

Getting Answers

A Guide to the Environmental Petitions Process



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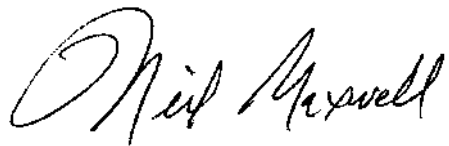
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Foreword

I am pleased to present a new guidance document on the environmental petitions process:
Getting Answers: A Guide to the Environmental Petitions Process.

I strongly believe that the environmental petitions process can play a key role in ensuring good federal management of environmental and sustainable development issues. The petitions process contributes to government accountability and transparency by raising these issues to the ministerial level within departments and creating a public record of the government's response to the issues.

I hope you will find this guide beneficial and that it helps you find answers to your environmental concerns.



Neil Maxwell
Interim Commissioner of the Environment and Sustainable Development



Introduction

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 to obtain a response to their concerns. We created this guide to help people better understand the environmental petitions process and to provide some suggestions to prepare well-crafted and concise petitions. It is organized in two sections:

- The first section describes the petitions process, its requirements, and the kinds of requests that can be made. It also describes what petitioners can expect from departments and agencies, as well as from the Office of the Auditor General.
- The second section presents steps to follow when writing and submitting an environmental petition. It suggests where to begin, what to include in the petition, and what to consider when preparing questions, requests, and other details of a petition.

Finally, the guide's appendices provide a petition template and a checklist to assist petitioners in developing a petition, as well as a list of possible alternatives to consider in addressing environmental matters.



Section 1

About the Petitions Process

The environmental petitions process was created as a result of a 1995 amendment to the federal *Auditor General Act*. It is a way for Canadians to bring their concerns about environmental issues to the attention of the federal government and obtain a formal response. Unlike other public petitions, environmental petitions do not need to contain multiple signatures and can be a simple letter.

By submitting an environmental petition in writing to the Auditor General of Canada, residents of Canada can ask certain federal ministers and their departments to explain federal policy, investigate or take action on an environmental problem, or examine their enforcement of environmental legislation.

On behalf of the Auditor General of Canada, the Commissioner of the Environment and Sustainable Development manages the environmental petitions process and monitors responses of federal ministers. Once a petition is received and accepted, it is forwarded to the appropriate minister(s). Federal ministers respond to petitions on behalf of departments and agencies. When they receive a petition, they are required to provide a response to the petitioner(s) within 120 days. They may extend this period by notifying the petitioner before the 120-day limit.

The Commissioner reports annually to Parliament, and each report contains a chapter on environmental petitions. These chapters report on the number, nature, and status of petitions received and on the departmental compliance with statutory timelines in the previous year; they are available on our website at www.oag-bvg.gc.ca. In addition, the Commissioner's team or another audit team in the Office of the Auditor General may consider the issues raised in petitions, and the responses they generate, when planning and conducting audits.

What are the requirements for a petition to be eligible?

To be eligible and accepted as an environmental petition under section 22 of the *Auditor General Act*, a petition must meet the following three criteria:

It must be submitted and signed by a resident of Canada. Any Canadian resident—either an individual or an organization—can submit an environmental petition. A petition cannot be submitted anonymously. Petitioners must include their name, address, and signature. If the petition is being submitted on behalf of a group (for example, an organization or an association), it must be signed by a representative of the group.

It must be about an environmental matter in the context of sustainable development. The reference to sustainable development reinforces the links between environmental considerations and social and economic matters. Accordingly, petitions may cover a wide range of subjects, such as contaminated sites, urban air pollution, pesticides, environmental





assessments, fish habitat, as well as taxes and subsidies that have an impact on the environment. The definition of sustainable development used to evaluate the eligibility of a petition is presented in **Exhibit 1**.

The issue must fall under the mandate of one or more of the federal departments or agencies subject to the environmental petitions process. Many, but not all, federal departments and agencies are required to respond to environmental petitions. However, some departments and agencies that are not subject to the process respond voluntarily to petitions. Those required to respond to environmental petitions are organizations included in Schedule I of the *Financial Administration Act*, those included in the schedule to the *Federal Sustainable Development Act*, as well as those in respect of which a direction has been made under subsection 11(3) of the *Federal Sustainable Development Act*. They are listed in **Exhibit 2**.

