

2001



Report of the  
**Commissioner of the  
Environment and  
Sustainable Development**  
to the House of Commons

**The Commissioner's Perspective—2001**  
**Foreword and Main Points**

*The 2001 Report of the Commissioner of the Environment and Sustainable Development comprises seven chapters, The Commissioner's Perspective—2001, and a Foreword. The main table of contents is found at the end of this publication.*

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AUDITOR GENERAL OF CANADA  
COMMISSIONER OF THE ENVIRONMENT  
AND SUSTAINABLE DEVELOPMENT



VÉRIFICATEUR GÉNÉRAL DU CANADA  
COMMISSAIRE À L'ENVIRONNEMENT  
ET AU DÉVELOPPEMENT DURABLE

To the Honourable the Speaker of the House of Commons:

On behalf of the Auditor General of Canada, I have the honour to transmit herewith my Report to the House of Commons for the year 2001, to be laid before the House in accordance with the provisions of section 23(3) of the *Auditor General Act*.

A handwritten signature in black ink that reads "Johanne Gélinas".

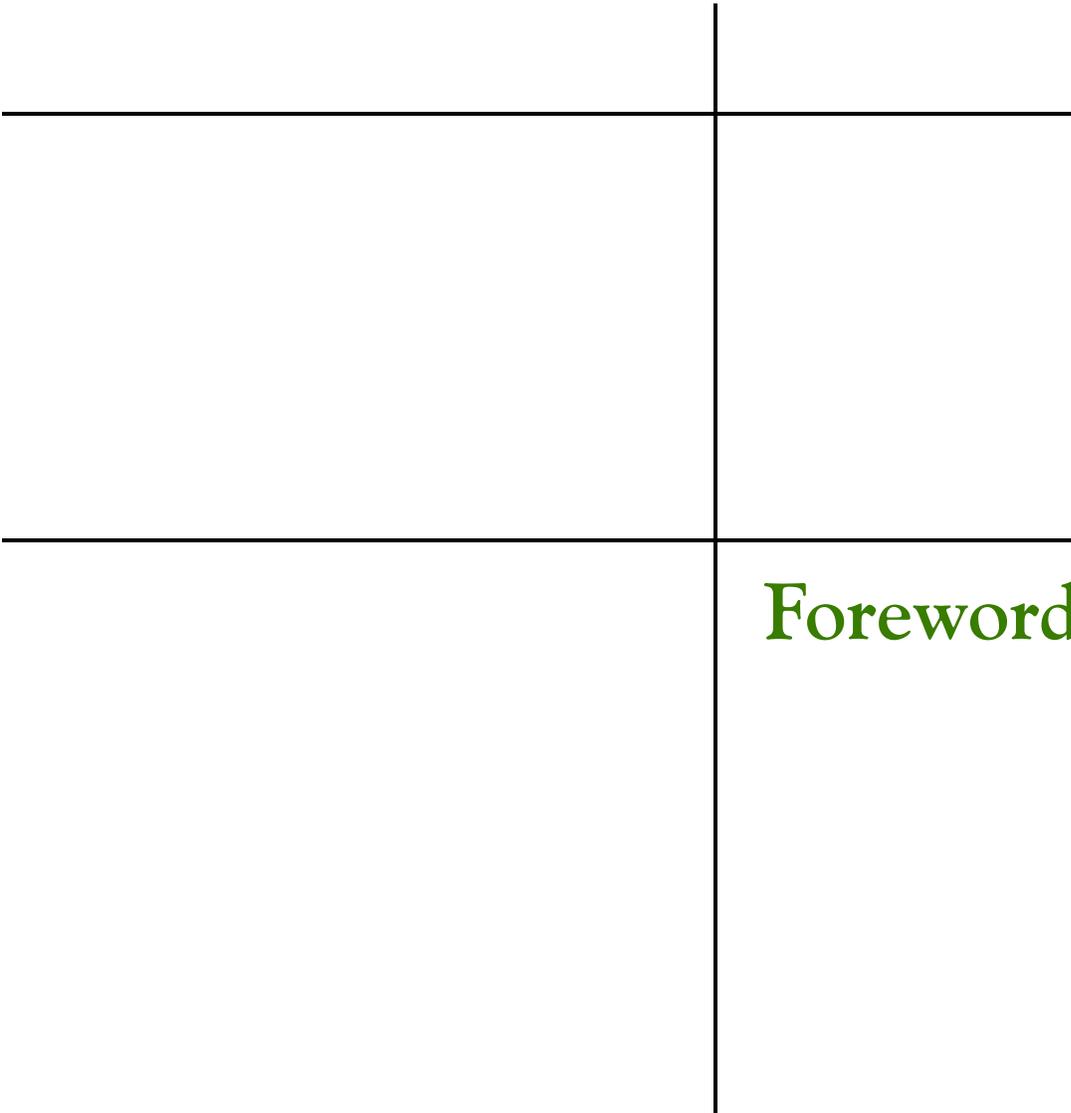
Johanne Gélinas  
Commissioner of the Environment  
and Sustainable Development

OTTAWA, 2 October 2001

To the reader:

I welcome your comments and suggestions on this Report and other issues related to the environment and sustainable development. I can be reached at the following:

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# Foreword





# Report of the Commissioner of the Environment and Sustainable Development—2001

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## Foreword

As Commissioner of the Environment and Sustainable Development, I am pleased to present the 2001 Report for tabling in the House of Commons.

This Foreword is followed by The Commissioner's Perspective—2001, and the Main Points from each chapter. The Report contains seven chapters:

### Great Lakes and St. Lawrence River Basin

- 1 A Legacy Worth Protecting: Charting a Sustainable Course in the Great Lakes and St. Lawrence River Basin

### Managing for Sustainable Development

- 2 Sustainable Development Management Systems
- 3 Reporting on Sustainable Development: Is the System Working?
- 4 Assessing the First Sustainable Development Strategies
- 5 Integrating the Social Dimension: A Critical Milestone

