our federal counterparts to negotiate a renewed Canada Ontario Agreement (COA) that will improve upon the 1994 Agreement and focus on areas that also support the Great Lakes Water Quality Agreement (GLWQA).

Air Quality

Page 9 *Using innovative strategies and a model of continuous improvement, we will work to reduce emissions from the electricity, industry and transportation sectors.*

… Ontario's Smog Patrol… will inspect vehicles in an effort to reduce the number of grossly polluting cars, trucks and buses on Ontario roads.

…the ministry will implement the proposed measures announced on March 26, 2001, for the electricity sector prior to the opening of a competitive electricity market for Ontario. Responding to the Canada-Wide Acid Rain Strategy for Post-2000, the

ministry will also propose reduction measures to help meet a 50 per cent sulphur dioxide reduction target beyond the Countdown Acid Rain cap by 2015.

Cleaner Land

Page 9 *The ministry will continue to focus on the cleanup and proper disposal of toxic substances and hazardous wastes, with particular emphasis on inspection, remediation and phase-out.*

…the government… proposes to introduce legislation that would create a long-term multi-stakeholder corporation to address waste diversion in the province. The legislation, if passed, would require industry to pay 50 per cent of the Blue Box programs costs.

Stringent Standards and Effective Enforcement

Page 10 *The ministry will continue to work with the federal government and other provinces to develop and implement Canada-Wide Standards for mercury, dioxins and furans. The ministry will continue its own review of 145 air quality standards and will initiate discussions on 15 other substances.*

Pollution Prevention

Page 10 *A tougher target for toxic substances and waste reduction will replace the current five year target of 60,000 tonnes.*

Areas of Concern

The New Environmental Management Framework

The Gibbons report is supposed to be a government-wide commitment affecting all ministries, yet only the MoE contains any reference or commitment to implementing its recommendations. Even the opening letter from Management Board Chair, David Tsubouchi, found at the front of the complete set of public business plans, overlooks the environment as an issue of importance to Ontarians.

Business plans also reflect our commitment to an agenda of growth, accountability and fiscal responsibility. As we continue to create jobs and economic growth, cut needless regulation and become more efficient, we continue to invest more in services that people have told us are important to them – health, education, children's welfare, transportation and justice.

The Conservation Council of Ontario published a review of the Gibbons report in April that restructured the recommendations according to three categories: environmental benefit, internal planning processes, and transferred responsibilities (away from the Ministry of the Environment)[20]. Our report supported the proposals for increased funding, a stronger regulatory system and improved strategic planning, including a provincial environment vision and stronger cross-ministry involvement and cooperation in meeting environmental goals.

We are encouraged to hear that the ministry is going to take a stronger role in promoting cross-ministry support for environmental objectives. However, we believe it is important that the ministry understand the serious shortcomings in its current strategic planning process if it is to implement meaningful changes.

[20] The Conservation Council of Ontario, "Protecting the Environment", April 2000. See Appendix 2 for a summary of the reports findings and recommendations.

This year our review of the ministry's business plan focuses on **how** the ministry develops its priorities. There are numerous concerns with respect to the ministry's current planning process:

1. missing goals, targets, and strategies
2. shifting and disappearing goals
3. weak implementation, both within the ministry, and with interministerial programs
4. selective reporting of results
5. poorly defined performance measures are often geared to ministry programs, not environmental targets.

1. Missing Goals, Targets, and Strategies

The ministry currently has only one formal environmental strategy: the Anti Smog Action Plan. Most issues are managed through a collection of programs and initiatives designed to achieve certain results. They may be given nice titles, like "Operation Clean Water", but the ministry lacks a clear issue-based planning process, complete with opportunities for consultation, target-setting, the development of multi-sector actions in support of the targets, and analysis and public review of the results.[21]

We are able to find only five specific targets for environmental contaminants[22]:

- 45% reduction in NOx and VOC emissions by 2015, based on 1990 levels
- 10% reduction in PM_{10} by 2015 based on 1990 levels
- 50% reduction in $S0_2$ by 2015 from current Countdown Acid Rain limit
- destruction of 50% of high level PCBs in storage by 2000
- reduce toxic substances by 60,000 tonnes beyond the regulatory requirements

While these may well be worthwhile initiatives, it is hardly the comprehensive strategic approach we would expect of the ministry.

Climate Change – The Invisible Strategy

In one case, the ministry actually refers to a formal strategy that doesn't exist – at least, not in a public form.

> *Page 8* *Through our Air Quality and Climate Change Strategy, we will demonstrate national leadership in emissions reductions.*

The ministry has a section of its web site devoted to air quality and climate change (http://www.ene.gov.on.ca/envision/airclimate/airclimate.htm), but it currently contains only a letter from former minister Dan Newman and a year-old report on "Air Quality and Climate Change: Insights, Opportunities and Solutions". The report details ministry actions on climate change, and actually supports our contention that the Ministries of Transportation and Municipal Affairs and Housing, in particular, are the main stumbling blocks to effective action on climate change in Ontario.

2. Shifting and Disappearing Goals

Things have gone from poor to bad in recent years. There are at least three instances where the target has been diluted or dropped completely. This raises serious doubts about the government's credibility with respect to environmental planning and leadership.

Climate Change

In the 1997 – 1998 business plan, the target for climate change was to "achieve Ontario contributions to the national target of stabilizing greenhouse gas emissions at 1990 levels by the year 2000".

[21] For more information on issue-based strategic planning, see the discussion of cross-cutting themes.
[22] We have not included the target for solid waste, which is addressed later.

We note that Quebec and the Maritime provinces have recently joined with several eastern U.S. states to restore the commitment to achieving 1990 levels. At the very least, Ontario should do the same.

Smog

Looking back over past business plans, we find that Ontario's goal of "a 45% reduction in NOx and VOC emissions by 2015, based on 1990 levels", used to be based on 1985 levels back in the 1997-98 business plan. It changed to the current weaker version in 1998 with the introduction of the Smog Action Plan.

Solid Waste

The ministry continues to quote a target for waste reduction as:

> *Continuous improvement towards 50% reduction from the base year of 1987 (base amount of 1,015 Kg/capita)*[23]

The original target, set in 1989, was:

> *Divert 50% of all waste from landfill or incineration by the end of 2000 (based on 1987levels).*

The ministry has dropped the target date of 2000, and amended the target to be based on a per capita basis (which is easier to meet than total tonnage). That it is a significantly weaker target is self-evident. The real issues are: 1) the ministry changed the target without appropriate consultation, and 2) the target was changed when it became clear that Ontario would not come close to meeting the target (in particular as a result of the cuts in ministry support programs for waste reduction).

That the ministry claims to be achieving its targets for waste reduction casts a shadow of doubt over the government's "new approach to environmental management".

3. Weak Implementation

There are far too many examples of weak environmental commitments being lauded as bold new initiatives:

- The ministry's commitment of $10 million for the Climate Change Fund (page 5) is old money. It was originally announced two years ago.
- The ministry has no waste reduction programs of its own. Everything rests on the municipalities and the industry-led Waste Diversion Organization.
- Voluntary action by others is a major part of many ministry programs, in particular pollution prevention and recycling.
- Monitoring activities are a large part of the ministry's contributions to groundwater and air quality.

There are some positive signs as well, however. The ministry has undertaken a number of regulatory initiatives with respect to air emissions and air quality standards, the most recent being a proposal to have INCO and Falconbridge reduce the $S0_2$ emissions of their Sudbury smelters 34 per cent by 2006[24]. The commitment to improved regulatory standards was in the Gibbons report, and was one of the recommendations the Conservation Council supported for fast track implementation. It still remains to be seen whether the ministry's emissions trading program provides a loophole for major polluters, such as Ontario Power Generation, to avoid meeting their emission caps.

[23] The first mention of a waste diversion target in the ministry's business plan is in 1998-99, where the ministry quotes a target of 50% reduction (base year 1987) without any reference to a target date or per capita.
[24] "Environment Ministry Taking Strong Action to Reduce Sulphur Dioxide In Sudbury Air and Acid Rain In Ontario", Ministry of the Environment media release, September 7, 2001, http://www.ene.gov.on.ca/envision/news/090701.htm

4. Selective Reporting of Results

The business plan is full of statistics, but often it is without critical reference data.

For example, the ministry reports that, when fully implemented in 2004, Drive Clean will result in a reduction equivalent to taking 23,000 cars off the road. No mention is made of the fact that in the last five year period (1995 to 2000), the number of vehicle registrations in Ontario rose from 6,330,679 to 8,610,701, an increase of 2.3 million[25]. This means that Drive Clean is, at best, contributing only 1 per cent of the solution to smog.

> Drive Clean is contributing only 1 per cent of the solution to smog.

Clearly, you can't drive your way to clean air.

Similarly, the ministry's claim of a 60,000 tonne reduction in pollutants due to pollution prevention initiatives need to be set in context of trends in overall emissions, and the per capita reductions in non-hazardous waste to landfill should be set in context of total volumes of waste to landfill.

Get the picture? It all comes down to the lack of reliable data.

State of the Environment (SOE) reporting was cut from the ministry after the 1995 SOE report painted an accurate, but unflattering picture of what was really happening to Ontario's environment. Instead, the business plan now paints a rosy picture of ministry accomplishments without the providing an accurate view of overall environmental trends.

5. Poorly Defined Performance Measures.

The ministry has identified some good environmental indicators as the measurement of cleaner air, cleaner water and cleaner land. It is actually using the quality of the environment as an indicator of whether the ministry is meeting its goals.

There are, however, significant weaknesses which point to an incomplete strategic planning process within the ministry:

- There are no targets for the rehabilitation of contaminated land, just a commitment to develop brownfields and continue work on the Deloro Mine site and Smithville PCB site
- There are no targets for hazardous waste, just a commitment to improve
- Healthy Ecosystems is measured by only by effective enforcement and the destruction of PCBs – hardly an ecosystem approach
- Sportfish consumption remains the only indicator for groundwater quality

In other cases, the strategy and the target look good, but there's no way of telling if the actions will get us there – and when we will find out, it will be too late. For example, the Smog Plan has a target of a 45 per cent reduction in NOx and VOC emission by the year 2015. This is a good target. Our problem here is trying to understand how the ministry's initiatives can possibly achieve such an ambitious target, especially when faced with a 10% increase per annum in vehicle registrations in Ontario[26].

In short, while the ministry is still one of the better examples of strategic planning, it is still having difficulty making sure that environmental goals consistently drive the planning process. Too often, we find that performance measures are defined according to what is being done (programs) and not by what needs to be done (ecosystem health).