Exhibit 1 Sustainable development as defined in the Auditor General Act

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 is a continually evolving concept based on the integration of social, economic, and environmental concerns, and which may be achieved by, among other things,

- the integration of the environment and the economy;
- protecting the health of Canadians;
- protecting ecosystems;
- meeting international obligations;
- promoting equity;
- 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;
- preventing pollution; and
- respect for nature and the needs of future generations.

Exhibit 2 Federal departments and agencies subject to the environmental petitions process

Aboriginal Affairs and Northern Development Canada	Foreign Affairs, Trade and Development Canada
Agriculture and Agri-Food Canada	Health Canada
Atlantic Canada Opportunities Agency	Industry Canada
Canada Border Services Agency	National Defence
Canada Economic Development for Quebec Regions	Natural Resources Canada
Canada Revenue Agency	Parks Canada
Canadian Heritage	Public Health Agency of Canada
Citizenship and Immigration Canada	Public Safety Canada
Department of Justice Canada	Public Works and Government Services Canada
Employment and Social Development Canada	Transport Canada
Environment Canada	Treasury Board of Canada Secretariat
Department of Finance Canada	Veterans Affairs Canada
Fisheries and Oceans Canada	Western Economic Diversification Canada

What kinds of requests can be made?

The types of requests made in environmental petitions vary widely. For example, the petitioner can ask federal departments and agencies to

- investigate whether a federal law or regulation is being violated;
- take action on matters pertaining to the federal management of the environment or sustainable development, such as undertaking more public consultation;
- explain a federal policy or a federal involvement on a particular issue;
- review and improve an environmental law, regulation, or policy;
- respond to improvements the petitioner suggests;
- explain action that has been taken to carry out public commitments;
- provide information on efforts to reduce the environmental impact of their operations and practices; or
- outline how international environmental commitments are being met.

Please consult our on-line **petitions catalogue** for examples of common requests in environmental petitions.

What can you expect from ministers and federal departments and agencies?

Our **October 2007 Environmental Petitions chapter** outlined some of the impacts that the process has had since it began. It is important to note that ministers and departments are required only to respond to petitions within the time periods set in the *Auditor General Act*. They are not obligated to carry out remedial action to resolve the issues raised by petitioners. The following paragraphs explain what is required from departments.

After receiving a petition. Within 15 calendar days of receiving an eligible petition, the Commissioner of the Environment and Sustainable Development is required to forward it to the appropriate minister(s). Ministers respond to petitions on behalf of departments and agencies. Once ministers receive a petition, they are required,

- within 15 calendar days, to send a signed letter to the petitioner(s), and a copy to the Commissioner, acknowledging receipt of the petition; and
- within 120 calendar days, to send a signed reply to the petitioner(s) and a copy to the Commissioner.

Extension of the response deadline. Departments and agencies sometimes require more time to formulate their response, especially when multiple federal organizations need to coordinate their responses, when they are responding to several petitions simultaneously, when they are responding to comprehensive petitions, or when they are dealing with complex issues.





If it is not possible to meet the 120-day deadline, the department or agency must send a notification letter, signed by the minister(s), to the petitioner(s) and a copy to the Commissioner within the 120-day deadline. Where possible, ministers are asked to indicate the date by which they will respond.

Nature of the response. In some cases, departments and agencies may not be able to provide fully informative responses. This may occur when the petition issue involves the following:

- **Litigation.** The subject of the petition is currently before the courts or relates to ongoing investigations or imminent legal action.
- **Cabinet confidences.** These are records or any information in records that describe the individual or collective decision and policy-making process of ministers or Cabinet, including records on proposed legislation or regulations (examples include records of Cabinet decisions, Cabinet agendas, committee reports and memoranda to Cabinet, Treasury Board submissions, and Treasury Board decisions).
- **Legal opinions.** As solicitor to the Crown, the Department of Justice Canada cannot provide legal opinions it has prepared for other departments or agencies; nor can it provide legal opinions to Canadians.
- **Issues beyond federal jurisdiction.** Federal departments may not respond if issues raised are primarily the responsibility of provinces or municipalities or if they fall under the responsibility of another entity that is not subject to the petitions process (see Exhibit 2).
- **Personal opinions.** Ministers should not be asked to provide personal information, or personal opinions on the benefit of existing or proposed legislation, policy, programs, plans, and initiatives.