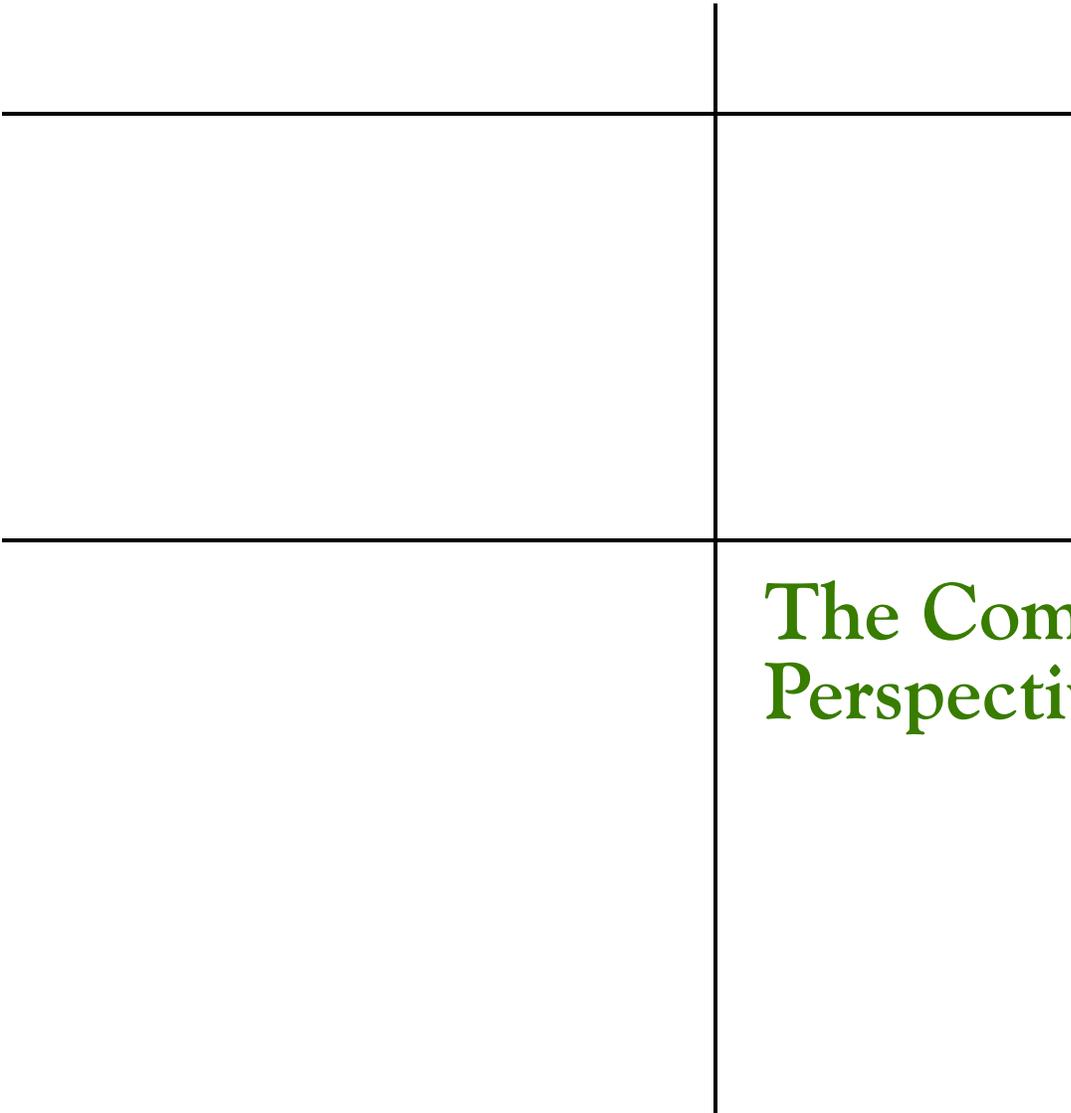
### Follow-up

- 6 Climate Change and Energy Efficiency: A Progress Report

### Petitions

- 7 Connecting With Canadians: The Environmental Petitions Process





**The Commissioner's  
Perspective—2001**



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# The Commissioner's Perspective—2001

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## Introduction

1. A year after assuming my new duties as Commissioner of the Environment and Sustainable Development, I welcome this opportunity to broadly outline for members of Parliament and Canadians the direction my work will take in the future.
2. As most parliamentarians know, the position of Commissioner of the Environment and Sustainable Development was created in 1995 by amendments to the *Auditor General Act*.
3. The vision statement of the Office of the Auditor General now says, “We are committed to making a difference for the Canadian people by promoting, in all our work for Parliament, answerable, honest and productive government that reflects a commitment to sustainable development.”
4. The concept of sustainable development is integral to my duties as Commissioner. It is the focal point of my Office’s role as environmental watchdog.
5. Before moving to the specifics of those duties, I would like to share my views on the federal government’s role in sustainable development and some personal concerns about environmental issues.

## Concerns about our environmental, economic, and social well-being

6. All Canadians share responsibility for moving Canada toward sustainable development. However, their governments, at all levels, have an essential role in this.
7. I have always believed that the Government of Canada has a vital role to play in pulling together and orchestrating common action at the federal, provincial, territorial, regional, and municipal levels. Before coming to Ottawa, I had ample opportunity to form some distinct views on the pressing environmental and sustainable development issues facing Canada. I also had impressions about the role of the federal government and its opportunities for leadership as a key player on the national and the international stage.
8. Any newcomer to Ottawa notes the complexity of the federal government’s work. As the largest enterprise in Canada, with so many different facets, responsibilities, and roles, it has to consult, listen, weigh and

balance, and make wise decisions. Sustainable development is clearly a work in progress, playing out on a complex stage with many different actors. Complexity is a fact of life, however, and cannot be allowed to delay action and innovation.

9. As a Canadian concerned about our environmental, economic, and social well-being, I have five particular concerns. First is the apparent decline in recent years of Canada's credibility as a world leader, committed to helping create a far-reaching and visionary global agenda for the environment and sustainable development. Second, as a parent I am increasingly concerned about the environmental health risks facing our children. Third, as I observe the trend toward a global economy, with its proliferation of regional trading blocs, I wonder whether our country can ensure compliance with environmental and social safeguards. Fourth, I see the growing pressure on Canada's natural resources—our fresh water and our energy reserves, for example—that could alter the quality of the environment and counteract the principles of sustainable development. I also see pressures to increase our exports, which in turn could present risks to the environment. And fifth, I see that our behaviour has not always coincided with the values we express. For example, we continue to be among the world's highest per capita users of water and energy, and we continue to buy sport utility vehicles, which are not known for their energy efficiency.

10. To better understand the principles of sustainable development and the importance of applying them, some reflections on the concept could be useful.

## Looking back to *Our Common Future*

### A future in peril

11. In 1987 the World Commission on Environment and Development, chaired by former Prime Minister of Norway Gro Harlem Brundtland, released *Our Common Future*. That report was seen by many as the decade's most important document on the future of the world. The report popularized the term "sustainable development."

12. *Our Common Future* (also known as the Brundtland Report) issued a call for action. It was a call to face the future and safeguard the interests of coming generations against the increasingly visible and serious environmental effects of short-sighted economic development, of preoccupation with economic growth at all costs. *Our Common Future* served notice that the time had come for a marriage of economy, ecology, and society. Governments and their constituents could then take responsibility not just for environmental damage but for the policies that caused the damage. *Our Common Future* was not bleak. The report said we could change our course, but we had to act quickly.

## Living on the interest

Humanity has the ability to make development sustainable—to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs. The concept of sustainable development does imply limits—not absolute limits but limitations imposed by the present state of technology and social organization on environmental resources and by the ability of the biosphere to absorb the effects of human activities...Poverty is not only an evil in itself, but sustainable development requires meeting the basic needs of all and extending to all the opportunity to fulfil their aspirations for a better life. A world in which poverty is endemic will always be prone to ecological and other catastrophes.

(*Our Common Future*, World Commission on Environment and Development, 1987)

13. Over the years, I have seen that to those working in the field, sustainable development incorporates two recurring themes. First, our generation has to live on the interest of Canada's abundant natural capital. We cannot deplete the principal—energy and mineral resources, wildlife and flora, habitat, air, and water. Second, sustainable development calls for closing the disparities in wealth and sharing it—not only between North and South, East and West but also between present and future generations.

## A prominent role for Canada

14. In the 1970s, Canada began to play a prominent role in shaping the international environmental agenda. In the years that followed, Canada continued to gain respect as an environmental leader by providing the World Commission on Environment and Development with two key players, James McNeill as Secretary General and Maurice Strong as a member. In 1992, Maurice Strong was appointed Secretary General of the United Nations Conference on Environment and Development, in Rio De Janeiro. Canada came to this "Earth Summit" with a strong environmental agenda, pushing for the adoption of the United Nations Convention on Biological Diversity, the United Nations Framework Convention on Climate Change, Agenda 21, and the Rio Declaration. At the summit, Canada's Prime Minister exhorted governments to respond to the call for action in *Our Common Future*:

What remains is for governments to provide the leadership the world so desperately needs. Let us find that will and marshal that leadership to the task at hand on behalf of the five billion people we represent. Our children, the Rio generation, will be our judges and our beneficiaries.

(Brian Mulroney, Prime Minister of Canada, *United Nations Conference on Environment and Development*, Rio de Janeiro, 1992)

15. Reiterating their commitment to sustainable development, world leaders will reconvene in Johannesburg, South Africa, for Earth Summit 2002. They will examine the progress made so far and explore ways to broaden and accelerate the move to sustainable development. Almost 10 years after the first Earth Summit, what will our judges—the Rio generation—think of the progress we have made?