[25] Source: Statistics Canada, "Motor Vehicle Registrations 1995-2000", http://www.statcan.ca/english/Pgdb/Economy/Communications/trade14.htm Even more disturbing, vehicle registration increased 10 per cent last year to 9.1 million, according to the Ministry of Transportation business plan.

[26] See the review of the Ministry of Transportation for their figures on the explosion of cars in Ontario.

Performance Measures

Herein lies a good case study for the government's performance measurement process. The performance measures chart is divided into four categories:

1. Goals
2. Measures
3. Targets / Standards
4. 2001-2002 Commitments

Let's look at the ministry's core business of Environmental Protection and work through the measures, targets and commitments for air quality (see page 11 of the business plan).

Goals

The goals for Environmental Protection are: cleaner air, cleaner water, cleaner land and healthier ecosystems. Cleaner? Cleaner than what? Granted, the way things are going, any improvement in our air, water, and land will be an amazing accomplishment, however the goals should be definite, not relative. Try **clean** air, **clean** water, **clean** land, and **healthy** ecosystems.

Measures

The ministry seeks "reductions in Ontario-based air emissions, as measured by nitrogen oxides (NOx), volatile organic compounds (VOCs) and particulate emissions (PM) and sulphur dioxide (SO_2)".

Not a bad start, but you'll notice CO_2 is missing from the list There are other airborne and multi-media contaminants (such as mercury, dioxins and furans) that get a passing reference later, and still other important airborne carcinogens (such as arsenic, beryllium, cadmium, chromium and nickel) that are left off the list altogether. The latter are all present in the emissions from Ontario Power Generation's coal-fired plants, and they are not part of the ministry's measures[27]. The ministry's strongest commitments are in smog, and acid rain, and they have skewed the definition of clean air to suit that purpose.

There's one other problem: reliability of the data. The ministry already claims to have produced an estimated 6.7% reduction in smog causing pollutants in the Drive Clean program area. This data is based on the number of vehicles tested, and does not take into account the increase in vehicular traffic. You cannot measure ecosystem health by the results of a single program.

Targets/Standards

The stated targets reflect the current commitments of the ministry under the Anti-Smog Action Plan and the Canada-Wide Acid Rain Strategy for Post-2000. There are no targets for climate change, in spite of repeated references to "Ontario's Air and Climate Change Strategy.

[27] Gibbons, Jack, "Weak Emission Limits: An assessment of Ontario' 2001 proposals for air-pollution control in the electricity sector", p. 4, May 2001, Ontario Clean Air Alliance, http://www.cleanair.web.net/resource/weak.pdf



2001-2002 Commitments
There's a long list of commitments, but when we sift through them, we find a few regulatory instruments, inspection programs, emissions monitoring and public awareness.

Table 4.
A Summary of the 2001-2002
Cleaner Air Commitments for the Ministry of the Environment

Regulatory Instruments	• set emission limits for NOx and SO_2 • allow emissions trading in NOx and SOx • participate in Canada Wide Standards for dioxins, furans and mercury
Monitoring	• 30 large companies to do air emission inventories • require industry and commercial sector to monitor greenhouse gases and report in June 2002.
Vehicle Inspection	• emission testing of cars under Drive Clean • inspection of grossly polluting vehicles under Smog Patrol
Public Awareness	• Smog Patrol and Smog Alert Response programs

This list shows the inherent weakness of a ministry-specific performance measurement process. Take smog again. The major source of smog in Ontario is the transportation sector (32 per cent)[28], and yet the ministry is powerless to address questions of urban design, transportation infrastructure, and support for public transit. These issues require the active participation of the Ministries of Transportation and Municipal Affairs and Housing, and you won't find any performance measures related to air quality in their business plans.

Are we asking too much? Not at all. If you can have a Red Tape Commission that cuts across all ministries, surely you can require ministries to be consistent with a few key environmental goals (such as protect nature, conserve resources, and prevent pollution).

But after all, isn't that what the Statements of Environmental Values and the Environmental Bill of Rights supposed to accomplish?

Consideration of the Statement of Environmental Values (SEV)

X The ministry fails to make pollution prevention a priority, placing most of its emphasis on regulating emission standards. While we support continuous improvements in the baseline standards for all major pollutants, the ministry needs to strengthen its commitment to pollution prevention. As the SEV says:

> *The Ministry's environmental protection strategy will place priority first on preventing and second on minimizing the creation of pollutants that can damage the environment.*

The ministry is also negligent in its poor showing with respect to recycling and water conservation, the two issues under the Resource Conservation heading that are still directly within the ministry's mandate.

[28] Ministry of the Environment, "Air Quality and Climate Change", October 2000, page 18, http://www.ene.gov.on.ca/envision/airclimate/4072e.pdf

Three Year Trend

This is the first "post-Gibbons" business plan for the ministry, released six months after *Managing the Environment.* To be fair, the government's planning cycle is a full year, so we should not expect to start seeing results until next year.

However, until the ministry corrects its numerous flaws and shortcomings in environmental planning, it can hardly be viewed as a leader in environmental strategic planning.

Overall Grade

A new framework on an old foundation.

Ministry of Natural Resources

Minister: The Hon. John C. Snobelen
Deputy Minister: John Burke

	Approved Allocation		
	2001 – 2002	**2000 – 2001**	**1999 – 2000**
Budget	$407 million operating $ 99 million capital	$376 million operating $83 million capital	$364.1 million operating $46 million capital
Staff	3,425	3,400	3,380

SEV Highlights

The Ministry of Natural Resources Goal and Objectives (page 1)

Goal

- To contribute to the environmental, social and economic well-being of Ontario through the sustainable development of natural resources.

Objectives

- to ensure the long-term health of ecosystems by protecting and conserving our valuable soil, aquatic resources, forest and wildlife resources as well as their biological foundations;
- to ensure the continuing availability of natural resources for the long-term benefit of the people of Ontario; that is, to leave future generations a legacy of the natural wealth that we still enjoy today;
- to protect natural heritage and biological features of provincial significance;
- to protect human life, the resource base and physical property from the threats of forest fires, floods and erosion.

Supporting Strategies (page 2)

To help achieve the central goal of sustainable development, MNR has adopted three supporting strategies:

- Partnerships in Resource Management
- Valuing Resources
- Improved Knowledge Base

Moving Ahead: Achieving Sustainable Development (page 4)

Key goals for the ministry include:

- Healthy Ecosystems are Secured
- Land and Natural Resources are Planned and Managed in an Orderly Way
- Allocation of Natural Resources is Efficient and Fair
- Economic Development Associated with Natural Resources is Secured and Enhanced
- Significant Natural Heritage Features and Landscapes are to be Protected
- The Crown Captures a Fair Return for the Use of Natural Resources
- Human Life, Property and Natural Resource Values are to be Protected
- Degraded Environments are to be Restored and/or Rehabilitated

2001 - 2002 Business Plan

Environmental Commitments

Ministry Vision

The ministry continues to overlook its responsibility to ensure the long-term health of natural ecosystems. Its vision is "the sustainable development of Ontario's natural resources", and the economic focus of the vision is reinforced by the ministry's operating philosophy of "resource stewardship" (p. 2). There's more to nature than just resources.

Every other ministry seems to be changing its name these days. Perhaps its time you became the Ministry of Nature and Resources. You can still keep the acronym, but you need to strengthen the recognition that "protecting natural ecosystems" is just as important a part of your mandate as resource management.

Natural Resource Management

Page 3 *MNR sustainably manages provincial parks and protected areas, forests, fish, wildlife, Crown lands and waters, aggregates, petroleum, and soil resources to provide environmental, social and economic benefits.*

The programs… seek to achieve a balance between use and protection, recognize a broad range of values, develop ways of making decisions openly, and integrate the delivery of programs.

Ontario's Living Legacy

Page 6 *In 2001-2002, the ministry will keep its focus on moving forward with **Ontario's Living Legacy.** Emphasis will be on regulating new protected areas, creating outdoor recreation opportunities, protecting species at risk, and protecting and restoring fish and wildlife resources.*

Other parks-related commitments include:

- Education, youth employment and training
- Investment in resource-based tourism
- Surface water management and related public health and safety issues (including drinking water in parks)

Sustainable Forestry

Page 6 *The Ministry is dedicated to the principle of sustainable forestry. Under the Ontario Forest Accord, the ministry will continue to pursue the Northern Forests initiative, and will continue to set the groundwork for gathering information that will facilitate potential forest harvesting in a part of the province that is not currently under management.*

Here's a sure sign that "sustainable forestry" isn't working in Ontario, when we need to open up the far northern reaches of the boreal forest to timber extraction.

Page 7 *MNR will work to provide greater certainty between the forest and resource-based tourism industries through Resource Stewardship Agreements.*

Species at Risk

Page 7 *The Species at Risk will continue to focus on efforts to increase public involvement in protecting endangered, threatened and vulnerable species and their habitats.*

The commitment is good, however it is not adequately translated into performance measures and actions.

Water

Several commitments are made respecting sustainable water management:

- drinking water quality in parks
- enhancing the province's water resource science, information and monitoring systems
- provide guidance on the development of water management plans and waterpower developments
- work with partners to implement watershed plans and water budgets on local watersheds.

Areas of Concern

Northern Forests Initiative (or Northern Boreal Initiative)

Canada has one of the last remaining untouched forest ecosystems in the world – the boreal forest. Ontario's plans to invest in the development of access roads and sign mineral exploration and timber management and agreements is a sure sign that the ecosystem protection mandate of the ministry has taken a back seat to resource development.

The ministry bills the initiative as a community-based land use plan[29], however the early indications are that the plans to develop north of the 50th parallel are also proceeding without adequate consideration of the rights of the First Nations: the Nishnawbe Aski Nation[30].

Heritage Hunting and Fishing Act

The ministry continues to promote its Heritage Hunting and Fishing Act, couching it in terms of conservation and habitat enhancement:

Page 7 *The ministry will work toward introducing a* Heritage Hunting and Fishing Act, *which, if passed, would recognize the important role hunting and fishing play in many Ontario communities, and in conservation and habitat enhancement.*

The act is a longstanding political commitment to the angler and hunter community, guaranteeing access to land for hunting. The ministry should at least be honest about its intentions and stop trying to make the Act sound like an environmental initiative. We also reiterate our recommendation from last year:

> **The ministry should proceed with a Heritage Hunting and Fishing Act only on the basis of a consensus developed through a broad-based and balanced stakeholder process, including naturalist and first-nation representatives.**

It's our belief that the Act, consistent with the requirement of the ministry's Statement of Environmental Values, should recognize the long-standing heritage rights of Aboriginal peoples foremost, both in policy and in practice.

