



CANADIAN ENVIRONMENTAL LAW ASSOCIATION
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

Ayumi Bailly
Director of Policy and Programs
The Law Foundation of Ontario
20 Queen Street West,
Suite 3002 Box 19
Toronto ON M5H 3R3

February 10, 2012

Dear Ms. Bailly,

RE: Final Project Report: Environmental Health, Equity, and Law: Making the Links

The Canadian Environmental Law Association and the Environmental Health Institute of Canada are pleased to submit the final report for your grant to us for the "Environmental Health, Equity, and Law: Making the Links" Project ("Making the Links Project"). Once again, we would like to thank the Law Foundation of Ontario ("LFO") for its support of the "Making the Links Project," aimed at enhancing the ability of Ontario communities to reduce their environmental inequities. Please find in the enclosed our final report along with appendices.

We are very pleased with the results the project, including: the reception from, and collaborations within communities; the community-specific resources created in the course of the project (the Legal Toolkit and Fact Sheet Series, and Resource Kits); the community-specific information acquired to assist in our development of further outreach and legal education programs; as well as the networks, research groups, and projects which all took root because of the interdisciplinary multi-sectoral connections made in the course of the project. Please find full details on the project's milestones in the enclosed final report and appendices.

Again, we are very pleased with how much we have been able to accomplish with this grant and would like to thank the Law Foundation of Ontario ("LFO") for making this important work possible.

Sincerely,

Burgandy Dunn
Project Counsel
Canadian Environmental
Law Association

Theresa McClenaghan
Executive Director and Counsel
Canadian Environmental
Law Association

Lynn Marshall
President
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FINAL REPORT TO LAW FOUNDATION OF ONTARIO

Environmental Health, Equity, and Law: Making the Links



2008 - 2011



Canadian Environmental Law Association



Environmental Health Institute of Canada

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PART I: EXECUTIVE SUMMARY

The "Environmental Health, Equity, and Law: Making the Links" Project was a three year interdisciplinary outreach program focusing on environmental law and access to justice issues in six Ontario communities. Each community identified – Kenora, Hamilton, Brantford, Cornwall, Windsor and Sarnia – possessed a high pollution burden and incidence of environmental health issues, as well as a high percentage of low income and vulnerable populations.

During the course of the three years, our activities were focused on the objectives of increasing community environmental health, promoting engagement in the legal system; enhancing community knowledge of environmental laws and available legal tools; facilitating the sharing of information between the health and legal sectors; and improving the capacity of frontline environmental groups and legal and health service providers to protect their constituents from environmental threats to health.

The Project successfully engaged a variety of environmental organizations, health and legal practitioners, community members, and academics. With a broad range of environmental health issues represented by the various groups and individuals participating, the Project successfully highlighted the interconnections between environmental health and equity, and provided a forum for interested parties to share and collaborate.

The Project filled an important gap, given that there had been little precedent in Ontario for bringing the legal and medical fields together at a community scale from an environmental perspective. The Project enabled communication and information sharing between the legal and health sectors on shared issues of concern. This contributed to a reported increase in capacity for both sectors, as well as community members, in addressing environment-linked health problems.

Given the recognition of the correlations between environmental conditions and human health effects – such as respiratory conditions and rates of diseases such as cancer – the Project also took place at an opportune time, providing communities with the legal tools necessary to reduce environmental inequities and advance the health of their members. Community participants have made a significant contribution to the shared knowledge base of the Project Participants and an increase in understanding and resources available have been reported from the health and legal sectors as well as community members and groups.

Presentations and workshops covered topics such as public participation in environmental decision-making, federal and provincial legislation that impacts environmental health, legislation and tools relevant to the regulation of urban contaminated sites, the impact of air pollution on human health, community specific analyses with respect to environmental health, occupational health and environmental health concerns, and children's health and the threat posed by indoor environmental exposures.

All of the presentations and resources created throughout the course of the three year Making the Links Project will be posted on our website by early January 2012:
<http://www.cela.ca/collections/justice/environmental-health-equity-and-law-making-links>.

In addition to these Project-related education activities, collaborations between Project participants grew out of the Project. For instance, the following are examples of environmental-health focused collaborations or partnerships that took root in the course of, and directly resulted from, the Making the Links Project:

- the Injured Workers Speaker School in Sarnia,
- the Network for Environmental Epidemiology and Equity Training (NEEET), a group of academic institutions and organizations focusing on epidemiology and environmental equity, health and the double burden facing low income and vulnerable populations in Ontario