### **The government's response to concerns about environmental degradation**

16. Public opinion polls in the late 1980s and early 1990s showed consistently that Canadians were concerned about threats to life's three essentials—clean air, water, and land. They were concerned about acid rain, sustaining their renewable resources, and protecting forests, lakes, rivers, and wildlife. In 1990, the government responded with Canada's Green Plan.

17. The Green Plan was a co-ordinated federal approach that recognized the federal government's key role in securing a safe and healthy environment and a sound and prosperous economy, for current and future generations. Five years after its adoption, the Green Plan was no longer a national plan.

18. In 1995, amendments to the *Auditor General Act* that established my position also required 24 departments and agencies to prepare sustainable development strategies. Now, 29 departments and agencies have met this requirement, some of them voluntarily. Those amendments, along with *A Guide to Green Government* (1995), changed the way the government planned to integrate sustainable development into its own operations as well as its policies and programs. The amendments, supported by the Guide, moved accountability for "greening" down to individual ministers rather than focussing on one plan for the whole government.

19. Furthermore, the greening of government does not necessarily mean all of government. Given the sweeping promises the government has made to Canadians over the years, I had assumed that it had the same environmental and sustainable development expectations of all government entities. However, this is not the case. Significant parts of the government are not subject to key aspects of greening. Not all government entities are required to prepare a sustainable development strategy under the 1995 amendments to the *Auditor General Act*. Crown corporations are an example.

20. And there is a growing array of new governance arrangements, or "near government" arrangements, such as partnerships between the federal government and non-government organizations. How should the rules intended to promote green government apply to such forms of "near government"? Are these forms of arrangement subject to an environmental audit?

21. Two other questions concern me about the requirement for several departments and agencies to prepare sustainable development strategies.

- Are these strategies more than a paper exercise? Have things really changed? Will the strategies result in tangible improvements to the

environmental, social, and economic well-being of all Canadians in this and future generations?

- Can Canada move forward, and honour the call to action of 15 years ago, with the commitments in the second generation of sustainable development strategies? Do the strategies of each department and agency add up to a coherent federal strategy?

22. I am making a commitment to Parliament and the Canadian people to continue to address these fundamental questions in my future reports. I will seek to determine whether the Government of Canada is assuming its responsibilities, taking account of the environmental concerns of Canadians, and trying to find feasible, practical solutions.

## My 2001 Report

23. My first report as Commissioner sets out three broad areas of federal activity—the Great Lakes and St. Lawrence River basin (Chapter 1), managing for sustainable development (chapters 2 to 5) and climate change and energy efficiency (Chapter 6). I discuss the environmental petitions process in Chapter 7. A brief summary of the contents of these chapters follows. In addition, the main points of each chapter are reprinted in this volume.

### Great Lakes and St. Lawrence River basin

24. Sixteen million Canadians live in the Great Lakes and St. Lawrence River basin. The term refers to the natural watershed boundaries of the lakes and river, including much of the surrounding land in Ontario and Quebec. The Great Lakes are the largest system of fresh surface water on Earth, containing roughly 18 percent of the world's supply. We depend on a healthy basin for clean air and drinking water, personal health, employment, and leisure. The basin is under tremendous and growing environmental stress, due to increasing population, urbanization, industrial and agricultural activity, and recreational demands.

25. My report assesses the federal government's recent management of a wide range of environmental matters, including industrial and municipal pollution, contaminated sediments, drinking water, fish habitat management, invasive aquatic species, soil erosion, manure management, wetlands, species at risk, federal ecosystem programs, and more.

26. The federal government has played a key role in achieving many improvements in the basin over the past 30 years. But I am concerned about the loss of momentum and the implications it has for the future. Our audit revealed that many of the federal government's priorities and commitments for the basin are general and vague. The results it hopes to achieve are difficult to measure. We found that funding to deal with many issues in the basin has declined, is unstable, and is insufficient to achieve the objectives the federal government has set. Many of its key commitments, both domestic

and international, have not yet been met; many key initiatives have not been completed; and departments are spreading their efforts thin. Federal science activity in the basin has been weakened, resulting in major gaps in the scientific knowledge needed to understand and manage threats to the basin. And the information that is available to Parliament and the public does not afford a clear understanding of the progress the federal government may be making.

**27.** Today's science assesses the overall condition of the lakes and river as "mixed" or "mixed deteriorating." Environmental pressures in the basin are expected to increase in the future. The progress that has been achieved to date could be at risk. The leadership, innovation, science, and diligence that served the basin in the past have been diminished. The basin is a legacy worth protecting, and yet there is a sense of complacency, not urgency; resignation, not inspiration.

**28.** In addition to over 40 specific recommendations to departments, the chapter includes 11 higher-level matters where the federal government can do better. My report urges the government to focus on the crucial and distinct role it can play in securing a sustainable future for the basin—along with concerted action by other levels of government and other organizations.

### **Managing for sustainable development**

**29.** Any enterprise—whether a family, a business, or a government—can either take a systematic approach to getting results that matter or leave results to chance. Four chapters on managing for sustainable development paint a picture of the measures the government is taking to manage its environmental and sustainable development agenda systematically. As we have found in the past two years, the level of performance is not consistent across departments. About half of the departments do not have adequate sustainable development management systems in place, while 75 percent show weak reporting practices. Major departments have not yet demonstrated a capacity to manage or mitigate environmental risks systematically or to capitalize on opportunities to operate in a more sustainable way.

**30.** The risks to Canadians and their environment are greater and more complex than ever. The success of the government's sustainable development agenda depends on having meaningful commitments and the capacity to meet them. Federal departments cannot leave it to chance to achieve their goals.

**31.** The lack of meaningful reporting to Parliament on results in protecting the environment restricts the ability of parliamentarians to exercise their oversight responsibility. It is thus difficult for Canadians to know whether the government is on a sustainable path. As Canada prepares for Earth Summit 2002, which will mark the 10th anniversary of the Rio Summit, I ask myself about the path it has taken up to now, given the review of departments' sustainable development management systems that my report describes. Is there reason to be proud of the results achieved in the last decade?

## Climate change

32. The federal government considers greenhouse gas emissions and climate change to be among the greatest environmental challenges ever. Action now, it says, is essential.
33. Since our 1998 audit, the government has taken some important actions. However, it is far from taking a series of measures to reach its reduction targets. It is thus too early to say how its efforts will turn out. By its own reckoning, the federal government has a great deal more to do to address climate change. Meanwhile, the continuing rise in Canada's greenhouse gas emissions places the country on a path that is far from sustainable.
34. Canada has committed to reduce its emissions of certain greenhouse gases to six percent below 1990 levels in the period 2008 to 2012 (Canada's Kyoto target). However, levels in 1999 were 15 percent above 1990 levels. The federal government has estimated that Canada will need to reduce its emissions by 25 percent to meet its Kyoto target by 2010.
35. As evidenced by the continued upward trend in Canada's emissions, the government has not succeeded in transforming its promises into results. The trend in these emissions must be reversed: the consensus of international scientists is that emissions must fall by more than half in this century if we are to avoid dangerous interference in our climate.
36. The greenhouse gases we emit today will affect many generations to come. Given the important health, economic, environmental, and social benefits of taking action, I believe Canada cannot afford to let its efforts fall by the wayside.