[29] See http://www.mnr.gov.on.ca/MNR/nbi/
[30] E. di Matteo, "Forest Fire", NOW Magazine, September 6, 2001

Performance Measures

Key performance measures are:

- the percentage of forest harvest area that is renewed
- compliance with resource laws and regulations
- the number of fish stocked
- the level of recreational use of natural resources
- the number of protected endangered species
- the level of customer satisfaction

There is one glaring gap in the ministry's performance measures: nature. Given that the expansion of the parks system is the provincial government's best environmental commitment, it's odd that it hasn't made its way into the ministry's performance measures. Of the six measures mentioned for natural resources, only the protection of endangered species is a measure of ecological health.

We had raised this shortcoming last year, but the ministry has not made any changes. This year, recommend that the ministry adopt the following performance measures for nature. Our recommendations for exact wording are in regular text and our advice is in underlined italics:

Core Business: NATURAL RESOURCE MANAGEMENT			
Goals/Outcomes	**Measures**	**Targets/Standards**	**MNR Commitments**
Natural ecosystems are protected	Endangered Species	*Set target(s) for endangered and threatened species, and/or reintroduction or de-listing species.*	*Regulate (x) species under Endangered Species Act (based on prior knowledge of the status of unregulated species)* *Monitor and report on status of species and their habitats*
	Protected Areas	*Ontario Living Legacy target*	*Fulfill commitments to new protected areas* *Monitor and report on status of the protected areas, including resource exploration and extraction, tourism, and hunting and fishing in these areas*
	Other natural areas, and essential ecosystems, including wetlands and Areas of Natural and Scientific Interest, flood plains, etc.	No net loss of natural areas and ecosystem function.	Monitor and report on the status of natural areas and essential ecosystems. Ensure protection of these areas through the Planning Act and other provincial legislation.
	Enhance natural areas and ecosystems	*Set targets for rehabilitation projects and the restoration of degraded areas*	*Stewardship and partnerships* *Shared restoration commitments with MoE*

Consideration of the Statement of Environmental Values (SEV)

The ministry's stated commitment to its SEV and the EBR remains unchanged:

> *Page 8* *The ministry will continue to consider its Statement of Environmental Values when making decisions that are environmentally significant, including implementing public notice and consultation requirements of the* Environmental Bill of Rights.

The ministry was the subject of a special report from the Environmental Commissioner this past year[31]. "Broken Promises: MNR's Failure to Safeguard Environmental Rights" criticizes the ministry for its failure to pass a regulation classifying its regulatory instruments, and then to have those instruments posted on the Environmental Registry. The Ministry was to have accomplished this task "within a reasonable time" after April 1, 1996.

The effect of the ministry blocking passage of the regulation is that it has avoided posting any licenses, orders, permits, or certificates of approval that would affect the operation of gravel pits, construction work around lakes and rivers, and trapping.

We agree with the Commissioner that five years is not "a reasonable length of time"

Three Year Trend

X The ministry has failed to act upon, or even acknowledge the shortcomings we have addressed. Please add us to your list of unsatisfied "customers".

Overall Grade

X Put the "nature" back into the Ministry.

[31] Environment Commissioner of Ontario, "Broken Promises: MNR's Failure to Safeguard Environmental Rights", June 2001. http://www.eco.on.ca/english/publicat/sp04.pdf

Ministry of Agriculture, Food and Rural Affairs

Minister: The Hon. Brian Coburn
Deputy Minister: Frank Ingratta

	Approved Allocation		
	2001 – 2002	**2000 - 2001**	**1999 - 2000**
Budget	$446 Million Operating $ 51 million Capital	$446 million operating $ 80 million capital	$365 million
Staff	715	680	775

SEV Highlights

The Ministry's Statement of Environmental Values was revised in December 1998 to reflect the priorities of the Ministries Business Plan. The SEV outlines the purpose of the Environmental Bill of Rights and how these purposes will be applied to the decision making process of the Ministry. Unlike other ministries, there are no issues or environmental goals identified in the SEV.

OMAFRA's Statement of Environmental Values contains no statements of environmental values, does not identify any environmental issues related to the Ministry's mandate, and does not provide any environmental commitments. The SEV itself is entirely inadequate, and therefore cannot be expected to provide any direction for the business planning process.

2001 - 2002 Business Plan

Environmental Commitments

Vision
The Ministry has a new vision statement this year, which, for the first time, reflects a commitment to a healthy environment:

✓ *Page 2.* *The vision of the Ontario Ministry of Agriculture, Food and Rural Affairs is: Ontario – an innovative world leader in responsible, sustainable and environmentally sound agriculture, food and rural development.*

✗ Unfortunately, the ministry then lists five strategies to fulfill the vision, none of which include the health of the environment.

✗ **Nutrient Management**
The only significant environmental commitment in the plan is the development of a strategy around groundwater pollution from manure ("nutrients"):

Page 12 *The government will introduce a comprehensive strategy that will put in place preventative measures to address the effects of agricultural and municipal operations and the safe and effective management of land-applied materials containing nutrients.*

This is an extremely weak commitment, especially given the role that farm waste played in the Walkerton tragedy. Instead of being under the heading of "Working Together", groundwater protection from agricultural runoff should be part of the Ministry's Risk Management activities.

This weak stance is reinforced by the Ministry's new Nutrient Management Act, which takes away the right of municipalities to object to intensive hog operations[32].

Climate Change

Page 13 *The Ministry is leading climate change action in Ontario's agriculture and food and beverage processing sectors. With financing from the Ontario Climate Change Fund, the Ministry is supporting relevant research and providing technical advice and information to stakeholders. Ministry staff continue to contribute to national discussions on climate change.*

Climate change is an extremely important issue with respect to food security and the viability of the agriculture industry in Ontario. The ministry's commitment to research and technical advice is a slight improvement on last year, but it is a small contribution to an extremely weak provincial climate change strategy.

Areas of Concern

Genetically Modified Organisms
No mention is made of the ministry's role in supporting food biotechnology research.

Foodland Protection
No mention is made of the need to protect prime farmland as viable agricultural zones. This requires more than zoning, it also requires ensuring that the infrastructure is there to support farming, in particular in areas of urban encroachment.

Pesticide Reduction
Commitments to pesticide reduction, once a mainstay of the ministry, are gone from the business plan.

Organic and Community-Based Agriculture
No support is evident for organic and community-based farming: two types of agriculture where there is a strong consumer demand, and a tremendous opportunity for the ministry to link the economic viability of Ontario's farms to public health and nutrition.

How progressive the government could have been, for example, had it linked its sale of agricultural land assets in the Pickering area to the establishment of a community-based, organic food network for the surrounding communities and the GTA.

[32] R. Brennan, "Municipalities may lose right to block factory farms", The Toronto Star, September 06, 2001.

Performance Measures

There are no environmental performance measures.

Here's what should be included in the ministry's performance measures:

- the protection of prime agricultural land
- pesticide reduction
- groundwater quality in agricultural regions
- organic agriculture and food

Consideration of the Statement of Environmental Values (SEV)

Page 13

The ministry integrates the principles of the Environmental Bill of Rights with the social, economic and scientific aspects of its mandate. This is reflected in the ministry's new vision, which supports "responsible, sustainable and environmentally sound agriculture, food and rural development."

…In addition, the ministry and its clients recognize that wisely using our resources ensures that future generations can continue to farm, process food and enjoy a high quality of rural life in a responsible way. As a result, the ministry continues to provide substantial support and technical information to help clients with their environmental decision-making.

This is a stronger statement than last year, and therefore it represents a modest improvement. The Ministry's Statement of Environmental Values, however, still contains no environmental values, and therefore the ministry's commitment to consider the SEV is a hollow statement.

The ministry needs to revise its SEV, but moreover, it needs to become an environmental leader and not merely an environmental steward.

Three Year Trend

- A weaker Statement of Environmental Values
- A vision that finally mentions the environment
- No significant progress on the issues

Overall Grade

A vision without substance is still nothing.

Ministry of Citizenship

Minister: The Hon. Cam Jackson
Deputy Minister: W.R. (Bill) Allen

	Approved Allocation		
	2001 – 2002	**2000 – 2001**	**1999 – 2000**
Budget	$78 million	$398 million operating $ 71 million capital	$393 million
Staff	480	930	1,020

Note: the drop in budget is due, in part, to the transfer of Culture and Recreation to Tourism. Along with it went the responsibility for the Trillium Foundation.

SEV Highlights

Core Business Environmental Objectives (Page 4):
Cultural heritage conservation, in contributing to cultural, social and economic development, is also compatible with environmental protection.

> *MCZCR will continue to strive, through its policies and programs, to promote the conservation and development of Ontario's cultural and archival heritage in a manner which promotes sustainability of the environment.*
>
> *As part of Ontario's land use planning and environmental assessment processes, MCZCR will provide information to proponents and approval authorities on cultural heritage resources.*

Recreation enhances the quality of community and personal life. Active, healthy lifestyles and a healthy, natural environment are both compatible and mutually supportive.

> *MCZCR will continue to promote, through its policies, programs and services, recreational opportunities and practices which support the purposes of the Environmental Bill of Rights and healthy communities.*

The Archives of Ontario has corporate responsibilities related to recorded information management.

> *MCZCR, through the Archives, will encourage environmentally sensitive policies and practices that support the purposes of the EBR within the government related to the management of recorded information in all media.*

The Ministry is concerned about the impact of its operating practices and procedures:

> *The Ministry will follow Management Board practices and procedures related to environmental conservation and management.*

NOTE: The Ministry's SEV does not mention any specific issues, and does not directly mention its role in natural heritage protection.

2001 - 2002 Business Plan

Environmental Commitments

No environmental commitments are evident.

In its definition of Citizenship as a core business, the ministry says:

X *Page 5* *The ministry enforces human rights legislation and supports and promotes equal opportunity, responsible citizenship and voluntary action for the economic and social benefit of our communities.*

Areas of Concern

X The ministry needs to reinforce its commitment to the role of volunteers in protecting our environmental heritage. Volunteers are the backbone of Ontario's environmental commitment, be it through local tree-planting projects or citizen outrage over the lack of protection for the Oak Ridges Moraine.

Performance Measures

X There are no environmental performance measures.

Consideration of the Statement of Environmental Values (SEV)

X There is no indication whatsoever that either the SEV or the principles of the EBR are considered by the ministry.