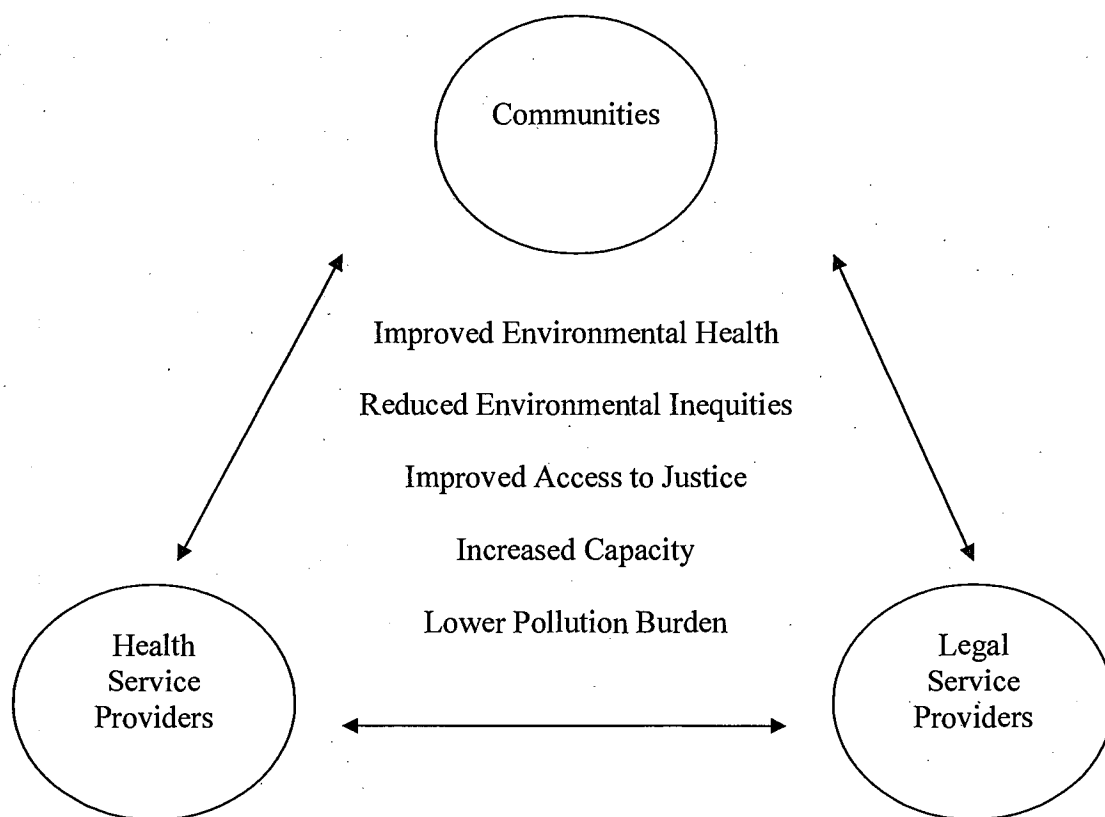
PART II: PROJECT DETAILS

The Making the Links Project was founded on the recognition that low-income families and other vulnerable populations such as aboriginal peoples, pregnant women and their unborn children, the elderly, and young children are disproportionately exposed to and affected by exposure to environmental contaminants. Furthermore, such vulnerable populations such are most likely to lack the legal and health information and services necessary to address their own exposure and health outcomes.

The Project was broadly aimed at enabling communities to reduce these environmental inequities. The objectives of the Project were:

- to enhance the environmental health of a variety of Ontario communities by increasing their level of engagement in the legal system,
- enhancing community knowledge of environmental laws and available legal tools,
- contributing to the development of community legal skills, and
- improving the capacity of frontline environmental groups and health service providers to protect their constituents from environmental threats to health.

The Project involved a three-way exchange of knowledge and expertise, as illustrated by the diagram below:



The Project took place over three years. During this time, CELA and EHIC used the above illustrated exchange of knowledge as the basis for the development of project activities. Throughout the 3 years, CELA and EHIC engaged doctors, nurses, public health practitioners, occupational health advocates, environmental non-governmental organizations, academics, legal aid clinics, and community groups with the goal to increase exchange of knowledge among sectors.

The Project established and provided the framework to extend networks among an interdisciplinary group of practitioners, as well as enhancing the legal knowledge of our participants and partners. It served as a mutual learning opportunity, providing for the dissemination and sharing of information between sectors. Additionally, CELA was able to identify areas in which there is a need for increased public legal education, legal action and law and policy reform activities in these communities.

The environmental health issues upon which the Project's work focused included community concerns pertaining to:

- industrial and transport air emissions
- water quantity and quality
- brownfields (i.e., the existence of and redevelopment of urban contaminated sites)
- toxics regulation (including toxics in consumer products)

- indoor air pollution
- energy poverty
- food security
- water quantity/quality

These topics were addressed within the interdisciplinary context, thereby facilitating the exchange of knowledge, establishing and strengthening networks, and building the tools to achieve the goals of greater access to justice and improved environmental health.

Throughout the Project, CELA and EHIC provided their respective skills and experience to advise community members and practitioners. CELA provided expertise on existing laws, regulations, and policies. EHIC provided expertise on issues of environmental health and current research and trends. The project's partners agreed that the issue of environmental health and equity is in significant need of attention. Through the course of the project, CELA identified issues particular to each community, as well as at a provincial level, and plans to maintain its connections in each community. Furthermore, going forward, CELA plans to prioritize work with community partners by pursuing legal action, or law and policy reform, as required.

PART III: OVERVIEW OF RESULTS: PROJECT MILESTONES

Year 1:

Community Selection

The first year of the Project served as a building phase. This phase of the project began in January of 2009, at which time the focus was on selecting six pilot communities, as well as developing community partners, and establishing a steering committee for the Project, which was composed of a range of experts.

CELA conducted research, and engaged the Project Steering Committee in discussions in order to determine which Ontario communities to engage in the Project. In doing so, CELA met with community partners to discuss the criteria for selection of priority communities and community specific environmental health issues of concern. CELA focused on specific communities in consultation with community partners – a multi-dimensional approach to the notion of 'community'. In addition to geographic communities, we identified and utilized other demographic communities, such as aboriginal peoples, youth, women and seniors, who are vulnerable to pollution exposure and its associated health problems and who have difficulty accessing the justice system and the legal tools necessary to affect the needed change in their geographic area of residence.

The following considerations were identified as relevant factors in community selection:

- income level;
- low income and older housing, and related indoor air pollution issues;
- outdoor pollution burden;
- environmental health indicators (respiratory, cardiovascular, cancer, neurodevelopmental, etc.);
- exposure pathways (air, soil, water, food, etc.);
- presence of age- or health-sensitive populations (including seniors, children, immuno-compromised individuals, etc.);
- geographic diversity of communities selected;
- at least one First Nations community;
- urban and rural community representation among communities selected;
- density of industrial facilities reporting to the National Pollutant Release Inventory;
- existence of an identifiable environmental problem(s) in the community;
- range of environmental/legal issues (e.g. historic landfills, brownfields, water contamination, fugitive air emissions, runoff from intensive livestock operations, etc.) among communities selected; and
- level of interest in communities and potential to benefit from increased capacity through involvement in the Project.

During 2009, the Provincial Steering Committee met on two occasions to discuss the community selection process. Based on the above-mentioned considerations, the Committee agreed to focus upon gauging interest, and undertaking outreach activities in communities in the following areas: north Hamilton, west Windsor, south Sarnia and Aamjiwnaang First Nation, North Glengarry or Cornwall, south Brantford, and one or more First Nations communities in the District of Kenora.

Planning Phase: Building Relationships in Communities

Once the selection of the six pilot communities was made, the Project focus turned to building on and forming new relationships with community members, environmental non-governmental organizations, legal and health service providers, occupational health advocates, and others in the above-noted communities.