What can you expect from the Office of the Auditor General?

As noted, the Commissioner of the Environment and Sustainable Development (CESD) oversees the environmental petitions process on behalf of the Auditor General of Canada. The Commissioner does not respond to environmental petitions; nor does the Commissioner routinely validate, investigate, or substantiate the facts or assertions made in environmental petitions or department responses. In addition, the Commissioner cannot compel federal authorities to take the necessary actions to solve environmental problems.

The Commissioner has a number of responsibilities, including reviewing petitions submitted to ensure that they are eligible, and forwarding them to the government department(s) or agency(ies) required to respond to the petitions. The Commissioner determines the organizations that must respond to a petition. This determination is based on the combination of the two following factors:

- which minister(s) and department(s) or agency(ies) are identified in the petition; and
- which minister(s) are responsible for the petition issue, based on departmental mandates as defined in relevant federal acts and regulations.

After a petition has been received and accepted, the Commissioner forwards it to the appropriate minister(s) and department(s) or agency(ies) within 15 calendar days of receipt. At the same time, the Commissioner sends an acknowledgement letter to the petitioner, specifying the organizations required to respond to the petition.

Petitions are tabled in Parliament and summarized in our annual report on environmental petitions. Once tabled in Parliament, and with the consent of petitioners, environmental petitions and department/agency responses may be posted in the online petitions catalogue, which is accessible to the public.

The Commissioner reviews all petition responses that departments or agencies have sent to petitioners. When responses do not adequately answer the question(s) or address the concerns raised in a petition, the Commissioner may bring this to the attention of the organizations concerned, and include related observations in the annual report on petitions.

As mentioned earlier, the Commissioner’s team or another audit team in the Office of the Auditor General may consider the issues raised in petitions, and the responses they generate, when planning and conducting audits. **Exhibit 3** summarizes the steps in the petitions process and the ongoing petitions activities.



Exhibit 3 The environmental petitions process and the role of the Commissioner of the Environment and Sustainable Development

Starting a petition	A Canadian resident submits a written petition to the Auditor General of Canada.	
Reviewing a petition	The Commissioner’s team reviews the petition to determine if it meets the requirements of the <i>Auditor General Act</i> .	
	<p>If the petition is accepted, the team will</p> <ul style="list-style-type: none"> determine the federal departments and agencies responsible for the issues addressed in the petition; send it to the responsible ministers; and send a letter to the petitioner, listing the ministers to whom the petition was sent. 	<p>If the petition is not accepted, the petitioner will be informed in writing.</p> <p>If the petition is incomplete or unclear, the petitioner will be asked to modify and re-submit it.</p>
Responding to a petition	<p>Once a minister receives a petition, he or she must</p> <ul style="list-style-type: none"> send a letter, within 15 days, to the petitioner and the Commissioner acknowledging receipt of the petition, and consider the petition and send a response to the petitioner and Commissioner within 120 days. 	

Exhibit 3 The environmental petitions process and the role of the Commissioner of the Environment and Sustainable Development (cont.)

Ongoing petitions activities

Monitoring	Reporting	Posting on the Web	Auditing
<p>The Commissioner monitors acknowledgement letters and responses from ministers.</p>	<p>The environmental petitions chapter allows the Commissioner to report to the House of Commons on the number of petitions received, their subject matter and status, and departmental compliance with statutory timelines.</p>	<p>The Commissioner posts petitions, responses, and summary information on the Web.</p>	<p>Issues raised in petitions are considered for audit by the Office of the Auditor General.</p>

Section 2

Writing and Submitting an Environmental Petition

A concise and well-crafted petition focusing on what is most important to the petitioner increases the likelihood of an informative response. This section outlines steps to follow when writing and submitting an environmental petition. It suggests where to begin, what to include in the background information, and what to consider when preparing questions, requests, and other details of a petition.