Three Year Trend

X The ministry has gone from little to no environmental commitments. We know the commitment is there, you need to bring it to the forefront!

Overall Grade

X We can't even give you a grade for attendance this year.
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Ministry of Consumer and Business Services

Minister: The Hon. Norm Sterling
Deputy Minister: Sandra D. Lang

	Approved Allocation		
	2001 – 2002	**2000 – 2001**	**1999 – 2000**
Budget	$168 million	$146 million	$126 million
Staff	1,130	1,165	1,150

SEV Highlights

MCCR's Role and Environmental Values (Page 1)

Ministry programs have several objectives that promote environmentally responsible decisions. These include (SEV p 1):

- reducing air emissions related to storing and handling hydrocarbon fuels and pressurized liquids and gases.
- reducing discharges of contaminants into the soil and water supply, related to storing, handling or using hydrocarbon fuels and pressurized liquids and gases.
- evaluating and adopting safe, new, environmentally sound technology in the storage, handling, and use of hydrocarbon fuels and pressurized liquids and gases.
- encouraging environmentally responsible design, construction, maintenance, recycling and disposal techniques in regulated industries
- reducing, reusing and recycling materials required to deliver ministry programs; environmentally responsible procurement; and water and energy conservation in ministry activities.

Through these objectives, the ministry applies the purposes of the EBR on an ongoing basis.

Applying the Purposes of the EBR in Ministry Decision Making (Page 1)

Regardless of the program area or activity in which a decision is made, there is a potential that any area of activity could have a significant affect on the environment.

Ministry activities involving decisions that may affect the environment include:

- Setting Strategic and Operational Priorities
- Proposing legislation, regulations, or other items for Cabinet approval
- Developing and reviewing policies and programs
- Administering and enforcing legislation
- Developing codes and standards
- Reviewing designs and site plans
- Approving equipment and appliances
- Organizational operations

2001 - 2002 Business Plan

Environmental Commitments

✓ **Ministry Vision**
New this year is a commitment to:
Page 3 *…support business growth and the investment climate in and environmentally sustainable way.*

✗ Unfortunately, there are no actions or performance measures to support the commitment.

Areas of Concern

Our principle concern is that the ministry does not have any clear strategy in mind for achieving the goal of environmentally-sound economic growth (once known as "sustainable development"). See our comments on performance measures.

✗ We also note that the ministry has not acted on our previous concerns about the accountability and environmental performance of arms-length agencies under the ministry's jurisdiction.

Performance Measures

✗ Sometimes you don't know whether to laugh or cry. Here's how the ministry will measure its commitment to an environmentally-sustainable economy:

Core Business: Consumer Protection, Public Safety/Business Standards			
Outcome/Goal	**Performance Measure**	**Standards/Targets**	**2001-2002 Commitments**
BUSINESS GROWTH Support business and the investment climate in an environmentally sustainable way.	2.1 Systematically remove barriers to job creation and investment	2.1 Red tape removal	2.1 Continuous red tape removal through the development and submission of Red Tape proposals as part of the government's Red Tape Plan.

In other words, it's business as usual under a shiny new green cloak.

Consideration of the Statement of Environmental Values (SEV)

One of the better SEVs, but it is clearly given little consideration in the business plan. The level of detail in the SEV is not reflected in the ministry's vague promises in the business plan

Three Year Trend

- The ministry has at least taken the step to recognize the environment in its vision.
- The ministry has failed to address previous concerns regarding the accountability and environmental reporting of its independent agencies.

Overall Grade

We'll give you credit for taking the first step. Whether you rise to a ✓ or fall back to a ✗ depends on whether you can develop a credible strategy and performance measures for promoting environmentally-sustainable development in Ontario.

We suggest you should look both at promoting environmental stewardship within all businesses, as well as defining and supporting areas of environmentally-desirable economic growth.

Ministry of Economic Development and Trade

Minister: The Hon. Robert W. Runciman
Deputy Minister: Barbara Miller

	Approved Allocation		
	2001 – 2002	**2000 – 2001**	**1999 – 2000**
Budget	$106 million	$99 million	$110.5 million
Staff	370	380	375

SEV Highlights

MEDT Goals and Objectives (Page 2)

The Ministry of Economic Development and Trade seeks a productive and efficient economy that:

- encourages sustainability of the environment;
- creates wealth through moving to higher value-added activities;
- has a goal of full employment;
- protects and respects workers' rights;
- allows all members of the community to participate fully; and
- sustains a high level of public services.

Value Statements (Page 2)

The Ministry of Economic Development and Trade will integrate the purposes of the EBR with its mandate by:

- applying the purposes of the Environmental Bill of Rights in its decision-making process;
- promoting a productive and efficient economy that is sustainable to the environment;
- supporting the establishment and expansion of green industries;
- implementing an Environmental Bill of Rights awareness program for Ministry of Economic Development and Trade staff;
- increasing awareness in its client groups, through the information it provides and the decisions it makes, of the benefits of economic development that is sustainable in the environment;
- supporting the development of environmentally sound production and processes; and
- encouraging waste reduction and conservation in its physical operations and day-to-day business activities.

2001 - 2002 Business Plan

Environmental Commitments

There are no environmental commitments in the business plan.

Some would see this as a good thing, given that the ministry's previous environmental commitment was to participate in national climate change talks in order to represent the concerns of Ontario industries (see page 10 of the 2000 – 2001 business plan).

Vision
The closest thing to an environmental commitment is a reference to "quality of life" in the ministry's new vision.

Areas of Concern

Red Tape Commission
We are concerned that a ministry with such a poor environmental track record has been given responsibility for the Red Tape Commission. On the other hand, placing the Red Tape Commission within a ministry that is subject to the Environmental Bill of Rights means that it will now have to meet the EBR requirement that "the minister shall take every reasonable step to ensure that the ministry statement of environmental values is considered whenever decisions that might significantly affect the environment are made in the ministry" (1993, c.28, s.11).

This means that, at the very least, the minister is now required by law to demonstrate how the actions of the Red Tape Commission will:

- encourage sustainability of the environment
- promote a productive and efficient economy that is sustainable to the environment
- support the development of environmentally-sound production and processes.

Performance Measures

There are no environmental performance measures. The ministry's measures of economic performance are: strong job growth, strong investment performance, and strong new company formation.

Consideration of the Statement of Environmental Values (SEV)

There is no consideration of the SEV or the principles of the EBR in the business plan.

Three Year Trend



The ministry has overcome the environmental failings of its business plan by deleting all references to the environment.

Overall Grade



From a negative to a no-show – it's still a failure in our books.

Ministry of Energy Science and Technology

Minister: The Hon. Jim Wilson
Deputy Minister: Bryne Purchase

	Approved Allocation		
	2001 – 2002	**2000 – 2001**	**1999 – 2000**
Budget	$241 million operating	$241 million operating	$145.6 million operating $16.6 million capital
Staff	260	260	250

SEV Highlights

Strategic Directions for the Ministry of Energy, Science and Technology (Page 2)

1. promotion of a safe, secure and competitively-priced supply of energy;
2. encouragement of environmentally sustainable energy production and use;
3. encouragement of efficient energy production and use and conservation of energy to promote economic development, increased jobs and investment in Ontario;
4. promotion of a competitive energy market with investment opportunities for new generators, co-generation, renewable and cleaner forms of energy production;
5. identification of opportunities to invest in science and technology and to use provincial investment to leverage financial support by the private sector and other parties to benefit the economy and people of Ontario in an environmentally sustainable manner;
6. help to Ontario businesses, institutions and individuals to adopt new technologies and enhance their ability to innovate, to promote economic development and to create jobs.

NOTES

Strategic Directions #'s 1, and 6 are economic, not environmental values. Strategic Direction #'s 4 and 5 are economic directions with an environmental qualifier. That leaves only Strategic Directions #'s 2 and 3 as a commitment that adequately reflects an environmental value.

As a result, the Ministry does not have an adequate statement of environmental values for its core business of Science and Technology. This may explain why there are no environmental values included in the Science and Technology section of the Ministry's Business Plan.

2001 - 2002 Business Plan

Environmental Commitments

✓ **Vision**

The ministry has improved its vision statement. Whereas last year, only the energy sector was to be environmentally sustainable, now both the Science and Technology Division and the Energy Division are under the overarching vision of environmental sustainability and prosperity.

> *Page 2* *The Ministry of Energy, Science and Technology envisions an environmentally-sustainable and prosperous economy, fuelled by innovation and a competitive energy sector.*

The new vision has not yet been translated into tangible commitments within the Science and Technology Division, but it's a start.

~ **Energy**

There are numerous references to environmentally-sustainable energy, protecting the environment, and alternate energy sources throughout the business plan. However, the plan is short on specifics. What we could find was:

- Updating regulations under the Energy Efficiency Act on an annual basis to conform to new CSA standards for energy efficiency of various products (such as air conditioners, boilers and household appliances)
- Developing a standard green energy label to facilitate consumer choice in a free market
- Printing and distributing information brochures
- Emission caps for the electricity sector (through the Ministry of the Environment).

Science and Technology

✗ We couldn't find any positive environmental actions or commitments by the Science and Technology Division. Instead, we found:

- Support for the Canadian effort to have Ontario host the ITER Fusion Energy Project
- $20 million for the Biotechnology Commercialization Centre Fund, which includes two centers working on food biotechnology.

Areas of Concern

Science and Technology

✗ The Science and Technology division seems to be operating within a naïve frame of reference that says their research is scientific, and not value-driven. Indeed, the ministry's ongoing support for biotechnology research, including food biotechnology, is proof that the Science and Technology Division has neglected to consider environmental values in its decision-making. You'd think the two halves of the ministry would at least come together to fund innovations in green energy.

Energy Competition

✗ The ministry continues to press ahead with its plans for deregulation of the electrical sector without adequate provisions for the economic competitiveness of green energy and conservation. The net result will be an unsustainable and inefficient energy system and urban infrastructure, the cost of which will be borne by future generations.

Energy Demand and Conservation

The ministry continues to play a low profile on energy conservation, which of course will feed into renewed calls for new power facilities (especially nuclear plants, which the Premier considers to be part of the green energy mix[33]).

Climate Change and Smog

There's not a single mention of climate change or smog in the business plan. Instead we have nice words, like "energy choices" and "alternatives". We need to remember that the choices made by the Ministry of Energy, Science and Technology will have profound implications for the health of Ontarians, and the long-term ecological health of the province.