At this time, we held formal group sessions in communities in order to (a) discuss and identify, based on our previous informal discussions, the key environmental health issues facing each community, (b) establish community-specific oversight teams, and (c) determine the topics on which we will focus our initial workshops/training sessions and tool kits. In furtherance of the objective of developing relationships with the communities, Kaitlyn Mitchell and Theresa McClenaghan traveled multiple times to Hamilton, Brantford, Windsor, Sarnia, Kenora and Cornwall to meet with community members. These sessions were well attended and extremely useful, and guided our project activities in the following two years.

At this stage of the project, CELA also coordinated with other environmental initiatives being undertaken in each of the identified communities with which we were engaged, in order to build on existing knowledge and avoid duplication of efforts. To maximize the effectiveness and efficiency of our work, we actively sought out other potentially relevant work in each community – be it completed, ongoing, or planned. For instance, we were in contact with the Ontario Healthy Communities Coalition to discuss our respective work, as well as potential areas for collaboration. Similarly, we were in contact with regards to potential collaborations with the “Good Neighbours Campaign” undertaken by the Toronto Environmental Alliance (“TEA”) and Environmental Defence in Hamilton and Sarnia (which sought to mobilize communities around a specific industrial facility in their area in order to promote better corporate).

Throughout the community selection phase of the project, community members, health and legal practitioners, and partner organizations were asked to provide their input with regards to their interest in the project, and were asked to offer suggestions with regards to other community members or groups that may have an interest in engaging in the project. Likewise, community members were at this time were canvassed for their input regarding what they viewed as being the most pressing local environmental health concerns in their community.

The following table briefly outlines the environmental health concerns identified at this stage of the Project:

North Hamilton	North West Windsor	South Sarnia and Aamjiwnaang First Nation	Brantford	North Glengarry/ Cornwall	District of Kenora
<u>-Industrial Air Emissions:</u> high concentration of facilities in the City's north end <u>-Water quality:</u> public education campaign is currently being undertaken by Hamilton Public Health <u>-Scrapyards:</u>	<u>-Industrial Air Emissions:</u> high concentration of air pollution from local facilities, as well as American facilities <u>-Air Emissions from Trucks:</u> high volume of truck traffic in close proximity to the community	<u>-Industrial Air Emissions:</u> high concentration of air pollution from local facilities, as well as American facilities <u>-Air Pollution from Highway 402:</u> proposal to expand the highway is very contentious	<u>-Industrial Air Emissions:</u> large number of releases from facilities reporting to the National Pollutant Release Inventory <u>-Water quality:</u> concerns about pollution in the Grand River <u>-Brownfields:</u> very significant	<u>-Water quality/quantity:</u> general lack of water resources in many communities in North Glengarry. Issue is compounded by high agricultural usage of the water, which has a significant impact on quality. <u>-Industrial Air</u>	<u>-Water Quality/Toxic s:</u> main concerns pertain to historic mercury contamination in the English-Wabigoon River System. The contamination has had significant impacts on First Nations

associated concerns pertain to air emissions and brownfields <u>-Brownfields:</u> pockets of brownfields exist in north Hamilton <u>-Toxics:</u> large study is under way regarding children's lead levels <u>-Indoor Air:</u> concerns associated with low income housing	<u>-Water quality:</u> concerns about water quality, contaminated sediment, and the consumption of fish from these rivers <u>-Brownfields:</u> 132 potential brownfields properties have been identified by the City	<u>- Provincial Environmental Approvals Process:</u> concerns that the current process is inadequate for areas, such as Sarnia, which have over-saturated air sheds <u>-Water Quality:</u> concerns related to those regarding air emissions; additional concerns regarding spills and lack of related disclosure <u>-Brownfields:</u> Welland Chemical site located near Aamjiwnaang First Nation is particularly contentious	environmental issue in the City of Brantford <u>-Agricultural Workers:</u> concerns about exposures to pesticides and other health issues associated with industrial agricultural practices <u>-Brantford Southern Access Road:</u> contentious issue in the community	<u>Emissions:</u> significant issue in the Cornwall area <u>-Water Quality:</u> concerns regarding pollution in the St. Lawrence River (e.g. concerns pertaining to inadequate septic systems in use on properties along the River)	communities, including Grassy Narrows and Wabauskang <u>-Industrial Air Emissions:</u> large number of high-emissions facilities in the area <u>-Brownfields:</u> significant number of contaminated sites
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In addition to the meetings held during the course of the above mentioned 'planning phase', CELA presented at the Association of Ontario Health Centres Annual Conference on June 4 – 5, 2009. At this time, the Making the Links Project was introduced, as well as the underlying rationale – i.e, the concept of environmental equity. CELA engaged workshop participants in discussion about environmental health issues facing low-income communities and the tools that exist to address these problems, and also provided information regarding existing legal tools pertaining to environmental health and community access to environmental justice. This resulted in several workshop

participants inquiring further about the Project. Participant feedback provided information with respect to Community Health Centres' current practices and corresponding insight for CELA on how to include them in the Making the Links Project.

Throughout November and December of 2009, CELA undertook a number of additional activities as part of the Making the Links Project. For instance, CELA gave a presentation at the University of Windsor's Law School on November, 16, 2009 titled "Environmental Inequities in Canada: The Double Burden of Pollution and Poverty". This presentation examined the environmental justice movement in Canada and the United States, and explored the problem of environmental injustice due to low-income communities and other socially disadvantaged groups bearing a disproportionate share of pollution exposure. CELA discussed with the law students in attendance new and creative thinking – such as that involved in initiatives like the Making the Links Project – which will be required in order for environmental advocates, laws, and policies to recognize and respond to these inequities.

On November 18, 2009, CELA traveled to Brantford, Ontario to provide a workshop in conjunction with John Oudyk, a Brantford resident and Occupational Hygienist at Hamilton's Occupational Health Clinic for Ontario Workers ("OHCOW"). The workshop, which took place at the Brant, Haldimand, Norfolk Community Legal Clinic, covered a range of topics pertaining to occupational and environmental health, including means of engaging in environmental decision-making and accessing data regarding local industrial emissions, and ways in which organizations such as OHCOW work to prevent adverse health outcomes due to exposures to contaminants in the workplace. Workshop participants were from a range of backgrounds, including City staff, lawyers from the Community Legal Clinic, Community Health Clinic staff, City councillors, and others working to advance social justice causes. Those present expressed a high degree of interest in the topics discussed and in engaging in further Project activities in the Brantford area.