Beginning to write a petition

Once petitioners have identified the environmental issues of concern, they are advised to take the following steps to ensure that their petitions are as effective as possible.

- **Consult the on-line petitions catalogue, available on the website of the Office of the Auditor General of Canada.** The petitions catalogue can be sorted by issue and by federal institution, and **searched by key word**. Other Canadians may have already raised similar issues in their petitions. A department's response to the questions posed in previous petitions may address some of your concerns, and may also form a useful basis for more focused and relevant questions.
- **Ensure that your issue falls within the scope of federal responsibilities.** Jurisdiction regarding the environment in Canada is complex. There are specific responsibilities at the federal, provincial, and municipal levels, with overlapping jurisdiction in some areas. For example, the regulation of forestry in Canada is primarily a provincial matter, but the federal government is responsible for enforcing federal environmental protection legislation, implementing international treaty obligations, and protecting fish habitat, all of which may affect the forest sector. The websites of federal departments and agencies contain useful information related to their mandates, areas of responsibility, and pieces of legislation for which they are responsible.
- **Check the environmental petitions template.** The Office of the Auditor General has developed an environmental petitions template (see **Appendix 1**). Its purpose is to provide a useful structure and suggestions on how to format a petition. Although petitioners are not required to use the template, it may be a useful starting point when developing a petition. The template can be downloaded and printed separately.
- **Review the environmental petitions checklist.** Before submitting their petition, petitioners should review the checklist (see **Appendix 2**) to ensure that their petition is complete and meets the established criteria.



Search by key word

To search by key word use the OAG website search feature. Type the word *petition*, followed by your key word or words.



Determining responsible federal departments and agencies

Given the large number of departments and agencies, and the complexity of government mandates as defined in federal acts and regulations, petitioners may have difficulty identifying the responsible departments or agencies for a particular issue. Therefore, unless petitioners are certain about which departments and agencies should respond to their petition, they are advised to identify those that they think should respond, and use wording that would permit the Commissioner to identify any additional responsible organizations (for example, “departments X and Y and any other responsible departments”).

Petitioners may also address their petition in more general terms such as to “the federal government” or to “responsible departments and agencies.” In this case, the Commissioner would determine which organizations are responsible for the issues raised in the petition, forward the petition to them, and advise the petitioner.

Providing background information

In order to establish the context for environmental concerns and requests, petitioners may find it helpful to include a clear and concise summary of key background information on the subject of their petition and the issues raised in it.

The summary should include information necessary for anybody to understand the petition issues quickly and easily. While attachments are forwarded to the responsible departments and agencies along with the petition, they will not be posted on the Office of the Auditor General website; therefore, critical information from background documents should be included in the petition. It is recommended that abbreviations not be used unless they are defined at the start of the petition. Colour images and exhibits can help a reader to better understand the issues; however it is recommended that their use be restrained (no more than three per petition).

Following are examples of petitions with well-written background summaries; these are located in the on-line **petitions catalogue**.

No. 307 – The federal government’s role in regulating shale gas exploration in Quebec

No. 310 – Health and environmental impact of endocrine disrupting chemicals used in cosmetics

No. 325 – Use of the Cosmetic Ingredient Hotlist to manage potentially toxic and carcinogenic substances in cosmetics

No. 342 – Potential gaps in the federal regulation of antibiotics in food-producing animals

No. 344 – Environmental risks related to the proposed increase in oil tanker traffic in the waters near Kitimat, British Columbia

Preparing a petition

Questions and requests. Preparing well-crafted questions and requests is essential, because once a petition is sent to the departments or agencies involved, additional questions cannot be added to the petition. Specific, direct, and clear questions and requests are more likely to generate satisfactory responses than wide-ranging or vague ones.

Questions and requests should be numbered and, if possible, addressed to specific and appropriate departments or agencies. This makes it easier for them to respond. However, as mentioned above, we suggest that petitioners use wording that allows the Commissioner to identify additional responsible departments or agencies.