Performance Measures

Congratulations on being the only development ministry with any meaningful environmental performance measures. That said, they are pretty weak, but at least it's a start, and a marked improvement over last years performance measure which made a vague commitment to increase renewable energy production. This is what the ministry says:

Core Business: Energy		
Ministry Goal: Environmentally sustainable energy industry is promoted **Contribution to Goal:** Opening the electricity market will allow cleaner, more environmentally-friendly electricity generation technologies to be introduced, leading to reduced air emissions.		
Contextual information: More than 80 per cent of Ontario's greenhouse gas emissions originate with energy use and production. With the government enunciating that environmental protection is a key principle, there will be increasing pressure to address air quality issues associated with energy.		
Outcome/Goal	**Standard / Target**	**2001-2002 Commitments**
Renewable energy production and efficient use of energy	Baseline and long term targets on the production and use of renewable energy resources will be established one year after electricity market opening	Establish baseline and targets on renewable energy resource production and use.
	Energy saved by consumers through increased use of energy efficient products 2001: 10.3 peta joules 2002: 10.8 peta joules 2003: 11.5 peta joules * Peta (10 to the 15th) joules is a measure of energy.	Meet target.

The Good Points

- This is one of the better designed charts on performance measures.
- The contextual information makes it clear why renewable energy and conservation are a priority

[33] "I have to tell you that of all the practical, cost-effective solutions, nuclear energy is appearing more and more to be the green energy of choice." Premier Mike Harris, Hansard, Wednesday May 2, 2001 http://www.ontla.on.ca/hansard/house_debates/37_parl/Session2/L009.htm#P163_25442.

The Weak Points

- The goal is weak. Anyone can "promote" an environmentally sustainable energy industry. But to **make** the industry environmentally sustainable, now there's a challenge worthy of a ministry!
- The ministry's contribution to the goal is unsubstantiated. Increased competition is not a significant contribution to sustainable energy, unless the ministry is prepared to address the economic inequities of renewable energy. Just remember the "polluter pays" principle: green energy should not cost more than polluting energy.
- Energy conservation should be a separate measure of sustainability.
- The ministry has no targets. Renewable energy targets are being developed, but the energy efficiency target is little more than a re-statement of the anticipated results of updating the standards under the Energy Efficiency Act.
- Targets should also be linked to relevant contextual information. For example 10.3 peta joules is a meaningless number until it is set in the context of overall energy consumption and current trends. (See also the discussion on misleading data in the Ministry of the Environment section, page 31.)
- The commitments are extremely weak. The ministry will research renewable energy options and update the Energy Efficiency Act standards to conform to the new standards set by the Canadian Standards Association. It doesn't look like the ministry quite shares our sense of urgency with respect to clean energy and clean air.

Consideration of the Statement of Environmental Values (SEV)

✓ New this year in the Key Commitments and Strategies section is a statement of support for the ministry's SEV. It's a slightly edited version of the official SEV:

> *Page 9.* *The Ministry's activities will be guided by and reflect its Statement of Environmental Values (SEV). These values include:*
> 1. *encouraging environmentally-sustainable energy production and conservation;*
> 2. *promotion of renewable and cleaner forms of energy production;*
> 3. *identifying of opportunities to invest in science and technology to benefit the economy and people of Ontario in an environmentally sustainable manner.*

~ As stated above, the implementation of the SEV in the Energy Division is weak, and we have found no evidence that the SEV is being considered by the Science and Technology Division.

Three Year Trend

✗ Not much has changed. The commitment to green energy lacks punch and is secondary to the free market values of the ministry. The ministry's role in energy conservation remains virtually non-existent.

Overall Grade

✗ A less than satisfactory showing on the energy side, and a completely unsatisfactory performance by the Science and Technology Division.

Ministry of Health and Long-Term Care

Minister: The Hon. Tony Clement
Deputy Minister: Daniel Burns

	Approved Allocation		
	2001 – 2002	**2000 – 2001**	**1999 – 2000**
Budget	$23,486 million operating 200 million capital	$21,988 million operating $ 291 million capital	$20.2 billion operating $504 million capital
Staff	4,460 staff	5,550 staff	9,475

SEV Highlights

Strategic Context: The Determinants of Health (Page 1)

Our health is profoundly affected by a number of determinants: social and physical environments, our access to education and adequate housing, a sense of control and ability to contribute in meaningful ways in the workplace, individual choices and responses, and the wealth and productivity of society. The Ministry plays a major role both in preserving our physical and social environment and in protecting Ontarians from existing and potential health hazards posed by environmental contaminants.

Ministry Objectives (page 2)

Objectives of the ministry that directly relate to a healthful environment include:

Aboriginal Health: the Ministry of Health, in partnership with the aboriginal organizations, has developed a Draft Aboriginal Health Policy. Draft Principle #11 states, "The interrelationship between the environment and individuals, families and communities, as well as protection of the environment, is essential to the survival of all aboriginal people."

Advisory and Education Strategy: to advise and to monitor through surveillance and investigation (local boards of health) existing and potential health hazards posed by environmental contaminants.

Cancer Control Strategy: to move to effective prevention and promotion activities in the control of cancer and support the elimination of pollutants and carcinogens as causative agents.

Children's Health Strategy: to reduce "at risk" situations for Ontario's children, which include reducing exposure to influences that contribute to illness, as described in the ministry's health strategy objectives.

Environmental Housekeeping Strategy: The ministry recognizes the need for society to become a conserver of diminishing non-renewable natural resources and to reverse trends and practices whose final disposition has been harmful to the natural environment. The ministry is committed to environmentally sound policies and practices and will support and promote the corporate greening of its programs, practices and activities of all its employees. The ministry will apply water and energy conservation, waste management and waste minimization strategies in its day-to-day operations.

Substance Abuse Strategy: to attack the root cause of alcohol, drug, solvent and inhalant use by addressing the larger social issues of education, employment, housing, safe and healthy environments and social supports.

Tobacco Strategy: to decrease illness and death due to heart disease, chronic lung disease, stroke and cancers of the lung associated with tobacco use.

2001 - 2002 Business Plan

Environmental Commitments

The ministry states its commitment to its Statement of Environmental Values:

Page 11 *The ministry's Statement of Environmental Values outlines our continuing commitment and support of environmental issues in all our policy decision-making.*



If only this were so. There are no specific environmental commitments in the business plan, and no references to the environmental determinants of illness (in particular smog and cancer).

We can only conclude that the ministry is avoiding environmental causes of health problems because it might lead to expectations that the ministry use some of its $1.4 billion budget for Public Health, Health Promotion and Wellness to promote an environmentally healthier lifestyle. The ministry would be well advised to pay more attention to the high medical costs associated with current trends in air quality.

The ministry should spend more time in pre-planning consultation with the Ontario Medical Association, the Ontario Hospital Association, the Ontario Public Health Association, the Canadian Association of Physicians for the Environment, and the Canadian and Ontario Coalitions for Green Health Care.

Areas of Concern

Environment Health Links
The ministry needs to identify the major environmental causes of death, illness, and health care expenses, including the links between environmental contaminants and cancer, asthma, e-coli, long term disabilities, birth defects, and accidental poisoning.

Environmental Housekeeping
The health care industry is one of the largest sources of some forms of environmental contaminants. We need to see evidence that the ministry is meeting its commitment in the Statement of Environmental Values to promote environmental responsibility in all its programs.

The health care industry is 10 percent of GDP. Iin Ontario, health care is far and away the largest item of provincial government expenditure, representing 38 percent of total expenditures and 44 percent of program expenditures in 2000 - 01. As such, this sector has a significant environmental impact, in particular in its use of energy and its generation of wastes, including dioxins, furans and mercury. Indeed, the health care sector's environmental impact may be the largest single component of the overall environmental impact attributable to the activities and expenditure of the Government of Ontario.



Yet the Ministry sees itself as having a duty to protect the environment by being environmentally responsible in its own activities, it notes, regrettably in our view, that "this SEV applies only to the Ministry of Health itself" and not to Ontario's hospitals and other health transfer agencies, although stating that "the Ministry will encourage these other institutions to practise environmentally responsible behaviour similar to that set out in this SEV".

Thus the Ministry takes no responsibility for ensuring that the funds it transfers to hospitals and other elements of Ontario's health care system are used in an environmentally-responsible manner. The Ministry needs to work closely with the Ontario Hospital Association, the Ontario Medical Association, the Ontario Coalition for Green Health Care and others to develop and implement a strategy for environmentally-responsible health care.

Performance Measures



There are no environmental performance measures.

Consideration of the Statement of Environmental Values (SEV)



Nonexistent. The SEV explicitly states that the ministry will support the elimination of pollutants and carcinogens as causative agents of cancer.

Three Year Trend



No pulse whatsoever.

Overall Grade



Get with the program folks, or continue to pay the increased health care costs associated with declining environmental quality.

Ministry of Labour

Minister: The Hon. Chris Stockwell
Deputy Minister: Jill Hutcheon

	Approved Allocation		
	2001 –2002	**2000 – 2001**	**1999 – 2000**
Budget	113 million	$100 million	$95 million
Staff	1,400	1,295	1,345

SEV Highlights

Occupational Health And Safety (page 1)

In seeking to achieve a safe and healthy work environment under the Occupational Health and Safety Act (the Act), the Ministry of Labour sets out the duties and responsibilities of employers, supervisors, workers and other parties, and promotes the internal responsibility system by which the workplace parties work together to address health and safety issues. It also provides certain fundamental rights to workers, including the right to participate in health and safety matters, the right to know about hazards they face in their work, and the right to refuse unsafe work.

Many of the regulations and policies under the Act are concerned with controlling worker exposure to hazardous chemical, biological and physical agents in the working environment.

This is achieved in a number of ways including: the regulation of concentrations of these agents in the working environment; ensuring workers have the necessary information to protect themselves from the hazardous substances they may encounter in their workplaces; and encouraging the substitution of hazardous substances with those that are less hazardous.

The Ministry's role in the management of the hazardous substances for worker health and safety often contributes to the management of these substances for the protection of the external environment as well.

Employer Reprisals (Whistleblower Protection) (page 2)

The Ministry of Labour recognizes and supports the important role played by workers in safeguarding the environment. For those workers who take action in respect of the environment the EBR provides enhanced protection. This is achieved through the adjudication and mediation services provided by the Ontario Labour Relations Board (OLRB).

The OLRB reports to the Minister of Labour. The OLRB will hear complaints by workers who feel that they have been dismissed, disciplined, penalized, coerced, intimidated or harassed as a result of their participation in any activities under the EBR.

The Green Workplace (page 2)

The Ministry of Labour is committed to environmentally sound practices and supports and promotes the greening of its programs, practices, and activities of all its employees. This includes a commitment to the promotion of the 3R's; reduce, reuse and recycle, in all daily transactions and work activities.