Word about the Making the Links Project spread and as a result, many groups and individuals – both within our six pilot communities and beyond – expressed interest in learning more about our Project approach, objectives, and activities. For example, Peterborough's Occupational and Environmental Health Coalition demonstrated interest in the Project and as a result CELA traveled to Peterborough on November 24, 2009 to meet with Coalition members and discuss with them the Making the Links Project. The meeting included an overview of Project rationale and activities, designed so that the Coalition could use the Project as a reference in working to increase their own potential to conduct multi-disciplinary initiatives addressing environmental health issues in their community.

On December 2, 2009, a community environmental health workshop was held in Kenora at which CELA provided a presentation on topics pertaining to shelter and the environment, such as indoor air quality issues, low income citizens' access to energy, and drinking water quality, as well as publicly available tools for participating in environmental decision-making. Participants were from a range of backgrounds, and

included residents of the City of Kenora as well as surrounding First Nations communities. The workshop was a valuable source of further contacts for Project activities and planning.

From December 8 – 15 2009, workshops were held in Cornwall, Windsor, Hamilton, and Sarnia. In Cornwall, CELA provided a presentation regarding tools for participating in environmental decision-making, toxics in consumer products, and topics pertaining to shelter and the environment, such as indoor air quality issues, low-income citizens' access to energy, and drinking water quality. Similar workshops held in Windsor, Hamilton, and Sarnia discussed occupational environmental health issues and ways to participate in environmental decision-making, and involved speakers from CELA and OHCOW. In addition to CELA staff, our list of speakers in Windsor included James Miuccio (Occupational Hygienist, OHCOW), and Mark Bartlett (CAW Local 444 Community Environment Representative). In addition to CELA representatives, John Oudyk (Occupational Hygienist, OHCOW) and Nora Maher (Occupational Hygienist, OHCOW) presented at our Hamilton and Sarnia workshops, respectively. As was the case previously, workshop participants in each community represented a range of occupational and environmental health stakeholders, including concerned community members, labour activists, lawyers, doctors, educators, and academics. Participants expressed a high degree of interest both in the topics of our presentations and in the Making the Links Project more generally. Importantly, these workshops were a valuable learning experience for presenters as well, in that we received input and suggestions from participants regarding their own personal experiences and concerns regarding environmental health issues in their local communities. We also encouraged participants to express their views regarding activities that we could undertake as the Making the Links Project continued.

Year 2:

Further capacity-building and access to environmental justice work was undertaken in the second and third years of the Project. Generally speaking, the second year of the project focused on outreach and consultation with the communities about issues of local concern.

In early 2010, we reviewed the activities of the previous year and continued planning for Year 2. We assessed which strategies had worked well and which strategies could be improved, and considered feedback that we had received. With this information in mind, the planning of the second year's activities continued.

In February 2010, CELA participated in a panel discussion in Sarnia following a Sarnia Justice Film Festival screening of a documentary entitled: "Addicted to Plastic." This was a particularly useful opportunity to reach a broader audience and discuss the Making the Links Project with them, as the film was well-attended and the audience consisted of a diverse group of community members.

On March 23, 2010, a Provincial Steering Committee meeting took place, at which an overview of project activities was provided, and planning took place regarding community-specific activities to engage in over the next two years.

On April 21, 2010 CELA travelled to Brantford to meet with members of the Brant/Brantford Roundtable on Poverty. The Roundtable is a multi-sectoral group, including members from business, government, social agencies, faith-based organizations, and people with lived experience, who seek solutions to eradicate poverty while increasing the prosperity of the community. At this meeting CELA provided information about the Making the Links Project and discussed issues of local importance, and has since continued to collaborate with the Roundtable members.

On May 6, 2010 CELA presented at the 17th annual St. Lawrence River Institute Conference, "Protecting and Restoring Aquatic Ecosystems through Government and Community Action" in Cornwall. CELA's presentation, entitled "Pollution and Poverty in the Great Lakes River Basin: Making the Links Between Environmental Health, Equity & Law", examined the notion of environmental justice and the history of environmental inequities in Canada. The presentation then considered the issue of environmental equity in the Great Lakes Basin and concluded with a discussion about why examining this issue is so important. This presentation was well received by the audience at the River Institute Conference.

On June 16, 2010, CELA was contacted by a representative of the *Great Lakes Research Review* ("GLRR") and was invited to contribute a paper on environmental equity in an upcoming issue. CELA submitted an article entitled "Making the Links: Pollution, Poverty, and Environmental Justice," was co-authored by Renee Griffin and Theresa McClenaghan, which is to be published in the *Great Lakes Research Review* in early 2012 following a delay by the publishing company.

On October 25, 2010, a provincial steering committee meeting was held to provide an update on our funding application and Year 2 activities.

October 27, 2010, Renee Griffin traveled to Cornwall, with Rick Lindgren (Counsel, CELA), to deliver a presentation on Brownfield regulation in Ontario. This workshop was part of a larger series of presentations on the topic of Brownfields held in each of our six Making the Links communities.

In November 2010 CELA undertook full day workshops in each of the six pilot communities. Topics for the workshops included environmental health and law topics of interest to a range of legal, health, and community service providers. In addition to providing community members with valuable information about environmental law and health, the purpose of the workshops was also to gather information about the concerns and needs of the community. This information informed our planning during the third year of the Project. Following these workshops, CELA completed a summary report on this series of workshops.

This series of workshops began in Hamilton on November 2, 2010. There were representatives from the Environment Hamilton, McMaster University, Clean Air Hamilton, the City of Hamilton, the local community legal clinic, and local industry groups, among others. We began the day with a discussion of environmental issues of concern in Hamilton. This presentation prompted interesting discussion about environmental health issues in Hamilton and available resources in the community. Throughout the remainder of the day, we discussed topics such as children's health, occupation exposures and health, and public participation in environmental decision making. The entire discussion was framed in the context of environmental equity. In order to set the stage for this discussion, the group heard a presentation about the history of the environmental equity movement and the reasons why it is important to consider equity in environmental decision making.