Following are several other points that petitioners should consider when crafting their petition questions and requests:

1. Consider the most important goals that you want to achieve with your petition (for example, generate specific action, increase public awareness, or obtain knowledge about a decision made by government). Are your questions written to help achieve your goals?
2. Ensure that your questions are clear, focused, and in a format that will allow the ministers to respond in a clear and direct manner. Avoid making demands that the government is unable or unlikely to consider (see questions A and B in **Exhibit 4**).
3. Think about what the departments and agencies are likely to say in their responses and, if possible, incorporate any follow-up questions that may arise (see question C in Exhibit 4). Unless it is the intention of the petitioner, avoid using questions that would generate a simple yes or no answer. This may prevent having to submit a follow-up petition.
4. Ensure that your questions clearly relate to the information provided in the petition and that all important background information has been summarized in the petition. This will help readers better understand the issues raised.
5. Number all of your questions and requests sequentially and ask that the ministers reply to each one and clearly identify the question or request being addressed. In the case of joint ministerial responses, ask that the lead department responsible for each question or request be identified.
6. Consider proposing possible solutions to the issues you are concerned about and seek a response to your ideas.





Exhibit 4 Examples of poorly worded and well-worded questions

Poorly worded questions	Well-worded questions
<p>A. Why doesn't the government care about air pollution?</p>	<p>What are the current Canada-wide standards related to smog? Are all smog precursors covered by these standards? What actions are being taken by the federal government to help meet the standards?</p>
<p>B. Could you please review and amend all federal policies related to toxic substances?</p>	<p>Does the federal government intend to add toxic substance "X" to the virtual elimination list of the <i>Canadian Environmental Protection Act</i>? If not, why not?</p>
<p>C. Has department "X" conducted activities or carried out studies to confirm the health benefits of the "Y" process?</p>	<p>Has department "X" or any other responsible department conducted activities or carried out studies to confirm the health benefits of the "Y" process? If yes, could you please list and explain those activities and provide us with a copy of the key reports or studies? If no, could you please explain why not and how the health benefits of the "Y" process are confirmed otherwise?</p>

Length of petition. Petitions are typically about 2,500 words. We ask petitioners to limit petitions to a maximum of 5,000 words (about 10 pages) and 20 questions or requests. Although the *Auditor General Act* does not specify restrictions on the length of petitions, the Office of the Auditor General reserves the right to not publish them on its website should they exceed the foregoing limit.

Attachments and supporting material. You may provide supporting material to your petition, such as photos, a copy of a report, or other relevant information, and we will ensure that this material is forwarded to the responsible minister(s) as an attachment to your petition. This material should be carefully selected, as numerous attachments do not necessarily add to the quality of petitions or to the ministers' responses. As noted earlier, only the petitions are posted on our website. Therefore, we recommend that petitioners incorporate key pieces of information from supporting material and relevant photos or graphs directly into their petitions, while respecting the guidelines on petition length. If necessary, petitioners should use references, footnotes, or hyperlinks in their petitions for referring readers to other documents.

Spelling and grammar. Petitioners are responsible for using correct spelling and grammar when writing their petitions, as we do not provide editing services for the petition. Petitioners should carefully review their petitions prior to submitting them.

Privacy issues and access to information. Petitioners are cautioned about submitting confidential or private information or documents with their petition. Since all information, including confidential documents, submitted with petitions is subject to the *Access to Information Act*, the Office of the Auditor General may be required to provide this information to individuals requesting access to information under the Act.

Libellous or defamatory statements. The Office of the Auditor General will not publish potentially libellous or defamatory statements. Petitioners are liable for statements made in petitions; therefore, they are expected to use respectful and temperate language while ensuring the accuracy of their statements.

Reference to individuals. We ask petitioners to limit the number of references to private individuals in a petition. In accordance with the *Privacy Act*, the petitions team must obtain the written permission of individuals referenced in a petition prior to publishing their name or any identifying feature. If we are unable to obtain the written consent, we must remove the name and identifying feature from the petition. These deletions sometimes make the petition difficult to read.

Follow-up petitions. After receiving the response(s) to their petition, petitioners may choose to submit a follow-up petition—either immediately to address subsequent questions or in the future to determine the status of the issue and the progress by departments and agencies to honour any commitments made.