The Ministry, through its Environmental Protection Program, encourages all of its employees to adopt and implement the principles set out in its Environmental Code of Practice.

The principles include the following:

- Demonstrate that the Ministry and all its employees have a direct responsibility for the environment;
- Recognize that we are environmentally accountable for what we do, and strive to use the resources of the Ministry in a responsible manner;
- Conduct our business operations in a manner to minimize the negative impact on the environment;

  Commit to consistent measurable progress in implementing the Code of Practice and apply it to every facet of the Ministry.

2001 - 2002 Business Plan

Environmental Commitments

The ministry remains committed to workplace health and safety measures

✓ *Page 6* *Ontario now has new regulations to protect workers from more than 700 hazardous chemicals in the workplace after Occupational Exposure Limits (OELs) for 202 substances were updated with input from stakeholders gathered through a comprehensive consultation process.*

~ As reported last year, the new regulations were intended to bring Ontario's standards in line with those recommended by the American Conference of Governmental Industrial Hygienists (ACGIH). While the ACGIH may not set the most progressive standards, it at least sets a baseline that all businesses will be required to meet.

Areas of Concern

Hazardous Waste and Pollution Prevention
Occupational Exposure Limits are part of a stewardship approach to hazardous materials. They are designed to support the "responsible use and care" of materials that are hazardous to the environment and our health.

1. We need to be looking beyond the baseline. The ministry should also play a role in promoting the reduction of workplace hazardous substances.

2. The special needs of people at risk need to be made a priority. In particular, pregnant women should not be exposed to any hazardous substances that might affect fetal development. A recent study from the Sick Kid's Hospital Motherisk Program has reinforced the longstanding concern of the Workers Health and Safety Centre that exposure to organic solvents during pregnancy increases the risk of birth defects and damage to the central nervous system[34].

[34] P. Yelaja, "Organic Solvents Affect Next Generation", *Toronto Star,* Tuesday September 11, 2000, page A8.

Performance Measures



The ministry does not directly address hazardous materials in its performance measures, but it uses lost time injuries as a measurement of workplace safety.

Core Business: Occupational Health and Safety			
Goals/Outcomes	**Measure**	**Targets/ Standards**	**2001-2002 Commitments**
An environment that makes Ontario workplaces among the safest in the world, where employers and employees prevent injury and illness	Rate of lost-time injuries (LTIs) resulting from workplaces accidents	1.8 LTIs/100 workers	Meet or exceed target/standard

The Ministry should have separate goals for the reduction of LTIs resulting from occupational exposure (including long term disability and birth defects. It should also report on the use of hazardous substances in the workplace.

Consideration of the Statement of Environmental Values (SEV)



The ministry makes good on part of its commitment to Occupational Health and Safety with the regulation of occupational exposure limits. It is missing any targets or actions related to the other commitment in the SEV to encourage the substitution of hazardous substances with those that are less hazardous.

Three Year Trend



No real change either up or down.

Overall Grade



No attempt has been made to address the shortcomings identified last year. The ministry slips from a caution to a failing grade.

Management Board Secretariat

Minister: The Hon. David Tsubouchi
Deputy Minister: Kathryn Bouey

	Approved Allocation		
	2001 – 2002	**2000 – 2001**	**1999 – 2000**
Budget	$1,030 million operating $37 million capital	$1,215 million operating $12 million capital	$903 million operating $16 million capital
Staff	2,510	2,630	2,060

SEV Highlights

Application of EBR Purposes Within the MBS Mandate (page 2)

Implementation, Monitoring and Review
MBS will ensure that the purposes of the EBR are integrated into Management Board Directives for the Ontario Public Service

The Green Workplace
MBS supports the protection and conservation of a healthful environment through environmentally sensitive purchasing and by encouraging all government employees to conserve energy and water, practice the 3Rs (reduce, reuse and recycle).

Procurement
MBS corporate procurement policies incorporate environmental considerations such as waste reduction, reuse and recycling in the development of product specifications for significant purchases.

Information Technology
MBS encourages the use of telecommunications and computers to reduce the amount of paper and travel which supports the protection and conservation of the natural environment.

Property Development and Management
The Ministry endeavours, in the management and renovation of existing buildings and the construction of new buildings, to observe waste reduction practices and conservation of resources. New building projects will continue to be designated as green demonstration sites to allow evaluation and showcasing of new environmentally-designed products.

Class Environmental Assessment
The MBS Class Environmental Assessment lays out a thorough and consistent approach for purchases, construction, planning applications (under the Planning Act) and sales of real property.

The Ontario Realty Corporation (ORC) and the MBS Class Environmental Assessment
The ORC is governed by the MBS Class EA.

2001 - 2002 Business Plan

Environmental Commitments

There are no environmental commitments in the MBS plan.

Areas of Concern

Ontario Realty Corporation (ORC)

The ORC has almost completely dropped out of sight after last year's scandals over insider sales. At the time, the Conservation Council had also raised the question of whether the 1999 commitment to sell $200 million worth of real estate assets included prime agriculture land as well as surplus buildings.

The business plan does mention that "enhanced guidelines and procedures for the sale of government properties" were introduced last year. We have reviewed these guidelines, and have found no reference to environmental standards or the Planning Act policies.

ORC is subject to a Class Environmental Assessment process that is currently up for review. It's doubtful the review will bring any significant changes in policy.

Environmental assessment is no guarantee of environmental protection. A recent environmental assessment of government holdings in Oakville[35] concluded, *on the basis of public comments*, that the environmental protection lands should remain in public ownership. The agricultural land, however, was recommended for sale and development.

Environmental values should be part of ORC's guiding policy, and not be continually dependent on public outcry. Management Board needs to set a more direct policy in support of protecting prime agricultural and natural ecosystems.

Business Planning

MBS has the lead responsibility for the business planning process. Therefore, the responsibility for the continued failure of development-oriented ministries to incorporate environmental values into their commitments and performance measures also rests with Management Board.

Management Board produces an annual planning guide for ministries. In 1999 – 2000, the guidelines instructed ministries affected by the EBR to produce a "high level strategy" to show how the ministry is honouring its Statement of Environmental Values. A new requirement in the 2001 – 2002 planning cycle was to require environmental impact statements on any new proposal. So far, these positive steps in planning requirements have not translated into any discernible results.

Performance Measures

There are no environmental performance measures in the MBS business plan.

[35] Ontario Realty Corporation, "Sale of Oakville Land Assembly - Environmental Study Report", June 29, 2001 http://www.orc.on.ca/english/oakville_land_assembly.html

Consideration of the Statement of Environmental Values (SEV)

X Other than the class environmental assessment, there is no indication that the Management Board Secretariat considers its SEV either in its business plan, or in its activities.

Three Year Trend

X No progress has been made either internally within MBS, or in meeting the commitment to improved environmental performance across government.

Overall Grade

X MBS must bear the responsibility for the failure of the business planning process to address environmental issues.



Ministry of Municipal Affairs and Housing

Minister: The Hon. Chris Hodgson
Deputy Minister: W. Michael Fenn

	Approved Allocation		
	2001 – 2002	**2000 – 2001**	**1999 – 2000**
Budget	$1,214 million operating $ 8 million capital	$1,644 million operating $ 2 million capital	$1,546 million operating
Staff	945	1,130	1,165

SEV Highlights

Ministry's Vision, Responsibilities and Environmental Role (page 2)

LOCAL GOVERNMENT: Environmental Principle 1.

Through clarifying the role of the provincial and municipal levels of government as a means of increasing efficiency and accountability the ministry will encourage environmentally responsible decision making by municipal governments.

LAND USE PLANNING: Environmental Principle 2.

The ministry, through land use planning and policy direction, will assist communities to better protect their resources for their economic use and/or environmental benefits by:

- providing tough environmental protection;
- recognizing the inter-relationship which exists between environmental, economic and social factors;
- providing better ability ("one window" planning services) to identify planning documents and development applications that are not environmentally sound; and
- promoting Alternative Development Standards which encourage a more efficient use of land and public resources (including infrastructure and natural resources) in private sector development.

SOCIAL HOUSING: Environmental Principle 3.

OHC will promote energy efficiency and water conservation in public housing.

PRIVATE RENTAL HOUSING REGULATION: Environmental Principle 4.

The ministry will promote energy efficiency and water conservation in existing rental stock through fostering a regulatory system which provides for adequate maintenance and which eliminates disincentives to investments in energy conservation.

BUILDING REGULATION: Environmental Principle 5.

The ministry will establish standards for health, safety and accessibility and where appropriate maintain cost-effective construction standards for energy and water conservation.

2001 - 2002 Business Plan

Environmental Commitments

The ministry has undertaken several important initiatives

Smart Growth

Page 8 *The ministry is leading a Smart Growth initiative to keep Ontario strong and prosperous for the future. Based on the three principles of a strong economy, strong communities and a clean, healthy environment, Smart Growth will prepare for Ontario's economic and population growth over the next 10 to 15 years.*

Thus far, the Smart Growth initiative has been more environmental rhetoric than substance, with the few positive initiatives being far outweighed by the business-as-usual urban and economic growth agenda. (See below)

Oak Ridges Moraine Protection Act

Page 9 *The government has passed the* Oak Ridges Moraine Protection Act 2001, *that freezes development for six months. We will hold consultation involving environmental groups, developers, municipalities and the public on how to best protect the environmentally-sensitive Oak Ridges Moraine.*

Public support for the protecting the moraine is strong, but many questions remain, in particular about aggregate extraction, highway construction, housing and golf course development on agricultural lands, and groundwater management.

Provincial Policy Statement

The ministry has initiated a review of the Provincial Policy Statement

Page 7 *We began a five year review of the Provincial Policy Statement to measure how effective the legislation has been in promoting provincial interests such as preserving farmland and protecting natural and heritage resources.*

The ministry has been unable to provide any data on land use trends over the past five years (see below).

Areas of Concern

Smart Growth

The Conservation Council of Ontario reviewed the ministry's discussion paper and discovered that the goals and guiding principles of the "Made in Ontario" approach to Smart Growth were significantly different from the commonly-accepted principles originally developed in America[36]. The ministry has yet to respond to our recommendations for a revised vision statement that better reflects the established principles of smart growth.

Without the right vision statement, we cannot set the right targets
Without the right targets, how can we develop the right actions?
Without the right actions, we won't get the right results.