## Listening to Canadians: The environmental petitions process

37. As part of my mandate under the 1995 amendments to the *Auditor General Act*, I am responsible for handling environmental petitions on behalf of the Auditor General. The process is a formal means for Canadians to bring their concerns about environmental issues to the attention of federal ministers and obtain a response to their questions. Citizen participation in environmental issues and better access to environmental information are fundamental to sustainable development. It is my job to co-ordinate the petitions process, monitor responses, and make sure that the questions that are asked and the issues that are raised are addressed by federal ministers and their departments. I am committed to forging strong links with Canadians by listening to the concerns presented in the petitions we receive. Following a review of the Office's petition mandate, I have concluded that we can do more to ensure that the environmental petitions process better serves Canadians. Making the process even more accessible and understandable to Canadians is one of my key priorities. Chapter 7 of this report, as well as other initiatives such as the new "petitions corner" on our Web site ([www.oag-bvg.gc.ca/environment](http://www.oag-bvg.gc.ca/environment)), should move us further in that direction.

## What's next?

**38. 2002 Report.** I have already noted some areas of personal concern, some questions that I plan to address over the coming years. More specifically, in my 2002 Report to the House of Commons, coinciding with the 10th anniversary of Rio, we plan to take stock of federal progress in key areas such as toxic substances, contaminated sites, and waste management. The progress made by the federal government on some of the issues slated for Earth Summit 2002 will be the central theme of my next report.

**39. 2003 and beyond.** The basic question we will ask is, "What can we audit that will make the biggest difference to Canadians?" Subjects for eventual audit could include environmental health, the relationship between commerce and the environment, natural resources as precious capital we must preserve, and the government's capacity to act as a good steward and manage its programs with due regard to the environment and sustainable development. We will examine sustainable development strategies from different angles, in particular the concrete measures they have produced, the progress achieved, and the relevance of this tool itself.

## Sustainable development is the responsibility of all Canadians

**40. Improved communication with Canadians.** Finally, I want to raise the profile of our work and increase its impact. I want to speak with Canadians about the results of our audits of environmental and sustainable development issues. I want to explain what these findings mean to their health, the health of their environment, and their general well-being. I believe it is critical that our reports be viewed not as the end of a process but as a catalyst for action. I hope that parliamentarians, non-government organizations (including the private sector), and the Canadian public will see our report as a starting point for ensuring that the federal government and every one of us move toward sustainability.

**41.** Almost a generation has passed since the urgent call to action in *Our Common Future*. I do not think we can afford to wait another generation for the Government of Canada, which plays the primary role, to make the profound changes called for in that report.

## Appendix

### *Auditor General Act – Excerpts*

#### **An Act respecting the Office of the Auditor General of Canada and sustainable development monitoring and reporting**

##### INTERPRETATION

<b>Definitions</b>	<b>2.</b> In this Act,
"appropriate Minister"	"appropriate Minister" has the meaning assigned by section 2 of the <i>Financial Administration Act</i> ;
"category I department"	"category I department" means <ol style="list-style-type: none"> <li>(a) any department named in Schedule I to the <i>Financial Administration Act</i>,</li> <li>(b) any department in respect of which a direction has been made under subsection 24(3), and</li> <li>(c) any department, as defined in the <i>Financial Administration Act</i>, set out in the schedule;</li> </ol>
"Commissioner"	"Commissioner" means the Commissioner of the Environment and Sustainable Development appointed under subsection 15.1(1);
"sustainable development"	"sustainable development" means development that meets the needs of the present without compromising the ability of future generations to meet their own needs;
"sustainable development strategy"	"sustainable development strategy", with respect to a category I department, means the department's objectives, and plans of action, to further sustainable development.

##### DUTIES

<b>Examination</b>	<b>5.</b> The Auditor General is the auditor of the accounts of Canada, including those relating to the Consolidated Revenue Fund and as such shall make such examinations and inquiries as he considers necessary to enable him to report as required by this Act.
<b>Idem</b>	<b>6.</b> The Auditor General shall examine the several financial statements required by section 64 of the <i>Financial Administration Act</i> to be included in the Public Accounts, and any other statement that the President of the Treasury Board or the Minister of Finance may present for audit and shall express his opinion as to whether they present fairly information in accordance with stated accounting policies of the federal government and on a basis consistent with that of the preceding year together with any reservations he may have.
<b>Annual and additional reports to the House of Commons</b>	<b>7.</b> (1) The Auditor General shall report annually to the House of Commons and may make, in addition to any special report made under subsection 8(1) or 19(2) and the Commissioner's report under subsection 23(2), not more than three additional reports in any year to the House of Commons

- (a) on the work of his office; and,
- (b) on whether, in carrying on the work of his office, he received all the information and explanations he required.

**Idem** (2) Each report of the Auditor General under subsection (1) shall call attention to any thing that he considers to be of significance and of a nature that should be brought to the attention of the House of Commons, including any cases in which he has observed that

- (a) accounts have not been faithfully and properly maintained or public money has not been fully accounted for or paid, where so required by law, into the Consolidated Revenue Fund;
- (b) essential records have not been maintained or the rules and procedures applied have been insufficient to safeguard and control public property, to secure an effective check on the assessment, collection and proper allocation of the revenue and to ensure that expenditures have been made only as authorized;
- (c) money has been expended other than for purposes for which it was appropriated by Parliament;
- (d) money has been expended without due regard to economy or efficiency;
- (e) satisfactory procedures have not been established to measure and report the effectiveness of programs, where such procedures could appropriately and reasonably be implemented; or
- (f) money has been expended without due regard to the environmental effects of those expenditures in the context of sustainable development.

#### STAFF OF THE AUDITOR GENERAL

**Appointment of Commissioner** 15.1 (1) The Auditor General shall, in accordance with the *Public Service Employment Act*, appoint a senior officer to be called the Commissioner of the Environment and Sustainable Development who shall report directly to the Auditor General.

**Commissioner's duties** (2) The Commissioner shall assist the Auditor General in performing the duties of the Auditor General set out in this Act that relate to the environment and sustainable development.

#### SUSTAINABLE DEVELOPMENT

**Purpose** 21.1 The purpose of the Commissioner is to provide sustainable development monitoring and reporting on the progress of category I departments towards sustainable development, which is a continually evolving concept based on the integration of social, economic and environmental concerns, and which may be achieved by, among other things,

- (a) the integration of the environment and the economy;
- (b) protecting the health of Canadians;
- (c) protecting ecosystems;
- (d) meeting international obligations;

- (e) promoting equity;
- (f) an integrated approach to planning and making decisions that takes into account the environmental and natural resource costs of different economic options and the economic costs of different environmental and natural resource options;
- (g) preventing pollution; and
- (h) respect for nature and the needs of future generations.

**Petitions received** 22. (1) Where the Auditor General receives a petition in writing from a resident of Canada about an environmental matter in the context of sustainable development that is the responsibility of a category I department, the Auditor General shall make a record of the petition and forward the petition within fifteen days after the day on which it is received to the appropriate Minister for the department.

**Acknowledgement to be sent** (2) Within fifteen days after the day on which the Minister receives the petition from the Auditor General, the Minister shall send to the person who made the petition an acknowledgement of receipt of the petition and shall send a copy of the acknowledgement to the Auditor General.

**Minister to respond** (3) The Minister shall consider the petition and send to the person who made it a reply that responds to it, and shall send a copy of the reply to the Auditor General, within

- (a) one hundred and twenty days after the day on which the Minister receives the petition from the Auditor General; or
- (b) any longer time, where the Minister personally, within those one hundred and twenty days, notifies the person who made the petition that it is not possible to reply within those one hundred and twenty days and sends a copy of that notification to the Auditor General.

**Multiple petitioners** (4) Where the petition is from more than one person, it is sufficient for the Minister to send the acknowledgement and reply, and the notification, if any, to one or more of the petitioners rather than to all of them.