Other processes for raising environmental concerns. In some situations, an environmental matter does not fall under the mandate of the federal departments or agencies subject to the environmental petitions process. When this is the case, petitioners may wish to use other processes to raise matters of environmental concern with elected officials. Some of these processes are established under provincial legislation and may be helpful for issues where the provincial government has an important role to play. Because we regularly receive requests from the public on this matter, we have compiled a list of other avenues available to Canadians to address environmental concerns (see **Appendix 3**).



Submitting a petition

Before submitting your petition, please review the checklist in **Appendix 2** to ensure that your submission is complete.

Please identify your document as a petition under section 22 of the *Auditor General Act*. Send your completed and signed petition to the following address:

Office of the Auditor General of Canada
Commissioner of the Environment and Sustainable Development
Attention: Petitions
240 Sparks Street
Ottawa, Ontario K1A 0G6

Toll free: 1-888-761-5953 (extension 2923)

Telephone: 613-995-3708 (extension 2923)

Fax: 613-941-8286

Email: [**petitions@oag-bvg.gc.ca**](mailto:petitions@oag-bvg.gc.ca)

Appendix 1

Environmental Petitions Template

Here is the environmental petitions template that must be completed in order to submit a petition under the *Auditor General Act*. This template can be found on the website of the Office of the Auditor General. A typical petition is about 2,500 words. Petitioners should limit their petitions to a maximum of 5,000 words (about 10 pages) and 20 questions or requests. The Office reserves the right to not publish petitions on its website should they exceed the foregoing limit.



Environmental Petitions Template

Contact information:

Provide your full name and mailing address. If possible, provide your phone number and email address so we can contact you if we have questions about your petition.

Name(s) of petitioner(s): _____

Address of petitioner(s): _____

Telephone number(s): _____

Email address : _____

Name of the group (if applicable):

If you are acting on behalf of a group (for example, organization or association), please give its name.

I hereby submit this petition to the Auditor General of Canada under section 22 of the Auditor General Act.

Signature of petitioner: _____ **Date:** _____

Title of petition:

Provide a title that describes the subject of the petition.

Background information:

Provide relevant background information, preferably in chronological order, on the subject of the petition. The petition must address an environmental matter that is the responsibility of a federal department or agency subject to the petitions process. Ensure that all references to background information are correct.

Petition questions and/or requests:

Number your questions and requests and, where possible, address them to specific departments and agencies, using wording that allows for additional identification of responsible departments and agencies. Keep your questions and requests clear and to the point to ensure that responding departments and agencies are able to address your concerns in their responses. Please refer to the Environmental Petitions Guide for suggestions when developing your questions and requests.

- 1.
- 2.
- 3.



Appendix 2

Environmental Petitions Checklist

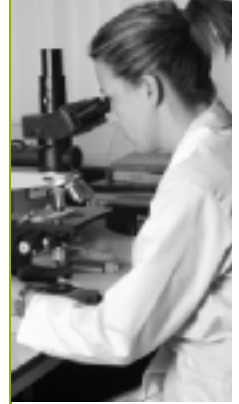
Prior to submitting your petition, please check it to confirm the following:

- Your name, address, and contact information, including email address and telephone number(s), are clearly identified.
- The issue in your petition relates to an environmental issue for which one or more of the federal departments or agencies subject to the petitions process have responsibility.
- Your petition is no longer than 5,000 words (about 10 pages) and includes no more than 20 questions or requests.
- The background information concerning your petition is clearly worded so that anyone reading your petition will easily understand the issue. Include no more than three images or exhibits.
- Critical facts related to your petition have been incorporated into it, because attachments submitted with your petition will not be posted on our website.
- Your petition has been reviewed for spelling and grammar errors, as the Office of the Auditor General does not provide editing services for the original petition.
- No personal or private documents are being submitted with your petition. As all information, including confidential documents, submitted with your petition is subject to the *Access to Information Act*, the Office of the Auditor General may be required to provide this information to individuals requesting it under that Act.
- The information and references to other reports, studies, and websites are accurate and properly cited.
- The petition does not contain any libellous or defamatory language.
- All questions and requests are numbered and are clear and concise.
- References to names of individuals or organizations are limited in your petition, as we notify all parties named in a petition and are required under the *Privacy Act* to obtain the written consent of all individuals named. If an individual or organization does not provide their permission, then we must delete any reference to them prior to posting their petition on our website.