The environmental law and health workshop in Windsor took place on November 10, 2010. Participants included representatives from the Children's Aid Society, Public Health, the OHCOW clinic, the Canadian Auto Workers Union, Citizen Environment Alliance, and the International Joint Commission among others. We began the day with a discussion of environmental equity – its history and importance – and an overview of environmental issues in Windsor. This framed our discussion for the day. During the remainder of the workshop, we discussed topics such as indoor and outdoor air quality issues, children's health, occupational exposures, and engaging with environmental statutes and regulations.

Brantford's environmental law and health workshop was held on November 17, 2010. Participants were from a wide range of backgrounds. We began the day with a discussion of environmental equity – its history and importance. This framed our discussion for the day. Throughout the remainder of the day, we discussed topics such as occupational exposures and health, environmental sensitivities, disability rights and public participation in environmental decision making.

CELA hosted an environmental law and health workshop in Sarnia on November 18, 2010. Participants included representatives from the First Nation's environmental committee, in addition to interested and active members of the Aboriginal community. Additionally, we had good representation from various service providers in Sarnia (including the local community legal clinic and the OHCOW clinic), academics and industry members. We began the day with a discussion of the history of environmental health issues in Sarnia, presented by Dr. Jim Brophy and Dr. Margaret Keith. During this presentation, they provided information about various studies they have completed, and are currently involved in, with respect to environmental health issues in the area. During the remainder of the workshop, we discussed topics such as indoor and outdoor air quality issues, the National Pollutant Release Inventory and air toxics, and engaging with environmental statutes and regulations.

The environmental law and health workshop in Cornwall was held on November 23, 2010. Participants included representatives from the local Health Units, a law firm, and a number of interested and active community members. The discussion was framed in the

context of environmental equity. During the workshop, we discussed topics such as children's health, Great Lakes water issues, environmental sensitivities, and public participation in environmental decision making.

CELA hosted an environmental law and health workshop in Kenora on December 6, 2010. There were representatives from various community service providers, such as the Northwest Community Legal Clinic and Changes Recovery Homes, as well as the Kenora-Patricia Child and Family Services, Provincial Services Centre for Addiction and Mental Health, and the Public Health Unit. During the workshop, we discussed topics such as environmental health hazards in the home, children's health and related policy responses, disability rights in Ontario, and public participation in environmental decision making.

On December 9, 2010, CELA attended the launch of the Windsor-Essex County Health Unit Cancer Report in Windsor. At this event, the Health Unit presented a comprehensive report on cancer epidemiological patterns and trends in the county. Following the presentation, Renee Griffin of CELA took part in a planning discussion for the Health Unit's upcoming *Environmental Health Status Report*. The report will assist service providers in planning for the health needs of their clientele and enable policy developers to be responsive to our local health issues.

In Year 2, we began posting presentation materials to the web, and also created a pamphlet about the Project which we distributed to interested individuals and groups. Interest in the Project grew in each of our six communities and CELA received through the course of the second year several expressions of interest in working with the Project on upcoming events. In response, telephone meetings with community leaders were organized and CELA engaged in planning special events in Sarnia, Brantford, and Hamilton with these community leaders.

Year 3:

The focus in the third year of the project was on capacity-building and substantive access to justice work. During Year 3 we focused on building strong partnerships within each of the six Making the Links communities, and assisting our partners in developing projects and applying for funding to continue work on environmental health, law, and equity issues in the future. We also created a Legal Toolkit, Community Specific Resource Kit and a Fact Sheet Series which will assist members of the communities, service providers, and others as they continue to work on issues of environmental equity and health.

On January 26, 2011, a provincial steering committee meeting was held at which Renee Griffin provided the Committee with an overview of project activities, and discussion took place regarding activities to take place this year as well as long-term planning.

On February 10 - 11, 2011, Renee Griffin traveled to Sarnia to present at the Aamjiwnaang Community Forum on Pollution and Action, hosted by Dayna Scott, of the Osgoode Hall Law School and the Faculty of Environmental Studies at York University.

The presentation, entitled "Accessing NPRI (National Pollutant Release Inventory) and Pollution Watch Data", provided attendees with information about accessing information about air pollutants in their community and understanding the data found on pollutant release and transfer registries.

On February 25, 2011 Renee Griffin traveled to Brantford to present at the Grand Erie District School Board's Environmental Symposium. The presentation focused on chemical exposures from personal care products and was attended by approximately fifty high school students.

On June 30, 2011, Renee sent a mid-year project update to each of our Project contacts.

From November 28 – December 9th the third year end-of-year workshops took place. The focus of these workshops was the implementation of legal and non legal tools for effective public participation. Models for different kinds of engagement were explored.

Beginning on November 28, 2011 Burgandy Dunn (CELA) and Mike Balkwill (Workshop facilitator and Community Organizer) began a series of end-of-year workshops in each of the Making the Links communities. This series of workshops included an orientation to the resource materials developed in the course of the Making the Links Project (i.e., the Legal Toolkit and community-specific Resource Kits); a discussion on how to employ legal tools to address specific, and current, community environmental health issues of concern (as identified by workshop participants); and finally an introduction and overview of community organizing principles and techniques.

The first workshop was held in Kenora, on November 28, 2011. Fe de Leon (Policy Researcher, CELA) attended and responded to participant questions/concerns. A primary concern that was raised was the prevalence of mould in low-income rental units and the lack of affordable housing. Mike Balkwill provided an example of how to apply community organizing techniques and demonstrated how to organize the community to address the issue of mould in rental units. Finally, Burgandy Dunn provided an overview of the Legal Toolkit and Resource Kit contents.

The same format was followed for the subsequent five workshops. On November 30th Joseph Castrilli (Counsel, CELA) attended and responded to participant questions/concerns in Hamilton. Five issues were identified as main areas of interest/concern for participants: (i) transport and industrial air pollution, cumulative effects, and transboundary air pollution; (ii) the interconnections between renewable energy and health; (iii) indoor air pollution and pesticide use indoors; (iv) toxic hot spots (Randle Reef); and (v) abandoned contaminated sites and remediation. Mike Balkwill provided an example of how to organize the community on the issues of (a) toxic hot spots and (b) remediation of abandoned contaminated sites (brownfields).

