CELA/ACDE

November 27th, 1974.

Executive Director's Report to the
Members of the Canadian Environmental Law Association

Attached are the audited financial statements for the Canadian Environmental Law Association and the Canadian Environmental Law Research Foundation. In my opinion, we have completed a very successful year.

In the Fall of 1973, CELA set up a law reform group charged with the responsibility of encouraging the Province of Ontario to introduce effective environmental impact assessment legislation. CELA's brief on this subject, completed shortly thereafter, has become the focal point for public discussion of this legislation. Several Ontario municipalities, including the City of Toronto, and many more special interest groups have endorsed its principles.

In the next few days, this team will release their own draft legislation on environmental impact assessment. This will be a significant event because this effort, which has been praised by environmental lawyers across Canada, will demonstrate that effective legislation can be written if the spirit is willing. The work that this group has done to encourage intelligent debate through discussions with the public, the press and the media, is sufficient in itself to justify the existence of this public interest group.

Fortunately, we have had other successes. Environment on Trial: A Citizen's Guide to Ontario Environmental Law, released in February, has met with an outstanding public response. One year after its release I believe we will be into the second printing. Although the sales are encouraging, the reviews have been better. Walter Pitman in his Toronto Star column called Environment on Trial "a guide to real environmental success". Harold Greer featured the book in his article on the Dow suit.

Nature Canada says our book will be valuable in other provinces and that the "environmental movement owes a debt of gratitude" to CELA and CELRF. The Law Society of Upper Canada Gazette said Environment on Trial is "a very good example of the type of book that the Federal Law Reform Commission has long advocated" as it makes the law easily understandable to the layman.

The Canadian Bar Review claimed Environment on Trial is useful to the lawyer and academic as well, and concluded:

Canadian Environmental Law Association
L'Association canadienne du droit de l'environnement

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one Spadina Crescent
Toronto Ontario
M5S 2J5

telephone (416) 928-7156

This paper contains post-consumer waste

> "it should be required reading for politicians and civil servants who are charged with protecting the environment as ..... they could benefit from a careful reading of its contents."

I know I speak for all CELA members when I say that we owe a debt of gratitude to the Environment on Trial co-editors, CELA's former Counsel, David Estrin, and our present Counsel, John Swaigen. Well done!

We have had a few litigation successes but I will let John Swaigen detail those. Before doing so, I would like to mention some other achievements, not of great moment, but important to a young public interest group. With the kind assistance of Clarkson, Gordon, we armed ourselves with audited financial statements for the first time and approached the business community. To date, we have received major grants from George Weston Ltd., The Molson Companies, Ltd., The House of Seagram, Bell Canada, and Shell Canada Limited, thus enabling us to obtain a wider base for funding support with the greater independence that a wide base suggests.

In the near future we will be completing our research project on environmental law in Canada for the Donner Canadian Foundation. I expect this to be published during March 1975.

All in all, thanks to our donors, to a Staff which works with us at some sacrifice, to the University of Toronto, to the Bowring Innovator Group, and to our many supporters in the press, we have managed to present our point of view. We'll try to continue our modest achievements next year. Environmentally , as you know, we've got a long way to go.

Yours sincerely,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

Gar Mahood

Gar Mahood,
Executive Director

att.

CANADIAN ENVIRONMENTAL LAW ASSOCIATION (CELA)

ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURES

The Canadian Environmental Law Association is actively campaigning for legal reform which would open up the environmental decision-making process to citizen participation. For too long, decisions which affect the environment have been made behind closed doors, with no opportunity for a public airing of the issues.

Environmental law reform is needed at the provincial and federal levels. Progressive legislation has been passed in several U.S. jurisdictions and could easily be adapted for use here. The cornerstone of such legislation would be law that requires:

1. Social and environmental assessment studies as well as cost-benefit analyses before projects are approved.
2. Early notice of a proposed project must reach all those interested and likely to be affected.
3. Public access to all information about proposed projects.
4. An independent, powerful Environmental Review Board as a prerequisite to public confidence in the new procedures.
5. A citizen may require the Board to consider whether a project needs an environmental assessment or (if one has been done) whether it adequately explains expected environmental effects.
6. Public or private funds to be made available to objectors acting in the public interest.
7. The assessment document must contain all responsible contentions of interested or affected persons, outside experts, organizations and governmental agencies on the possible environmental and social impacts of a proposed project.
8. The originator of an undertaking should prepare and pay for its assessment.
9. The Review Board, working with the Ministry of the Environment staff, should assure that all stages of the assessment process follow proper procedures.
10. A firm timetable for implementing legislation in the public and private sectors.