[36] The Conservation Council of Ontario, "Smart Growth Ontario: A Vision Statement", June, 2001, available at http://www.greenontario.org/smartgrowth/

Provincial Policy Statement
Compare the quote from page seven of the business plan (see previous page) with the one below, which comes from their Key Commitments section:

> *Page 8* *The ministry will complete a comprehensive review of the* Provincial Policy Statement *which will include determining the effectiveness of the policy statement in promoting Smart Growth objectives.*

The ministry's smart growth objectives are currently a good deal weaker than the objectives in the Provincial Policy Statement. Linking the policy statement review to the current version of the province's Smart Growth goals and guiding principles will only result in weaker environmental protection.

Lack of Land Use Data
The ministry currently has no publicly-available data on land use trends in Ontario.

In reference to the five year review of the Provincial Policy Statement, the Conservation Council of Ontario submitted a request to the Minister for information on land use trends in southern Ontario, with particular emphasis on prime agricultural lands. The Minister responded:

> *As part of the five year review initiative, the province is developing indicators and reviewing information sources related to provincial land use planning interests. These indicators are intended to provide many of the types of information that you have requested.*
>
> *Since the indicators are still being developed, I regret that we cannot provide you with the information requested in the time frame you suggest*[37]*.*

The provincial government, at one time, kept fairly good records on land use and made this information available to the public. It is unfortunate that it has lost that capacity.

The lack of concise and reliable information makes it difficult to undertake a meaningful review of the Provincial Policy Statement.

Performance Measures

Land Use Planning
The only measure the ministry is using for Smart Growth is the reduction of land use planning barriers to brownfield redevelopment. It's yet another case of a single ministry program being used as the yardstick for success.

If you only measure what you do, you will appear to be successful. However, you will continue to fail according to our standards.

We suggest that, at a minimum, the ministry incorporate the objectives of the Provincial Policy Statement as performance measures for the ministry. In particular, develop performance measures for:

- Farmland
- Natural areas
- Wetlands
- Mineral resources

[37] Personal communication, Minister Chris Hodgson to Chris Winter, President of the Conservation Council of Ontario, September 5, 2001.

Municipal Vs Provincial Performance Measures

Why is it that the ministry has developed a very detailed set of performance measures for municipalities, yet fails to include substantive indicators in its own performance measures?

These are the latest municipal performance measures under the Municipal Perfomance Measurement Program[38]:

- water (operating costs of water treatment and distribution; continual supply of quality water)
- sewage (sewer-main backups; outcomes of monitoring tests at treatment facilities)
- garbage (operating costs of waste collection; outcomes of applicable monitoring tests)
- fire services (operating costs of fire services; fire loss)
- police services (operating costs of police services; cases cleared)
- social services (percentage of people participating in welfare-to-work activities; number of people receiving social assistance under Ontario Works)
- local government (operating costs for municipal administration and for council members)
- land-use planning (percentage of new lots created in settlement areas; percentage of agricultural land retained in an agricultural designation)
- transportation (operating costs for conventional transit; adequacy of roads for summer)

There is no better example of the failure of the current provincial performance measurement process than the glaring differences between what the ministry requires of others, and what it requires of itself.

Consideration of the Statement of Environmental Values (SEV)

Technically, the environment is considered by the ministry in its land use planning process. In reality, the commitment is superficial and subservient to the interests of economic development and cost-cutting.

Environment values continue to be overlooked in the housing sector.

Three Year Trend

The Ministry's bold, new Smart Growth initiative is exceedingly weak on environmental values, relying largely on the Oak Ridges Moraine Act, an eight year old set of Transit Supportive Guidelines, and the Ministry of the Environment's brownfield redevelopment initiative, Drive Clean program and air quality website.

This is hardly the comprehensive approach to controlling sprawl, and promoting people-centred, transit-friendly communities that we were hoping for.

Overall Grade

Less flash and more environmental substance please.

[38] For details on the Municipal Perfomance Measurement Program, see http://www.mah.gov.on.ca/business/mpmp/mpmp-e.asp

Ministry of Northern Development and Mines

Minister: The Hon. Dan Newman
Deputy Minister: Cameron D. Clark

	Approved Allocation		
	2001 –2002	**2000 – 2001**	**1999 – 2000**
Budget	$179 million operating $327 million capital	$274 million operating $273 million capital	$127.5 million operating $225.2 million capital
Staff	465	460 staff	775

SEV Highlights

Environmental Principles, Goals and Objectives for Development

With respect to both corporate responsibilities, we adopt the following environmental principles for sustainable development:

1. We advocate the importance of section 7(b) which requires the integration of social, economic, scientific and other considerations with the purposes of the Environmental Bill of Rights as they pertain to any environmentally significant decision-making processes.
2. We advocate mining as temporary land use, replaced in the long term with alternative natural, recreational, or commercial land uses.
3. Sustainable development of Ontario's resources requires obtaining a better understanding of cumulative ecological, physical, social, and economic impacts of development on a project by project basis.
4. We promote environmentally sustainable development activity which:
    - Is preceded by sound environmental planning.
    - Is preceded by adequate public input.
    - Gives high priority to environmental protection during all phases of mining: exploration, development, production, and closure.
    - Minimizes environmental disturbances during all phases of mining, recognizing that prevention is more effective than remediation and rehabilitation of an environmental problem.
5. We will promote the fundamental importance of applied environmental research, the development of new rehabilitation technology, and the development of methodologies of assessing the full accounting of cost and benefits of actions taken in implementing sustainable developmental practices.

With these principles in mind and recognizing that mining does have a local impact on ecological systems, MNDM incorporates into it's overall goals and objectives:

- Mitigation of the short term effects of mining on the environment
- Eliminating the long term effects of mining on the environment
- Ensuring continuing availability of mineral resources for the long term benefit of the people of Ontario
- Protecting of natural heritage and biological features of provincial significance.

2001 - 2002 Business Plan

Environmental Commitments

Vision

The vision remains largely unchanged, with a reference to sustainability

Page 3 *The vision of the Ministry of Northern Development and Mines is of a Northern Ontario economy and provincial minerals sector that are healthy, competitive and sustainable.*

Mine Rehabilitation

Page 5 *We take a proactive role in mine rehabilitation to ensure that mine sites are closed in a safe and environmentally sound manner, as prescribed by the* Mining Act. *Also, through our four-year, $27 million* Abandoned Mine Rehabilitation Program, *we support Ontario's rich natural heritage by returning former mines sites to productive use as recreational, community, business or mineral exploration lands.*

A Safer, Cleaner Province

The ministry summarizes its environmental commitment as one of its key commitments and strategies:

Page 16 *We will support and undertake efforts to make Ontario a safer and cleaner province.*

Through environmentally responsible mine exploration, production and closure and the provision of geological information, we can create a solid foundation for Ontario's continues economic prosperity while preserving Ontario's rich natural heritage for future generations.

We will ensure firm and fair administration of the Mining Act and strict compliance with our Statement of Environmental Values.

We will ensure that mines are developed and closed in a safe and environmentally responsible manner.

We will work to ensure compliance with new regulations for mineral exploration in environmentally sensitive areas.

We will return former mining lands to productive economic and community use through rehabilitation of physical and environmental hazards.

Ontario's Smart Growth principles will help to guide environmentally responsible urban growth.

This is a significant improvement over last year's plan. Congratulations.

But it is also just the first step. This is the vision; you now need the full strategy, including quantifiable targets, additional activities to meet the goals, and performance measures that will track meaningful progress towards pollution prevention, habitat restoration, and conservation in the mining industry.

We recommend you use the Minister's Mining Act Advisory Committee to help draft a sustainable mining strategy that would include the protection of environmentally sensitive areas, efficiency and recycling, pollution prevention and groundwater protection, and the rehabilitation of abandoned mine sites.

Areas of Concern

Mine Rehabilitation
Ontario has over 6,000 abandoned and inactive mine sites and mine hazards in Ontario, most of which are included in the Abandoned Mines Information System (AMIS)[39].

There are no targets or performance measures associated with mine rehabilitation, and therefore no way of telling just how much money is needed to accomplish the task, and where it will come from.

At the same time, the ministry has cut the mining tax rate by 50 per cent along with numerous other investment incentives to promote more mineral exploration and development.

If we look at the ministry's $44 million for Mineral Sector Competitiveness, subtract approximately $7 million as the annual portion of the four year mine rehabilitation program, we are left with $37 million as one of the largest government subsidies of industry, and with very little environmental benefit in return.

Performance Measures

There are no environmental performance measures.

Consideration of the Statement of Environmental Values (SEV)

The ministry has made an excellent start at incorporating environmental values into the business plan document. It now needs to carry through on the commitment with better strategies and performance measures.

Three Year Trend

A definite improvement, at least on the surface.

Overall Grade

Time to move beyond generalities to the details.

[39] Ministry of Northern Development and Mines "Abandoned Mines and Hazards Databases and Reports", http://www.mndm.gov.on.ca/MNDM/MINES/MG/REHAB/abanmin.htm.

Ministry of Tourism, Culture and Recreation

Minister: The Hon. Tim Hudak
Deputy Minister: Donald Obonsawin

	Approved Allocation
	2001 - 2002
Budget	$392 million operating $ 68 million capital
Staff	860

SEV Highlights

With the addition of Culture and Recreation, the Ministry has now become subject to the Environmental Bill of Rights. A formal regulation is being developed, and the ministry will have three months after the regulation is promulgated to finalize their Statement of Environmental Values.

We await the opportunity for public input to the SEV.

2001 - 2002 Business Plan

Environmental Commitments

X There are no environmental commitments.

Areas of Concern

Nature and Tourism
Without nature, our tourism industry would be a fraction of its current size. Yet the importance of protecting a pristine natural experience is not to be found in the ministry's plan. Instead, we are given goals of growth in the tourism industry.

Recreation and the Environment
Nature and greenspace is also an important part of recreation, whether it be an urban park, bike trails, or an accessible waterfront. Unstructured recreation and community greenspace are two of the most important features of livable communities, a fact that is frequently overlooked in urban development and the province's version of Smart Growth.

Culture and the Environment
Urban parks are also an important resource for many of Ontario's diverse cultural groups. Groups like Evergreen and the Toronto Conservation Authority have also found that community greening projects are also an excellent vehicle for making new Canadians feel part of their community, foster environmental awareness, and rehabilitate degraded areas.

There are many opportunities for the ministry to take a leadership role in promoting the links between the environment and social well-being. We look forward to your participation.

Performance Measures

X There are no environmental performance measures

Consideration of the Statement of Environmental Values (SEV)

X 0 x 0 = 0

Three Year Trend

X A poor start.

Overall Grade

X Welcome to the club.