**Duty to monitor** 23. (1) The Commissioner shall make any examinations and inquiries that the Commissioner considers necessary in order to monitor

- (a) the extent to which category I departments have met the objectives, and implemented the plans, set out in their sustainable development strategies laid before the House of Commons under section 24; and
- (b) the replies by Ministers required by subsection 22(3).

**Commissioner's report** (2) The Commissioner shall, on behalf of the Auditor General, report annually to the House of Commons concerning anything that the Commissioner considers should be brought to the attention of that House in relation to environmental and other aspects of sustainable development, including

- (a) the extent to which category I departments have met the objectives, and implemented the plans, set out in their sustainable development strategies laid before that House under section 24;

(b) the number of petitions recorded as required by subsection 22(1), the subject-matter of the petitions and their status; and

(c) the exercising of the authority of the Governor in Council under any of subsections 24(3) to (5).

**Submission and tabling of report**

(3) The report required by subsection (2) shall be submitted to the Speaker of the House of Commons and shall be laid before that House by the Speaker on any of the next fifteen days on which that House is sitting after the Speaker receives it.

**Strategies to be tabled**

**24.** (1) The appropriate Minister for each category I department shall cause the department to prepare a sustainable development strategy for the department and shall cause the strategy to be laid before the House of Commons

(a) within two years after this subsection comes into force; or

(b) in the case of a department that becomes a category I department on a day after this subsection comes into force, before the earlier of the second anniversary of that day and a day fixed by the Governor in Council pursuant to subsection (4).

**Updated strategies to be tabled**

(2) The appropriate Minister for the category I department shall cause the department's sustainable development strategy to be updated at least every three years and shall cause each updated strategy to be laid before the House of Commons on any of the next fifteen days on which that House is sitting after the strategy is updated.

**Governor in Council direction**

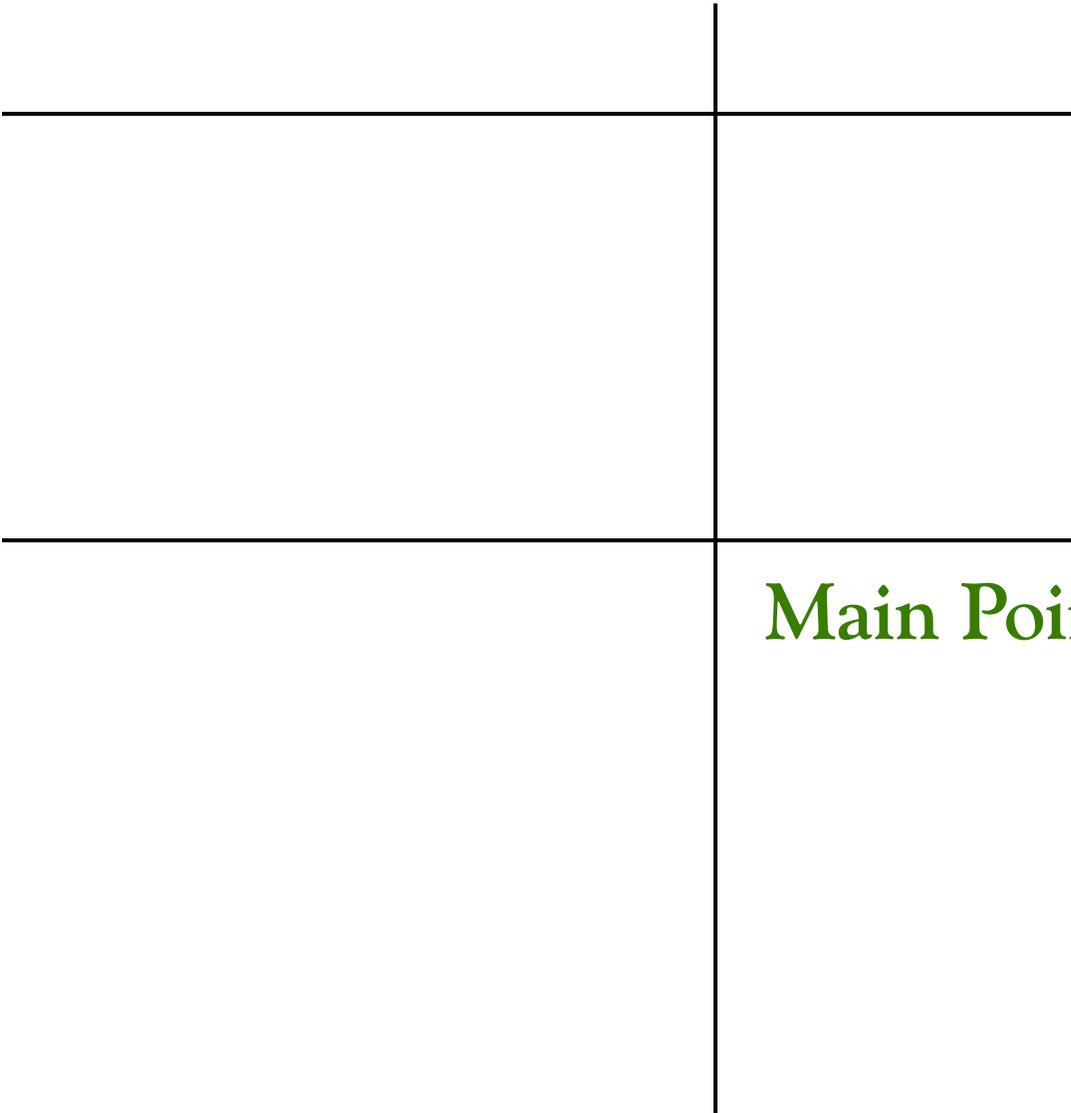
(3) The Governor in Council may, on that recommendation of the appropriate Minister for a department not named in Schedule I to the *Financial Administration Act*, direct that the requirements of subsections (1) and (2) apply in respect of the department.

**Date fixed by Governor in Council**

(4) On the recommendation of the appropriate Minister for a department that becomes a category I department after this subsection comes into force, the Governor in Council may, for the purpose of subsection (1), fix the day before which the sustainable development strategy of the department shall be laid before the House of Commons.

**Regulations**

(5) The Governor in Council may, on the recommendation of the Minister of the Environment, make regulations prescribing the form in which sustainable development strategies are to be prepared and the information required to be contained in them.



**Main Points**



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## Main Points

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# A Legacy Worth Protecting: Charting a Sustainable Course in the Great Lakes and St. Lawrence River Basin

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## Chapter 1 Main Points

1.1 We prepared this chapter to answer three questions:

- What is the state of the Great Lakes and St. Lawrence River basin?
- What role does the federal government play in protecting and preserving this key ecosystem, and how is it performing in that role?
- How can the federal government do better and advance the sustainable development of the basin for generations to come?

1.2 The environmental health of the Great Lakes and St. Lawrence River basin reached a crisis point in the 1970s; it has improved dramatically since then. However, this past year, scientists studying the waters in the basin concluded that the state of the St. Lawrence River and lakes Superior, Michigan, Huron, and Ontario and is “mixed.” Lake Erie is considered “mixed deteriorating.” While drinking water was rated “good” and fish consumption advisories and swimming advisories “mixed improving,” many indicators raise concerns about the state of the basin.

1.3 The federal government has played a key role in achieving many improvements in the basin in the past. It has helped to build an elaborate array of important institutions, laws, and programs. Past experience offers evidence of the ability to resolve crises as they appear. But we are concerned about the loss of momentum in recent years and the implications this has for the future.

1.4 Our audit revealed that many of the federal government’s priorities and commitments for the basin are general and vague. The results it hopes to achieve are difficult to measure. We found that funding to deal with many issues in the basin is unstable, declining, and insufficient to meet the government’s objectives. Many key commitments have not been met; many key initiatives have not been completed; and departments are spreading their efforts thin. Federal science activity in the basin has been weakened, resulting in major gaps in the scientific knowledge needed to understand and manage threats to the basin. And the information that is available to Parliament and the public does not afford a clear understanding of the progress the federal government may be making.