CELA's brief "Principles for Environmental Impact Assessment" may be obtained from the address below at a cost of $2.00.

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1 Spadina Crescent, Suite 303, Toronto, Ontario M5S 2J5

At the present time, the Ontario and federal governments are considering environmental assessment procedures. If you want meaningful environmental law, write your M.P.P. and demand that these procedures be included in any legislation adopted. Send us a copy.

GUIDE TO LETTER WRITERS

Who to write to:

Hon. William G. Davis,
Premier,
Main Legislative Building,
Queen's Park,
Toronto, Ontario.

Hon. William Newman,
Minister of the Environment,
135 St. Clair Avenue West,
Toronto, Ontario.

Hon. Allan Grossman,
Provincial Secretary for Resources Development,
Main Legislative Building,
Queen's Park,
Toronto, Ontario.

Mr. R. K. McNeil,
Chairman,
Committee on Resources Development,
Main Legislative Building,
Queen's Park,
Toronto, Ontario.

Your M.P.P.
Legislative Buildings,
Queen's Park,
Toronto, Ontario.

Provincial cabinet minister responsible for the area that includes your special interest: agriculture, labour, education etc.

What and how to write:

Don't devise a form letter and have several people sign it. Any experienced politician knows that form letters are not worth the paper they're written on.

Identify yourself as a concerned constituent, and invite a reply. If you get one, you may wish to write again, keeping up a continuing dialogue. This will make it clear that your interest in this issue is more than a one-shot affair.

Focus on a few (2-4) of the points listed on the other side of this sheet. You might explain why it is important to you - as a member of the general public, or because of your special situation, or both - that these points be included in any legislation that is passed on environmental impact assessment. You might also ask that the bill be brought before a Standing Committee of the Legislature, for public exposure and debate, before it is passed.

The tone of your letter should be cordial. Assume that its recipient is friendly, or at least not hostile, and that he will consider your position a reasonable one. If you do, he probably will.

Make it short - not more than two pages, and if possible only one.

Keep copies of anything you send and receive, and please send copies, if possible, to CELA's office.

Clarkson, Gordon & Co.

Chartered Accountants

Royal Trust Tower
P.O. Box 251, Toronto-Dominion Centre
Toronto, Canada, M5K 1J7

St. John's Halifax Saint John Quebec Montreal
Ottawa Toronto Hamilton Kitchener London
Windsor Thunder Bay Winnipeg Regina Calgary
Edmonton Vancouver Victoria

Arthur Young, Clarkson, Gordon & Co.
United States—Brazil

Telephone 864-1234 (Area Code 416)

AUDITORS' REPORT

To the Directors of
The Canadian Environmental Law Research Foundation, and
To the National Executive Committee of the
Canadian Environmental Law Association:

We have examined the statements of financial position of the Canadian Environmental Law Research Foundation and The Canadian Environmental Law Association as at September 30, 1974 and their respective statements of revenue and expenditures for the year then ended. Our examination included a general review of the accounting procedures and such tests of accounting records and other supporting evidence as we considered necessary in the circumstances.

As in the case with many non-profit organizations, the nature of the Foundation's and the Association's revenues is such that they are not susceptible of complete verification by audit procedures. Accordingly our verification of revenues was limited to a comparison of recorded receipts with bank deposits on a test basis.

In our opinion, except for the effect of any adjustments that might be required had we been able to adequately verify revenue, the accompanying financial statements present fairly the financial positions of the Foundation and the Association as at September 30, 1974 and the results of their operations for the year then ended, in accordance with generally accepted accounting principles for non-profit organizations applied on a basis consistent with that of the preceding period.

Clarkson, Gordon & Co.

Toronto, Canada,
November 22, 1974.