Appendix 3

Other Processes for Raising Environmental Concerns

In certain situations, an environmental matter does not fall under the mandate of the federal departments or agencies subject to the environmental petitions process. In those situations, individuals may wish to try other avenues to raise matters of environmental concern with elected officials or to share information to address environmental concerns. The following is a selected list of processes established under federal and provincial legislation and some suggested alternative avenues to consider.



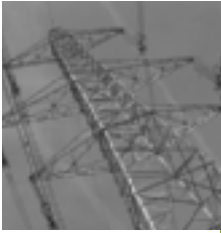
Processes set out in federal legislation

- ***The Canadian Environmental Protection Act, 1999, S.C. 1999, c. 33***, sections 17 and 18 allow residents of Canada who are over 18 years to apply to the Minister of the Environment for an investigation of an offence that is alleged to have occurred under the Act. The Minister must acknowledge the request within 20 days of its receipt, and provide a report to the applicant every 90 days on the progress of the investigation. Furthermore, the *Canadian Environmental Protection Act Environmental Registry* highlights all public consultations that are currently in progress under this Act and provides the public with important information on where to direct their comments. The registry can be found online at <http://www.ec.gc.ca/CEPARRegistry>.

Processes set out in provincial or territorial environmental legislation

These processes may be helpful for issues where the provincial government has an important role to play:

- ***Alberta's Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12***, sections 196 and 197 allow any two adults ordinarily resident in Alberta to apply to have an investigation of an alleged offence conducted. Within 90 days after receiving the application, a director designated by the Minister shall report to the applicant on the progress of the investigation and on the action, if any, proposed to be taken in respect of the alleged offence.
- ***Manitoba's Environment Act, C.C.S.M., c. E125*** has established the Manitoba Clean Environment Commission that encourages and facilitates public involvement in environmental matters and offers advice and recommendations to the Minister of Conservation with respect to environmental issues, project approvals, and environmental licences. As part of the provincial environmental assessment process, the public is invited to submit comments and/or objections regarding a proposed project through a Public Registry. In response to valid concerns, the Minister of Conservation may request the Clean Environment Commission to convene a public hearing.



- **New Brunswick's *Clean Environment Act, R.S.N.B. 1973, c. C-6***, section 17 allows an environmental council to receive submissions from any person concerning any matter coming under this Act, and, with the approval of the Minister, study, investigate, and report on the matter.
- **Newfoundland and Labrador's *Environmental Protection Act, S.N.L. 2002, c. E-14.2***, section 92 requires the Minister of Environment to investigate a concern regarding the enforcement of this Act once two or more requests have been received to investigate the same matter. Not more than 90 days after the receipt of the second request, the Minister shall report to the persons who made the request on the progress of the investigation and on action proposed to be taken in respect of the alleged contravention.
- **Northwest Territories' *Environmental Rights Act, R.S.N.W.T. 1988, c.83 (Supp.)***, sections 4(2) and (5) allow any two Northwest Territories adult residents who think that a contaminant has been or will be released into the environment to apply to the Minister of Resources, Wildlife, and Economic Development for an investigation of the release. The Minister must report findings to the applicants within 90 days.
- **Nova Scotia's *Environment Act, S.N.S. 1994-95, c. 1***, sections 115 and 116 allow any person to apply to the Department of Environment and Labour to have an investigation of an alleged offence conducted. Within 90 days after receiving the application, an administrator appointed by the Minister shall report to the applicant on the progress of the investigation and on the action, if any, proposed to be taken. In addition, the *Environment Act*, Section 10 makes publically available, upon request, records contained in an environmental registry. Examples of information available through this process are certificates of qualification, certificates of variance, orders, appeals, decisions, and hearings made under the Nova Scotia *Environment Act*.
- **Ontario's *Environmental Bill of Rights, 1993, S.O. 1993, c. 28*** requires that certain ministries keep the public up to date about the environmental acts, regulations, and policies they are drafting. For this purpose, an internet database, The Environmental Registry, contains environmental proposals, decisions, court cases, and other related information. The Environmental Bill of Rights also allows Ontario residents to propose that existing environmental acts, regulations, instruments, or policies be reviewed, changed, or improved. It also allows any two Ontario residents to ask the government to investigate an alleged violation if they think that environmental acts or regulations are being broken.
- **Quebec's *Environment Quality Act, R.S.Q., c. Q-2***, section IV.1, article 31.3 provides that after receiving the environmental impact assessment statement of a proposed project, any person, group, or municipality can apply to the Minister of Environment, within prescribed time limits, for the holding of a public hearing in connection with the proposed project.
- **Saskatchewan's *Environmental Management and Protection Act, 2002, S.S. 2002, c. E-10.21***, PART VII, sections 63 and 64 allow any adult resident of Saskatchewan who is of the opinion that an offence has been committed pursuant to the Act to apply to the Minister of Environment for an investigation of the alleged offence. Within 90 days after receiving an application, the Minister shall report to the applicant on the progress of the investigation and on the action, if any, that the Minister proposes to take.