On December 2, 2011 Richard Lindgren (Counsel, CELA) attended and responded to participants questions/concerns in Cornwall. Five issues were identified as topics of interest/need: (i) on and off site impacts of industrial facilities; (ii) contaminated sites and remediation (brownfields); (iii) participation in municipal planning to promote transition to renewable energies; (iv) drinking water sources and the application of biosolids as

fertilizer; and (v) indoor air pollution. Mike Balkwill provided an example of how to organize the community on the issues of mould.

On December 6, 2011 Ramani-Nadarajah (Counsel, CELA) attended and responded to participants questions/concerns in Sarnia. Three issues were identified as topics of interest/concern to participants: (i) industrial air pollution, the regulation of air emissions in Ontario and cumulative effects; (ii) industrial spills and emergency alarm response; and (iii) need for community-wide health study. Mike Balkwill provided an example of how to organize the community around the issue of emergency alarms caused by industrial spills and the need for increased public access to information and a protocol for public response in the case of spills.

On December 8, 2011 Joseph Castrilli (Counsel, CELA) attended and responded to participant questions/concerns in Brantford. Five issues were identified as main areas of interest/concern for participants: (i) toxics use reduction, public right to know, and regulation and best practices relevant to small business owners; (ii) contaminated sites, brownfield redevelopment and public access to information; (iii) wetlands protection and the role of the Conservation Authority; (iv) indoor air pollution; (v) drinking water (quality and quantity); and (vi) access to justice, legal assistance for those with few resources. Mike Balkwill provided two examples of how to organize the community: (a) wetlands protection and the role of the Conservation Authority; (b) abandoned contaminated sites.

On December 9, 2011 Fe de Leon (Policy Researcher, CELA) attended and responded to participant questions/concerns in Windsor. Five issues were identified as main areas of interest/concern for participants: (i) management of toxic chemicals; (ii) asbestos and community right to know; (iii) wetland protection, in particular concerns with regards to Big Creek; (iv) accessibility of information on toxics in consumer products; (v) water quality and fluoridation; and (vi) energy from waste incinerators. Mike Balkwill provided an example of how to organize the community to protect a watershed.

The agenda for the workshops is enclosed at Appendix I. Mike Balkwill's handout, an excerpt from a Campaign Planning Manual, is enclosed at Appendix II.

The end-of year workshops were very well-received. Several participants applauded the format and complimentary nature of the legal engagement and community organizing components of the workshop. Participants also indicated that they were happy to have an opportunity to select the topic for discussion and have the workshop centered on their interests/concerns.

Please see Appendix III for a complete list of all activities conducted in the course of the three year Making the Links Project

Networks, Organizations and Partnerships that have grown out of the Making the Links Project

As noted above, we have spent a great deal of time during Year 3 building strong partnerships in our communities and working with our partners on project ideas for the future.

Network for Environmental Equity and Epidemiology Training (NEEET)

One strong network which has emerged from this work is the Network for Environmental Equity and Epidemiology Training (NEEET). In addition to Renee Griffin and Theresa McClenaghan from the Canadian Environmental Law Association, this network's partners include:

1. Dr. Neil Ayra, a Making the Links provincial steering committee member and Director of the Office of Global Health at the Schulich School of Medicine & Dentistry;
2. Dr. Robert Alder, Associate Professor with the Faculty of Epidemiology and Biostatistics, University of Western Ontario;
3. Dr. Ketan Shankardass, Research Associate, Centre for Research on Inner City Health in the Li Ka Shing Knowledge Institute of St. Michael's Hospital;
4. Dr. Ryan David Kennedy, Scientist, Propel Centre for Population Health Impact Research Assistant Professor with the Faculty of Applied Health Sciences, University of Waterloo;
5. Dr. Susan Elliott, Dean of the Faculty of Applied Health Sciences, University of Waterloo;
6. Bruce Newbold, Director of the McMaster Institute for Environment and Health, McMaster University

NEEET is a group of academic institutions and organizations who are concerned about environmental health, epidemiology, and equity issues and the double burden facing low income and vulnerable populations in Ontario. Our network aims to:

- Leverage and share information through each-other's work
- Bring together a diverse group of experts with wide ranging areas of expertise
- Provide learning opportunities for graduate level students which are grounded in real world information needs
- Fill the gaps that exist for policy making in relation to epidemiological and scientific questions regarding environmental health
- Continue with future collaboration on projects focused upon environmental health and equity issues

On January 10, 2011, we attended the first meeting of NEEET at the University of Waterloo. From our discussion, it was clear that our partner organizations had many common interests with respect to the issues of environmental equity, health, and policy. All partners were very interested in furthering the work of the Making the Links Project. In working on the Making the Links project, we have learned that there are many environmental health and equity issues in Ontario for which there has been little

epidemiological research completed. The availability of this epidemiological evidence is important in order to ensure strong regulation and legislation to protect environmental health. With this information gap in mind, NEEET decided to submit an application to the Canadian Field Epidemiologist Program (CFEP) offered by the Public Health Agency of Canada. On January 27, 2011, we submitted our application to the CFEP for an epidemiology placement. Unfortunately our application was not successful but we were encouraged to reapply, which we are now in the process of doing for 2012.

A NEEET planning meeting was held in June 2011, at which it was decided that the group would focus on working together in the communities of Sarnia, Windsor, and Hamilton. It was also decided that the University of Western Ontario would fund a graduate student to examine several areas of concern in order to determine the direction of future projects by NEEET. The student will consider::

- Areas of concern by postal code. In this exercise we would examine the links between areas most impacted by the double burden of exposure and poverty. This work would build upon socio-economic studies completed by CELA in the past and would include detailed GIS mapping.
- Mobile personal exposure. This exercise would examine where exposures are greatest and the impact of these exposures on individual's health. We would use this information to examine the law and policy implications of our findings.
- Air quality strategies. These exercises would consider the public health effects of outdoor air pollution and consider if sufficient policy and intervention strategies are in place to mitigate negative health impacts.