Chartered Accountants

THE CANADIAN ENVIRONMENTAL LAW RESEARCH FOUNDATION

AND

THE CANADIAN ENVIRONMENTAL LAW ASSOCIATION

FINANCIAL STATEMENTS

SEPTEMBER 30, 1974

THE CANADIAN ENVIRONMENTAL LAW RESEARCH FOUNDATION
(Incorporated without share capital under the laws of Ontario)

AND

THE CANADIAN ENVIRONMENTAL LAW ASSOCIATION
(Unincorporated)

STATEMENTS OF FINANCIAL POSITION

SEPTEMBER 30, 1974

	Foundation	Association
Current assets:		
Cash	$18,202	$ 8,159
Accounts receivable	876	242
Total assets	19,078	8,401
Liabilities:		
Accounts payable and accrued charges	6,637	3,874
Net assets	$12,441	$ 4,527
Consisting of:		
Undistributed equity, October 1, 1973	$41,854	$ 4,282
Add (deduct) excess of revenue over expenditures (expenditures over revenue) for the period	(37,007)	7,839
	4,847	12,121
Advances forgiven (note 3)	7,594	(7,594)
Undistributed equity, September 30, 1974	$12,441	$ 4,527

(See accompanying notes)

THE CANADIAN ENVIRONMENTAL LAW RESEARCH FOUNDATION

STATEMENT OF REVENUE AND EXPENDITURES

FOR THE YEAR ENDED SEPTEMBER 30, 1974
(with comparative figures for the nine months ended September 30, 1973)

	Year ended September 30, 1974	Nine months ended September 30, 1973
Revenue:		
Local Initiatives Program Grant	$ 31,200	$59,802
Municipality of Metropolitan Toronto Grant	10,000	10,000
Department of Justice Grant for the planning and design of a Citizen's Guide to Environmental Law in Canada		4,250
Sir Joseph Flavelle Foundation Grant to assist in the publishing of Environment on Trial: A Citizen's Guide to Ontario Environmental Law		2,500
Publications	2,929	
Donations	27,324	2,166
Sundry	624	868
	72,077	79,586
Expenditures:		
Salaries and benefits	74,015	55,812
Editorial and research costs	17,460	3,443
Office expense	3,853	3,532
Photocopies, printing and publishing	6,215	3,287
Telephone	3,316	1,069
Travel	1,313	951
Postage	898	664
General expense	2,014	
	109,084	68,758
Excess of revenue over expenditures (expenditures over revenue) for the period	$(37,007)	$10,828

(See accompanying notes)

THE CANADIAN ENVIRONMENTAL LAW ASSOCIATION

STATEMENT OF REVENUE AND EXPENDITURES

FOR THE YEAR ENDED SEPTEMBER 30, 1974
(with comparative figures for the nine months ended September 30, 1973)

	Year ended September 30, 1974	Nine months ended September 30, 1973
Revenue:		
Donations	$ 910	$1,341
Membership fees and subscriptions	5,621	2,690
Editorial and Research Revenue	3,238	
Publications	554	
Sundry		263
	10,323	4,294
Expenditues:		
Litigation costs	$ (755)	$3,000
Office expense	164	185
Photocopies, printing and publishing	1,164	
Reports and affidavits	50	
Telephone	25	
Travel	962	
General expense	874	106
	2,484	3,291
Excess of revenue over expenditures for the period	$ 7,839	$1,003

(See accompanying notes)

THE CANADIAN ENVIRONMENTAL LAW RESEARCH FOUNDATION

AND

THE CANADIAN ENVIRONMENTAL LAW ASSOCIATION

NOTES TO FINANCIAL STATEMENTS

SEPTEMBER 30, 1974

1. The Canadian Environmental Law Research Foundation enters into joint projects with and underwrites many of the expenses of The Canadian Environmental Law Association. The Foundation and The Association jointly provide an environmental law citizen advisory service, sponsor public education and environmental law research and promote legal reform.

2. The Association has made cash advances to the Foundation which accumulated to $7,594 at September 30, 1974. As the Foundation has underwritten many of the expenses of the Association in the current and prior years, the advances have been forgiven by the Association.

3. During the year the Foundation published "Environment on Trial: A Citizen's Guide to Ontario Environmental Law". Grants for publishing this book were received in prior years and related publishing costs have been charged as expenditures as incurred. At the year end the Foundation had on hand approximately 1,475 copies of this book which have been assigned no value in the statement of financial position.