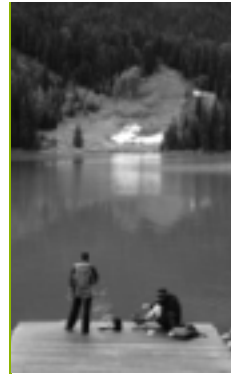
- **Yukon’s *Environment Act, R.S.Y. 2002, c. 76***, section 14(1) gives any two residents of the Yukon the ability to request the Minister of Environment to conduct an investigation for an activity that they believe is impairing or is likely to impair the natural environment. Within 90 days after receiving an application under section 14 and every 90 days thereafter, the Minister shall report in writing to the applicants on the progress of the investigation and on the action, if any, that the Minister has taken or proposes to take.

Some provinces do not have a public process analogous to the environmental petitions process, but the Environment ministers of these provinces have certain authorities, including the following:

- **British Columbia’s *Environmental Management Act, S.B.C. 2003, c.53*** has specific processes available to the Minister of Environment to manage environmental issues (for example, waste disposal, hazardous waste storage and disposal, and contaminated sites). The Minister may order an inquiry with respect to the environment if considered necessary.
- **Prince Edward Island’s *Environmental Protection Act, R.S.P.E.I. 1988, c. E-9***, section 7 allows the Minister of the Environment and Energy to issue an order to a person suspected of releasing a contaminant into the environment to meet with departmental officials, permit inspections or testing, or cease an activity.

Other options available

- **Contact your member of Parliament (MP).** This is a simple and direct way to communicate your questions or concerns to the federal government. To obtain contact information for your MP, consult the Parliament of Canada website at www.parl.gc.ca.
- Members of Parliament can also provide guidelines for submitting petitions to the House of Commons. These petitions are signed by Canadian residents and addressed to the House of Commons by a member of Parliament. They must concern a subject within the authority of the Parliament of Canada, the House of Commons, or the Government of Canada. Such petitions must meet requirements established by the rules and practices of the House (a practical guide is also available via the A to Z index on the Parliament of Canada website at www.parl.gc.ca).
- **Contact the parliamentary committee responsible for your area(s) of concern.** The House of Commons and the Senate convene committees on distinct subjects, including areas related to the environment and sustainable development. For more information on parliamentary committees, you can visit the Committee Business page on the Parliament of Canada website at www.parl.gc.ca.
- **Consider the *Access to Information Act*.** This federal legislation gives Canadian citizens, permanent residents, or any person or corporation present in Canada a general right of access to information that is contained in government records, subject to specific and limited exceptions and to an independent review of decisions on disclosure.



Each institution has its own Access to Information and Privacy Coordinator. To obtain the name and contact information for a particular institution, please consult the website of the Treasury Board of Canada Secretariat at www.tbs-sct.gc.ca.

Finally, you may wish to contact the various non-governmental organizations that promote citizens engagement in environmental management and sustainable development and that can provide you with additional information or support related to your environmental concern.