1.5 In addition to over 40 specific recommendations to departments, this chapter presents 11 higher-level things that the federal government can do better.

## Background and other observations

**1.6** Sixteen million Canadians depend on the natural resources of the Great Lakes and St. Lawrence River basin for their livelihoods or for the quality of their lives. That number is expected to increase 20 percent within a generation. The basin is subjected to considerable stress, including industrial, municipal, and agricultural pollution; the effects of invasive species of plants and fish; toxic contaminants; loss of biodiversity; climate change; and endocrine-disrupting chemicals, among others.

**1.7** While achieving sustainability in the basin is not up to the federal government alone—actions are needed by many other governments and organizations—it has a crucial and distinct role to play.

**1.8** **Water.** The federal government has been active on water issues in the basin for several decades, with some positive results. Ongoing federal commitment and action to ensure that industry reduces its contaminant discharges has helped to improve water quality throughout the basin, as has financial support to treat municipal effluents. However, recent trends show that some aspects of water quality may be deteriorating.

**1.9** We are particularly concerned by the following:

- Of the 17 areas of concern identified in Canada in 1985, 16 are still on the list. It is not clear how or when the federal government plans to restore the remaining areas.
- Health Canada has played a key role in the development of drinking water quality guidelines to protect the health of Canadians. But it does not know the quality of drinking water or whether the provinces are applying the guidelines.
- Environment Canada is meeting its basic obligations to monitor water for the presence of contaminants listed in the Great Lakes Water Quality Agreement. However, its understanding of changes in water quality is based on a limited number of substances, while many are not monitored at all.
- Departments are acting without having clearly articulated what they want to achieve. And they often define their role as supporting the priorities of others rather than their own.

**1.10** The government does not have some of the basic information it needs to develop priorities and action plans. Consequently, it is involved in many remedial actions with no way to determine which are the most important and what they will contribute.

**1.11** **Agriculture.** Farming has a substantial impact on the environment. It causes soil erosion, water pollution, and loss of biological diversity. Farming practices in the basin are having effects that cannot be sustained.

**1.12** The federal government is attempting to manage the environmental effects of agriculture in the basin. It is confronting the problems of soil erosion and the contamination of water and soil by manure and fertilizer. It has laid part of a foundation for effective management of these and other

environmental impacts. It has identified environmental sustainability as a priority.

**1.13** But the federal government has left some critical gaps. It has not sorted out who is going to do what. Information is out-of-date. Some action plans have not been developed. Results of key programs are not measured. Effective management is needed to reverse these trends.

**1.14** Livestock operations in Ontario and Quebec generate enough manure to equal the sewage from over 100 million people. And the problem of how to manage it safely is getting worse. The misuse of manure and fertilizer on farmland has damaged the ecosystem of the basin. For example, roughly 70 percent of Ontario and Quebec farmland had much higher nitrogen levels in 1996 than in 1981—and much of it above levels that cause groundwater and surface water contamination. It is time for the government to rethink its approach.

**1.15** More than 40 percent of Ontario's cropland is at risk of eroding at an unsustainable rate. Federal and provincial efforts over the past decades have led to only a modest reduction in soil erosion.

**1.16** Federal programs and policies are not working well together. Agriculture and Agri-Food Canada has not integrated its policies and programs in the basin effectively with those of its federal and provincial partners. In addition, the Department has failed to fully meet its commitments to evaluate the environmental consequences of its policies and programs such as income support and disaster assistance.

**1.17** **Species and spaces at risk.** Over the last decade, the federal government's efforts to recover species at risk have had mixed results. Almost half of the endangered and threatened species in the basin that are under the federal government's jurisdiction do not have recovery plans. New federal initiatives are under way that should contribute significantly to the recovery of species at risk in Canada.

**1.18** The federal government has participated in restoring and protecting wetlands. While these activities are encouraging, there is not enough information on the current status of wetlands to say whether it is improving or getting worse.

**1.19** The environmental health of national wildlife areas and migratory bird sanctuaries—important biological assets in the basin—is at risk from a lack of human and financial resources needed to manage them effectively.

**1.20** The federal government delivers stewardship programs—programs that encourage voluntary actions to conserve habitat—without a cohesive stewardship strategy. While the performance of individually funded stewardship projects is measured, there is no summary reporting of federal efforts. There is also limited reporting of habitat losses, making it difficult to determine the net benefit of stewardship projects and to know whether the state of habitat in the basin is getting better or worse.

**1.21 Fisheries.** Fisheries and Oceans has not clearly defined its role in the conservation and protection of freshwater fisheries in the basin. The Department has no formal vision of the aquatic ecosystem it wants to promote. It lacks sufficient scientific information to carry out its mandate effectively; does not have clear accountability relationships with the provinces; and does not report regularly to Parliament on actions it has taken and results achieved in the basin.

**1.22** There is no federal policy, no recognized lead department, and no plan to co-ordinate federal action to counteract the environmental, economic, and social impacts of invasive aquatic species on the basin's ecosystem. Fisheries and Oceans has helped the Great Lakes Fishery Commission control the invasion of sea lamprey for the last 40 years. However, ballast water and sludge carried by commercial ships—major pathways for invasive species to enter the basin—are not being controlled adequately.

**1.23** Fisheries and Oceans has not applied its fish habitat management policy fully and does not know whether the policy's objective is being achieved. It is in the process of strengthening its habitat management program in the basin, but the program is not designed to provide the same level of monitoring and enforcement in Quebec as in Ontario.

**1.24 Ecosystem initiatives.** St. Lawrence Vision 2000 has a good structure for managing issues that involve several departments and governments, and it generally follows good management practices. But program managers, Parliament, and the public have little information on the state of the environment of the St. Lawrence River to assess how the program has contributed to protecting the environment and human health—its overall goals.

**1.25** Great Lakes 2000 was designed initially with clear roles and responsibilities and well-defined expected results. However, major budget cuts compromised the participation of departments and their capacity to meet commitments under the Canada–Ontario Agreement and the Great Lakes Water Quality Agreement. The federal government was not transparent about the consequences of budget cuts and did not report publicly on actual federal spending under Great Lakes 2000. For the next phase of the program—Great Lakes 2020—funding was approved for federal activities only in areas of concern, so it is still not clear whether the federal government can meet its commitments under the Great Lakes Water Quality Agreement.

**1.26 The International Joint Commission.** The federal government has not provided the International Joint Commission (IJC) with enough information to properly assess Canada's progress under the Great Lakes Water Quality Agreement. It has delayed answering the Commission's requests for information and responding to its recommendations. The federal government does no formal follow-up to ensure that it will complete the actions it identifies in its responses to the Commission's recommendations.

**1.27** Over the years, federal officials have provided technical expertise to the IJC's boards and study teams. However, the loss of scientific and technical

capabilities as a result of budget cuts is putting that support at risk. Also, the government has delayed its share of funding for the Commission's reference studies.

**In this chapter, we identify a number of areas where we believe the federal government can do a better job of managing for sustainability in the basin. We make a series of recommendations, directed to the departments of Agriculture and Agri-Food, Environment, Fisheries and Oceans, Foreign Affairs and International Trade, Health, and Natural Resources, and to the Parks Canada Agency.**

Agriculture and Agri-Food Canada agrees with our recommendations to it. Its response identifies existing or planned activities that relate to the issues we address, although it is not clear whether they will address all aspects of the recommendations.

Environment Canada agrees with our recommendations to it. Its response indicates its commitment to take action. In several instances, the Department notes that its ability to implement such actions depends on the availability of resources.