The work of NEEET will continue beyond the end of the Making the Links Project.

Community Gardens Pilot Project

Through consultations with our community contacts we learned that food security was an issue of concern for community members in Brantford and Hamilton. In response, we worked to develop an application to the CMP Monitoring and Surveillance Fund for a Community Gardens Pilot Project. While we in the end did not submit the application due to internal federal government capacity issues, the work to develop it will be useful for future project applications and food security work in the Links Communities.

Injured Workers Speaker School in Sarnia (IWSS Sarnia)

Another exciting partnership developed in 2011 in the community of Sarnia. Through our consultation with community members in Sarnia, it became clear that there are a number of injured workers in Sarnia who face unique challenges as a result of environmental exposures in the workplace. Past exposure to asbestos and other contaminants have left many workers in Sarnia unable to work and to find their way through the workplace compensation system. The community's unique placement in Ontario's "Chemical Valley", and its proximity to the Aamjiwnaang First Nation reserve, provide unique challenges for injured workers and their families as they try to advocate for themselves and others.

As a response to this need, we joined together with our partners, Community Legal Assistance Sarnia (CLAS), Occupational Health Clinics for Ontario Workers (OHCOW – Sarnia office), Injured Workers Consultants, and the Ontario Network of Injured Workers Group (ONIWG), and applied to the Legal Aid Ontario Client Service Coordination Fund for funding to organize an Injured Worker's Speakers School in Sarnia.

We were successful in obtaining funding for the IWSS Sarnia. Through an intensive 15 week program, the Injured Workers Speakers School developed leaders who will use their own stories and the knowledge they learn through the program to lobby and fight for change. Students include injured workers, surviving family members, and members of the Aamjiwnaang First Nation. These students were provided the tools they need to work together, and inspire others, to create change and advocate on behalf of themselves and others. The Injured Workers Speakers School:

- studied the history and concepts of the workers compensation system
- studied environmental exposures in the workplace in Sarnia and associated regulation
- examined the impact of environmental exposures on human health
- shared public speaking skills and offer opportunities to practice them
- emphasized listening, debate, decision-making and group leadership skills

A particular distinction for this speaker school project, as compared to others, was the inclusion of environmental and environmental equity issues that affect occupational health.

Community Resources – Legal Toolkit and Fact Sheet Series, and community-specific Resource Kits

We finalized the written resources (the Legal Toolkit, Fact Sheet Series and community-specific Resource Kit) during Year 3. The Legal Toolkit provides information about a number of environmental health concerns identified by our six Making the Links communities and provides information about how to participate in environmental decision making in Ontario. A Fact Sheet Series, on federal and provincial legislation that relates to environmental health and provides opportunities for public to access to information or engagement, has been added as Part IV of the Legal Toolkit. This fact sheet series is referenced throughout the toolkit and provides a summary of key opportunities for public engagement.

The toolkit was developed in response to participant feedback during our series of environmental health workshops in November 2010, at which time participants indicated that such a toolkit would be useful to community members and groups who wished to engage in environmental health and equity issues.

We circulated the toolkit to participants during the 2011 end-of-year workshops and have used participant feedback to finalize the toolkit and to adapt the toolkit to the specific needs of each individual community. The Legal Toolkit is a living document, which will

be amended and updated as needed and in response to change in circumstances and law. A copy of the Legal Toolkit is enclosed as Appendix IV.

We plan to translate the Legal Toolkit into French. This will be done with funds from Legal Aid Ontario and other sources. This translation will ensure that this information is available to a greater number of Ontarians and will help to build upon the work of the Making the Links Project in other parts of the province.

We have also finalized the community-specific Resource Kits, incorporating participant feedback from the 2011 end-of-year workshops. These Resource Kits are a compilation of environmental health related information specific to each community, and include a copy of each of the presentations given in each community over the three years. Copies of the Resource Kits are enclosed at Appendices V – X.

As was done in previous years, we have continued to web post information about the Making the Links Project and related materials and resources on our website at <http://www.cela.ca/collections/justice/environmental-health-equity-and-law-making-links>. We will have finalized web posting all public legal educational materials by early January 2012.

PART V: EVALUATION

Pre- and post-project evaluations (based on interviews and community surveys) were conducted in relation to environmental law and health issues. The pre-project testing took the form of an initial sliding scale questionnaire prepared and administered by the project partners in selected communities across diverse service providers and community members as to the degree of their:

- access to environmental legal / justice assistance and tools;
- access to environmental health assistance and tools;
- understanding of the connections among environmental health, justice, equity and law;
- comfort level and capacity across ranges of disciplines to deal with these issues;
- ability to include service provision/assistance within existing resources/program mandates;
- awareness and access to existing referral materials to direct community members/clients/patients to specialized help;
- interest in increasing professionals' roles and capacity in environmental health and legal areas; and
- willingness to be involved in the project and subsequent community identified priorities.

In addition, ideas to sustain training exchange, increased capacity, and action on identified priorities over the longer term were sought.

At the end of the Project, the same structured interviews and surveys were administered in order to compare the results before and after the project in each community.

Exit Survey Results:

At the conclusion of each end-of-year workshop in 2011, an evaluation discussion was held to debrief with regards to participant feedback on the workshop as well as the project overall.

During the scheduled discussion, as well as during face-to-face discussions prior to and following the end-of-year workshops, participants indicated that they were very satisfied with the format that the 2011 end of year workshop took. Several participants indicated that they found the workshop content to be of extreme relevance to their work on community environmental health issues, and that the project motivated community groups and legal and health professionals to share information and increase multi-sectoral contact and interdisciplinary exchange on issues of shared concern. Additionally, participants indicated satisfaction with the way in which the workshops were responsive to participant need and interest, were informal and provided for group interaction and discussion, and integrated community organizing techniques with legal tools and policy and law reform approaches. Although the majority of comments received in the course of the evaluation were positive, two workshop participants indicated that they would have liked to have seen more group collaboration throughout the course of the project with tangible results in the community. Another suggestion received was that we provide a waste-free meal in future. Finally, a participant at the Kenora workshop indicated that we may need to allot additional time in order to foster relationships in Northern Ontario and with First Nations. It was also suggested that in order to lend legitimacy to such outreach efforts, we may want to employ a format for collaborations in Northern Ontario and with First Nations that is viewed as internal to the community and community-driven.