Ministry of Transportation

Minister: The Hon. Brad Clark
Deputy Minister: David Guscott

	Approved Allocation		
	2001 – 2002	**2000 – 2001**	**1999 – 2000**
Budget	$519 million operating $673 million capital	$537 million operating $799 million capital	$539 million operating $824 million capital
Staff	4,965	4,790	5,356

SEV Highlights

Strategic Directions (page 1)

The Ministry has developed a mission statement to support its mandate, which is as follows:

> "We will facilitate the mobility of people and goods, and promote the development of industries that provide transportation systems, services, and products, in ways that reflect the needs of Ontario's diverse population and support the broader economic, social and environmental objectives of the province."

Environmental Values and Measures (page 1)

1. The Natural Environment

- reduce transportation-related air emissions.
- reduce transportation-related discharges of contaminants to water.
- improve salt management practices and to minimize releases to the environment.
- promote the efficient and prudent use of water in its activities.
- conserve and preserve lands whenever possible and practical.
- protect natural habitats whenever possible and practical.

2. Environmental Concerns in Decision-Making

- The environment will be an integral component of the transportation planning process.

3. Integrated Transportation Planning

- promote the integration of transportation and environmental planning.
- promote an integrated transportation system and the use of public transportation and other alternative forms, including non-motorized transportation options in Ontario.
- consider energy efficiency when planning transportation systems.

4. Public Participation

- create working relationships with professional, community, and advocacy groups

5. First Nations and Other Aboriginal Peoples

- consult with First Nations and other Aboriginal Peoples

6. Research and Development

- research and develop environmentally-compatible transportation technologies and methods
- develop environmentally-sensitive design, construction and maintenance techniques.

7. Greening

- encourage the reduction, reuse and recycling of materials in all facets of its business.
- be conscious of the energy efficiency of ministry buildings and transportation fleet.
- give preferred status to environmentally friendly products and processes.

8. Education and Promotion

- make the public aware of the various transportation options.

2001 - 2002 Business Plan

Environmental Commitments

Vision

✓ New this year is are references to the environment in the Ministry's Vision:

Page 2 — *The Ministry of Transportation is at the helm of a dynamic vision and direction for the future of transportation in this province. With this vision, we are building on a transportation infrastructure that supports our economic, environmental and community goals.*

"Honouring Ontario's Environmental Values"

New this year is a statement of support for environmental values:

✓ *Page 11* — *The Ministry of Transportation strongly supports Ontario's Environmental Bill of Rights, which exists to ensure that the natural environment of the province is protected. The ministry's Statement of Environmental Values will continue to guide planning and decision-making along with other economic, social and scientific considerations.*

✗ There are no supporting commitments, no environmental targets, activities, or performance measures related to any environmental issue.

Areas of Concern

Cars, Smog, and Sprawl

✗ The ministry blatantly ignores the serious environmental and health effects of cars. On the contrary, it revels in the increase in cars as a sign of economic growth and prosperity:

Page 3 — *Ontario's growing economy has generated record numbers of drivers and vehicles on our roads. There are more than 8.1 million drivers, 9.1 million vehicle registrants, 74,000 commercial carriers and 2,600 commercial clients.*

Page 7 — *The 8.1 million drivers and 9.1 million registered vehicles in Ontario during the year represented an increase of approximately 10 per cent from 1999/2000.*

Compare this growth rate with the anticipated results of the Province's flagship clean air program: Drive Clean. Over five years, the Ministry of the Environment estimates Drive Clean will generate

reductions in emissions equivalent to 23,000 cars. In just one year, according to the above statistic, the number of vehicles registered in Ontario rose by 900,000. Get the picture?

Evidently not. The ministry continues to forge ahead with over $1 billion dollars in support for highways. Transportation accounts for over 60 per cent of the "made in Ontario" nitrogen oxides[40], a major cause of smog. The ministry's actions will only serve to exacerbate an already critical issue.

Just be thankful that 1,900 smog-related deaths per year are harder to pin on a minister than 7 deaths at Walkerton.

Smart Growth
It's no accident that Smart Growth plays such a prominent role in the ministry's business plan:

> *Page 8* ***Smart Growth Inspiring Transportation Choices***
> *MTO strategic planning supports the government's Smart Growth commitment to build a stronger economy, stronger communities and a safer, healthier Ontario*

(Actually, if you read the MMAH business plan, the correct commitment is to a "strong economy, strong communities, and a clean, healthy environment").

The ministry promises the following "Future Improvements to Ontario's Transportation System":

- Supporting the development of modern international gateways at the Windsor and Niagara borders
- Planning new highways and highway expansions including the completion of Highway 407 East to Highways 35 and 115
- Developing innovative financing and public/private partnership solutions for new highways and highway expansions
- Investigating ways to improve traffic flow and its resulting impact on air quality.

In case you've missed it, the real goals for Smart Growth include the provision of transportation options, with a clear priority on walking, cycling, and public transit. Highways, highways, highways, and faster moving highways is not Smart Growth.

Performance Measures

There are no environmental performance measures.

The Ministry still wins the award for the most offensive performance measure, with by defining a reliable transportation system by the distance from a highway:

Transportation Policy and Planning			
Goals/Outcomes	**Measures**	**Targets/ Standards**	**2001 – 2002 Commitments**
Transportation is reliable, efficient, accessible and integrated	% of population living within 10km of major provincial highway corridors.	Target: 90%	Ensure that at least 90% of population has access to major provincial highway corridors.

[40] 61 percent according to the Ministry of the Environment's Smog Action Plan, but only 34% in the subsequent "Air Quality and Climate Change" report which places half the NOx as coming from the U.S, and only 32 per cent from transportation. Either way, it's the major at-home source.

There are no less than fifteen specific environmental commitments in the Statement of Environmental Values. They should be the starting point for a more meaningful set of performance measures that would include

- reduce transportation-related air emissions.
- reduce transportation-related discharges of contaminants to water.
- minimize releases of salt to the environment
- efficient and prudent use of water
- conserve and preserve lands (especially prime agricultural and ecological features)
- protect natural habitats
- develop an integrated transportation system
- increase the use of public transportation and other alternative forms, including non-motorized transportation options in Ontario.
- maximize energy efficiency in transportation systems.

Consideration of the Statement of Environmental Values (SEV)

X The best SEV, and it receives the worst treatment of all. How sad.
.

Three Year Trend

X The Ministry has responded to our concerns by including references to the environment in its vision and a statement of support for the Environmental Bill of Rights.

Overall Grade

X The Ministry of Highways keeps on trucking.

Special Note

In a dramatic change to its business plan, the government recently announced that it will restore funding for public transit to the level of $3 billion over ten years.[41] The figure includes $160 million per year for the Toronto Transit Commission, which is significantly less than the annual average of $302 million between 1991 and 1998.[42] While the restoration of provincial support is a step in the right direction, it falls short of being a well-reasoned strategy for public transit. In fact, it is yet another example of a partial solution to a major environmental issue.

[41] See the media release "Harris Team Announces $9 Billion Transit Plan: Next Phase In Transportation Vision" for details, http://www.premier.gov.on.ca/english/news/Transport092701.htm, September 27, 2001
[42] R.James, "Tory U-turn strands Collonette", The Toronto Star, October 26, 2001.

5. Conclusions and Recommendations

Over the next year and beyond, we will be asked to believe that Ontario's Smart Growth initiative will control urban sprawl and protect our farmland and natural areas; that Operation Clean Water will guarantee clean, safe drinking water for generations to come; that Ontario's Anti-Smog Action Plan is creating cleaner air

We will be asked to believe that Ontario's government and ministries have integrated environmental values into their policy decisions

We will be asked to believe these things without reliable data, without adequate consultation. We are being misled and managed. This is no way to run a government, and it is no way to protect the environment.

In the course of conducting this year's review of ministry business plans and major environmental strategies, we discovered several disturbing facts, all of which point to a deep-rooted inability to come to grips with environmental issues:

1. The government misrepresented its planning process as providing opportunities for stakeholder consultation on both the business plans and the performance measures **prior** to the finalization of ministry business plans.

2. Despite the government's commitment to a "new environmental framework" (the Gibbons report), it has failed to make any discernable progress in developing a provincial environmental vision and ministry-wide cooperation on environmental issues.

3. Management Board's guidelines for business plans and performance measures give little direction on environmental issues.

4. For the most part, government performance measures are meaningless. Environmental targets and performance measures, where they do exist, reflect the current program objectives, rather than the true indicators of environmental health.

5. Key environmental strategies for smog, climate change, waste reduction, and urban sprawl have failed to develop meaningful results. They also tend to address immediate crises rather than the root causes of the problems.

6. Ministries use selective and often inappropriate data to support their claims.

7. The government's commitment to the Environmental Bill of Rights does not extend much beyond posting required decisions on the Environmental Registry. Most of the Statements of Environmental Values have not been updated since 1994, and the requirement to consider the SEV in all decisions that might affect the environment is given lip service at best.

8. There is no consistency in the government's approach to the environment. The few environmental initiatives are easily overwhelmed by economic development programs and incentives.

The government needs a consistent approach to environmental issues, one that is driven by environmental goals.

On the positive side, there are signs that the government is beginning to see the need to integrate its various planning processes into a coherent process that actually identifies issues, targets, and

meaningful performance measures. From several sources in different ministries, we have been told "be patient, our procedures are evolving".

Unfortunately, we don't have the luxury of time. We are losing 7,500 acres of prime farmland a year to urban sprawl, and 1,900 people die prematurely each year due to smog. Our failure to act today will lead to environmental, health, and economic costs future generations will have to bear.

We believe there is an urgent need for an environmental summit that will bring Ontario's environmental leaders together to identify the priority environmental issues and targets for Ontario and to agree on a process that will lead to meaningful and comprehensive environmental strategies within two years.

We also call on the provincial government to:

1. develop a provincial statement of environmental values, consistent with the recommendation from the Gibbons report for a provincial environmental vision

2. undertake an immediate public review of the Statement of Environmental Values for each of the ministries under the Environmental Bill of Rights

3. provide clear provincial direction to integrate environmental values, targets and performance measures into ministry business plans

4. develop a meaningful public and stakeholder consultation process for ministry business plans **prior** to their final approval

5. provide stronger commitments and increased resources for
   - clean water
   - clean air
   - eliminating urban sprawl and protecting farmland and natural areas
   - public transit
   - green energy and energy conservation
   - waste reduction
   - hazardous waste reduction and pollution prevention

6. provide funding and data for an integrated and independent state of the environment report for Ontario.