Fisheries and Oceans agrees with our recommendations to it. Its response identifies existing and planned activities that relate to the issues we address, although it does not consistently provide a clear commitment to address all aspects of the recommendations.

The Department of Foreign Affairs and International Trade, Health Canada, Natural Resources Canada, and the Parks Canada Agency agree with our recommendations to them respectively and have indicated their commitment to take action.



# Sustainable Development Management Systems

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## Chapter 2 Main Points

**2.1 This chapter presents a mixed message.** Some departments have shown examples of real progress in implementing management systems for sustainable development—Industry Canada, National Defence, Natural Resources Canada, and Transport Canada. On the other hand, some departments could not produce sufficient evidence to show that they had management systems for the commitments contained in their sustainable development strategies.

**2.2** Eight of the sixteen departments audited this year showed evidence that they have most of the elements of a management system to implement the commitments in their sustainable development strategies. However, eight departments could not show us that they have management systems. We are concerned that the departments that could not show us a system may be at risk of not meeting their sustainable development commitments and may also slow the progress of the federal government toward sustainability.

**2.3 Reflections on the past three years.** Three years ago we expected that departments could develop and implement management systems to meet their sustainable commitments. Leading departments have demonstrated that it can be done. However, there are still far too many links missing in the chain. We are concerned that non-performing departments will drag other departments down. We are concerned because the issue is not compliance with a management system model but the ability to deliver on the government's promise to adopt a sustainable development agenda. Adopting a methodical approach to managing sustainable development is one test to measure whether the government is serious about sustainable development or whether it is treating it as a paper exercise. Only half of the departments we audited this year passed that test.

**2.4 The largest enterprise in Canada does not have a co-ordinated approach.** The largest enterprise in Canada—the federal government—does not have a common management approach, completed standards, a timetable, or oversight to guide and hold departments accountable for their sustainable development programs. There must be a Government of Canada perspective, which includes an agreed-upon timetable for implementation of a management system, if there are to be consistent management systems in all departments within a reasonable time frame.

## Background and other observations

**2.5** In 1997, 28 federal departments tabled their first sustainable development strategies in the House of Commons. The strategies contained the departments' action plans, including the objectives and targets that the departments and others would use as benchmarks for measuring progress.

**2.6** In 1999 and 2000, we reported on the management practices that 12 departments were following to implement their sustainable development strategies. We have demonstrated in previous reports that a well-functioning management system is a strong indicator that intended results will be accomplished. As a benchmark of good practice, we used the International Organization for Standardization (ISO) 14001 standard for environmental management systems. This year, using the same benchmark, we assessed the management practices of the remaining 16 departments.

**2.7** As noted in our 1999 and 2000 reports, our review of documentation provided by departments found that in most departments, much of the documented evidence provided to describe systems and processes had been prepared after the department was selected for review by the Commissioner of the Environment and Sustainable Development. We noted that many of the departments had undertaken significant efforts to describe elements of their environmental and sustainable development management systems, make enhancements to programs, and develop additional plans and initiatives. In some departments—Industry Canada, Parks Canada, Royal Canadian Mounted Police, Public Works and Government Services Canada, and Human Resources Development Canada—consultants largely undertook much of this work. These organizations must be careful to ensure that they retain in-house the knowledge developed by the consultants.

**2.8** Our next audits will look at the performance of some departments in moving toward sustainable development. In those departments that presented evidence of well-functioning management systems, we will expect their management systems to be operating at all organizational levels and at all sites. In the departments with significant deficiencies, we will expect to see an active program to address these deficiencies, as well as progress toward their sustainable development commitments.

**The Government of Canada recognizes that effective management processes are crucial for achieving results on the objectives outlined in departments' sustainable development strategies.**

**The Treasury Board Secretariat will assist departments and agencies by providing advice on establishing or strengthening appropriate management processes to support their activities. The Privy Council Office will ensure that senior managers recognize the priority that government has placed on sustainable development. Environment Canada will provide leadership and help to co-ordinate the efforts of departments across government to promote sustainable development. Each minister is accountable directly to Parliament for the department's performance against the objectives set out in the strategy.**



# Reporting on Sustainable Development

## Is the System Working?

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### Chapter 3 Main Points

**3.1** This is the Commissioner's third annual report on federal departments' reporting of progress toward sustainable development. For the period ending 31 March 2000, the 28 departments and agencies that we monitor reported that they had met an average of about 35 percent of the commitments in their sustainable development strategies. This represents progress from the 20 percent reported in 1999, and 11 percent in 1998.

**3.2** The Treasury Board Secretariat annually publishes *Guidelines for the Preparation of Departmental Performance Reports*; this document provides guidance on the structure and contents of the annual performance reports, including reporting on sustainable development strategies. The Secretariat encourages departments to follow the Guidelines carefully and to continue improving the quality of their performance reporting. While we found that more departments were following the Guidelines' requirements for reporting on sustainable development strategies than in previous years, few follow them in their entirety. This inhibits Parliament's ability to hold departments to account for their progress in meeting the objectives and implementing the plans set out in their sustainable development strategies.

**3.3** In our view, the Privy Council Office needs to strengthen the present governance structure by ensuring that departments are aware of the priority that the government has placed on sustainable development and that they understand the role they are expected to play, including their obligation to report progress.

#### Background and other observations

**3.4** In 1995, the *Auditor General Act* was amended to create the position of Commissioner of the Environment and Sustainable Development. One duty of the Commissioner is to monitor and report on the progress of departments toward sustainable development. To this end, departments are required to prepare sustainable development strategies and table them in the House of Commons. The first such strategies were tabled by December 1997.

**3.5** The Act requires ministers to update their sustainable development strategies at least every three years. The second strategies were tabled in the House of Commons in February 2001.

**3.6** This chapter reflects our experience of monitoring the first round of sustainable development strategies. Our observations and recommendations focus on areas that require further improvement in reporting progress on the second round of strategies.

The Privy Council Office agrees with the Commissioner of the Environment and Sustainable Development that meaningful performance reports, including the monitoring of progress toward sustainable development, play an important role in the government's accountability to Parliament. The Privy Council Office, through its participation on interdepartmental committees on sustainable development, will emphasize this importance and encourage departments to improve, where necessary, on their reporting.

The Privy Council Office and the Treasury Board Secretariat will encourage departments and agencies to continue to explore innovative approaches for enhancing intra- and interdepartmental information sharing on sustainable development.



# Assessing the First Sustainable Development Strategies

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## Chapter 4 Main Points

**4.1** The six departments and agencies we audited all assessed their first sustainable development strategies, although we noted considerable differences in the process followed. We determined that there were two key ingredients to a good assessment—starting early and following a systematic process. In the future, we expect that an assessment of each strategy will be built into the sustainable development management system.

**4.2** Natural Resources Canada did the most extensive assessment of its first sustainable development strategy. Senior management lent its support, involvement, and commitment to that process. The Department was the closest to having the strong management review and checking and corrective action components required in a sustainable development management system.

**4.3** Departments and agencies identified two main problem areas in their assessments of the first sustainable development strategies. First, they found that the strategies were too broad, with too many goals and objectives and not enough measurable targets. Thus, they needed to set some priorities and develop more specific targets. Second, the departments and agencies recognized the need to develop or improve performance indicators to measure progress toward their sustainable development goals and objectives. We agree with these assessment results and will be auditing these areas in the future.

### Background and other observations

**4.4** The first sustainable development strategies were tabled in the House of Commons by December 1997. Since then, departments and agencies have focussed on implementing their strategies and reporting their progress.

**4.5** In December 1999, we published the document *Moving Up the Learning Curve: The Second Generation of Sustainable Development Strategies*. This document outlined how departments could improve their next strategies and asked departments to do three things: assess their first strategies, strengthen the planning of their strategies, and accelerate the development of their management systems. This audit focussed on the first thing—assessing their first strategies.