The results of the exit surveys indicated:

- 79% of participants completed a survey
- Participant connection with the community (i.e., having lived in or worked in the community) varied from 2 months to 64 years, with a mean connection being 27.6 years for all six communities combined.
- 89.5% of participants strongly agreed that there remains a need for continued effort and collaboration on the issues and interconnections of environmental law, health and equity. Participant submissions in response to this question included:
 - "Amazed with effort being carried on..."
 - "One of the most important factors is prevention – this may be achieved through education / learning"
- 73.7% of participants strongly agreed that the Making the Links Project has laid the foundations for continued information sharing, partnerships and collaborations in environmental justice in the community. Participant submissions in response to this question included:

- "It is through a concerted effort of various community groups that we will create change"
- "This would have been very useful in my third year of nursing – based on social determinants of health"
- "[I am] uncertain how this will unfold in the context of a fragmented somewhat uninformed community"
- 73.7% strongly agreed that the Project's workshops (including the 2011 end-of-year workshop) satisfied their educational needs in that it provided information that was useful info about environmental health, law or equity issues. Participant submissions in response to this question included:
 - "Reading resource to refer to in daily work activities" (Aamjiwnaang FN Health and Environment Worker)
 - "Looking forward to the final version of the toolkit"
- 63.2% strongly agreed that the Project satisfied their educational needs in that it provided information that was useful about legal tools available to affect change in their communities. Participant submissions in response to this question included:
 - "I was provided with reading materials I can refer to"
 - "I have lots of work to do – looking forward to reading the materials"
 - "Would like to have had more in depth conversation about topics"
- 73.7% strongly agreed that they plan to use the tools covered in the course of Project workshops to address personal and community exposures and health outcomes. Participant submissions in response to this question included:
 - "If someone asks where to find information I will know where to refer them"
 - "The community organizing skills will be useful for many purposes"
- 60.5% strongly agreed that they felt better equipped having participated to deal with environmental health related problems. Participant submissions in response to this question included:
 - "I now see the expansiveness of support and workers passionate and educated about environmental issues and the political process. Wow – thanks so much"
 - "But [we] still have a long way to go"
 - "Thank you – it was an informative presentation – very useful!"
 - "Excellent!"
 - "I hope to increase my competencies – knowledge of environmental law and how to help mobilize or start organizations / interest groups. Good start!"
 - "Community development and organizing stuff excellent! I have project now (that I would have avoided otherwise!)"

PART VI: PROJECT EXPENDITURES

Financial Details

Please see Appendix XI for the Year 3 (2010 – 2011) financial report, and Appendix XII for the project financial report (2008 - 2011).

PART VI: CONCLUSIONS AND LESSONS LEARNED

Once again, we would like to express our gratitude to the LFO for its support of the Making the Links Project.

Through the course of the project, we have engaged in community networking, and legal education, and have facilitated the exchange of knowledge and resources between sectors and community members. This multi-level and interdisciplinary approach was a unique and ultimately successful approach to enabling and empowering communities to deal with issues pertaining to environmental health at the community level.

The outreach efforts, workshops, and discussions CELA facilitated were organized in a manner so as to ensure that the community legal education provided was accessible, and relevant to the communities, and crafted in response to community need and interest. In so doing, we actively advanced knowledge of the interconnections between environmental health, equity and law, provided legal knowledge and support for community participation in the legal system, and promoted and enhanced access to justice. By working to develop networks already in existence and by actively engaging participants with an interest in capacity building, we facilitated the sharing of information and enabled collaborations cross-sectorally on issues of poverty and environmental health.

A notable challenge identified in the course of the project was the difficulty in building relationships with Northern Ontarian and First Nations communities in the District of Kenora. Despite our effort to (a) engage local groups, (b) develop a community based steering committee, (c) contact local groups, such as the Ontario Native Women's Association, so as to seek advice on how to network in these communities, and (d) pressing environmental health issues in the community, we found that the Northern Ontario and First Nations communities were difficult to engage. In future, additional time (for fostering these relationships and building credibility with these communities) should be factored into the project plan..

Another concern that was raised in the context of the project was the extent to which legal tools were non-existent, insufficient, or that other factors (lack of community expertise, and financial resources, or lack of enforcement by regulators) prohibited the successful use of the available legal tools. In order to ensure that our work was in response to community need, and being developed alongside and with community participants, and community realities, we made sure as the project evolved to give consideration to communities' internal social/political power dynamic. In so doing, we created our workshops and interaction to focus on how a community can empower itself to take action in response to environmental health problems. For instance, we developed a presentation on the *Environmental Bill of Rights* and other opportunities for public involvement. Likewise, in Year 3 we implemented a new workshop format so that the participants' needs were being responded to directly. At this time we also decided to bring on a workshop facilitator and community organizer to present an introduction on community organizing principles and techniques as a complement to the legal tools

available to the public. Similarly, the Injured Workers Speaker School in Sarnia, which grew out of the Making the Links Project, had as its focus empowering community members to become strong voices for their community.

Throughout the project, we were keenly aware of the use of language. In the initial stages of the Project, when consulting with community members, many expressed concern at the use of the term "low income". Many community members felt that this term marginalized them as poor. Recognizing the need to use inclusive and appropriate language, we instead focused on work on communities that were vulnerable – considering not only socioeconomic status, but also including the elderly, disabled, Aboriginal, and other marginalized groups. Ensuring that we used inclusive language helped us work in tandem with the local community members and groups. Similar thought should be given to the use of language in future projects of this nature.

We look forward to continuing to work with each of the six Making the Links communities, and are pursuing the integration of the communities' most recently identified needs into our organizations' outreach priorities. We are confident that by continuing to engage with the Ontario communities involved in our Project, and continuing to facilitate cross-sectoral information-sharing, capacity building, and collaborations on issues of environmental health and equity, our contribution will yield the long-term benefits of access to environmental justice and reductions in exposure to environmental contaminants at the community level.

Yours truly,



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