**4.6** We reviewed the assessments of the first sustainable development strategies in three departments—Health Canada, Natural Resources Canada, and Industry Canada—and in three agencies included in the Industry

portfolio—Atlantic Canada Opportunities Agency, Canada Economic Development for Quebec Regions, and Western Economic Diversification Canada. These organizations were chosen for two reasons. First, they represent a cross-section of policy and program mandates. Second, they provide a sample of organizations that are important to the success of the sustainable development effort government-wide.

**4.7** Certain management practices are essential to continual improvement, such as internal audit, self-assessment, and the assessment of changing circumstances. We identified some good examples of these management practices and expect departments to expand their use of these tools.



# Integrating the Social Dimension

## A Critical Milestone

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### Chapter 5 Main Points

**5.1** Sustainable development not only involves protecting the environment; it also involves improving and maintaining the quality of life for people in Canada and in other parts of the world, without compromising the ability of future generations to meet their own needs.

**5.2** Sustainable development is a concept based on the integration of economic, environmental, and social concerns. Environmental protection responds to the single goal of trying to preserve environmental quality. Sustainable development, however, is more complex. It recognizes that social and cultural factors play an important role in sustainable development, in addition to economic and environmental factors. As well, it seeks to ensure quality of life over the long term.

**5.3** Our study noted five areas of consensus:

- First, while there is debate about how to define the social dimension of sustainable development, the focus should be on the interconnectedness of the three dimensions of sustainable development—economic, environmental, and social.
- Second, integrated decision making is essential. Decision makers need to consider the three dimensions of sustainable development when they make policy and enact law.
- Third, social learning and behavioural change are fundamental to achieving sustainability.
- Fourth, addressing the social dimension of sustainable development is a critical part of achieving sustainability, and incorporating the social dimension into the next round of sustainable development strategies is a priority.
- Fifth, developing measures and indicators for the social dimension of sustainable development is a challenge that needs to be addressed in the near future.

In our future work, we will use these areas of consensus as starting points for audits that include the social dimension of sustainable development.

#### Background

**5.4** This study outlines current thinking about the social dimension of sustainable development and identifies areas of consensus. We conducted a review of the literature and two consultative workshops—one with consultants and academics and one with federal government departments. To

provide context, we also reviewed the first and second generations of sustainable development strategies and relevant international and domestic commitments to see if the social dimension had been addressed. In addition, we reviewed some emerging national and international indicators and performance measures for the social dimension of sustainable development.



# Climate Change and Energy Efficiency

## A Progress Report

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### Chapter 6 Main Points

#### Climate change

**6.1** Canada has committed to reduce its emissions of certain greenhouse gases to six percent below 1990 levels in the period 2008 to 2012 (Canada's Kyoto target). However, from 1995 to 1999, Canada's greenhouse gas emissions increased from 9 to 15 percent above 1990 levels. Therefore, the gap related to achieving Canada's Kyoto target widened while the time remaining to achieve it narrowed.

**6.2** Since our 1998 audit, the federal government has made some important progress in rethinking its implementation strategy on climate change, and in changing the management structure for dealing with climate change by establishing a national climate change process. It has increased funding to address climate change and has launched the Government of Canada Action Plan 2000 on Climate Change, which is intended to take Canada a third of the way toward its Kyoto target. It is still too early to tell whether changes in the implementation strategy on climate change will reverse the upward trend of Canada's greenhouse gas emissions.

**6.3** As part of Action Plan 2000, a new Federal House-in-Order Strategy has been announced. While 11 key departments and agencies have been assigned reduction targets for greenhouse gas emissions, all other federal entities will be invited to participate voluntarily. To demonstrate environmental leadership to the rest of Canada, the federal government will need to ensure adequate participation by federal entities.

**6.4** From the recent sustainable development strategies and other documents tabled in Parliament, it remains very difficult to get a clear picture of the federal government's response to climate change. We continue to believe that Parliament's ability to provide effective oversight is hampered by the continued lack of consolidated summary-level reporting to Parliament on both the federal government's and Canada's response to climate change.

**6.5** Despite the progress made to date, the federal government still needs to do a great deal of work to engage partners to take action on climate change. Given the important health, economic, environmental, and social benefits of taking action, we believe Canada cannot afford to let its efforts to date fall by the wayside.

## Background and other observations

**6.6** International scientists claim that greenhouse gas emissions will have to be cut by more than half by the end of the century to avoid some of the more severe impacts of climate change. In Canada, these impacts could include adverse effects on Canada's North, agriculture and agri-food, forestry, and fisheries, as well as increases in floods, droughts, forest fires, and severe storms.

**6.7** In December 1997, Canada and 160 other countries adopted the Kyoto Protocol that established Canada's Kyoto target. Canada signed the Kyoto Protocol in April 1998. Like most other developed countries, it has not yet ratified the Protocol. Decisions on some key mechanisms or tools and other issues of the Protocol have not been finalized and are the subject of ongoing international negotiations. During the interim between signature and ratification, countries are obliged under international law to refrain from doing anything to frustrate the intent of the Protocol. Once this Protocol enters into force, it will legally bind countries who have ratified it to meet their greenhouse gas emission commitments.

**Environment Canada and Natural Resources Canada responded to our recommendation and agreed to annually review the participation of federal entities in the Leadership Challenge component of the Federal House-in-Order Strategy. In their joint comment on our climate change follow-up work, Environment Canada and Natural Resources Canada outlined some of the government's recent accomplishments and acknowledged that there are a number of important matters that remain unresolved.**

## Energy efficiency

**6.8** Natural Resources Canada (NRCan) has made satisfactory progress in addressing our 1997 recommendations associated with its energy efficiency initiatives. Since then, NRCan has provided greater clarity in the performance expectations for these initiatives, made considerable progress in measuring and assessing their performance, and significantly increased its efforts to link changes in energy use to changes in greenhouse gas emissions. It has also provided improved performance information in its reporting to Parliament on these initiatives.

## Background and other observations

**6.9** The production and consumption of fossil fuels such as oil, natural gas, and coal (the main sources of energy in Canada) cause most of Canada's greenhouse gas emissions. Using energy more efficiently will generally help reduce these emissions.

**6.10** In our 1997 audit of energy efficiency, we concluded that NRCan's performance information, on both expectations and achievements, was not sufficient to determine the overall success of its energy efficiency initiatives in terms of the contribution they were making to Canada's climate change

commitments. We also identified opportunities to enhance the transparency of the energy efficiency initiatives and departmental accountability by better reporting to Parliament on expectations and achievements.



# Connecting With Canadians

## The Environmental Petitions Process

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### Chapter 7 Main Points

**7.1** The environmental petitions process under the *Auditor General Act* provides a formal means for Canadians to bring their concerns about environmental issues to the attention of federal ministers and departments and obtain a response to their concerns. For example, through the process, citizens and organizations can ask federal ministers to explain federal policy, investigate an environmental problem, or examine their enforcement of environmental legislation.

**7.2** The Commissioner of the Environment and Sustainable Development is responsible for handling environmental petitions on behalf of the Auditor General of Canada. The Commissioner co-ordinates the process, monitors responses, and makes sure that the questions that Canadians pose and the issues that they raise are addressed by federal ministers and their departments.

**7.3** Although the environmental petitions process was established back in December 1995, it is virtually unknown to Canadians. One of the key priorities for the Commissioner is to make the public more aware of the process and provide guidance on preparing and submitting environmental petitions. We are taking steps to try to ensure that the petitions process works as effectively as possible, such as following up on departmental commitments outlined in petition replies and considering the subject matter of petitions for future audits or studies.

**7.4** If you have concerns about an environmental or sustainable development issue and would like some answers, you should consider using the environmental petitions process under the *Auditor General Act*.



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