

Cynthia Wright,
Director General,
Strategic Policy Directorate,
Environmental Protection Service,
Department of the Environment
Email to Cynthia.Wright@ec.gc.ca and FAX to (819) 997-0449
Two pages including this one

November 1, 2005

Re: Support for adding the six greenhouse gases specified in the Kyoto Protocol to Schedule 1 to the Canadian Environmental Protection Act, 1999

Dear Ms. Wright,

The Pembina Institute strongly supports the Order Adding Toxic Substances to Schedule 1 to the Canadian Environmental Protection Act, 1999 (CEPA), published in the Canada Gazette Part I on September 3, 2005 (p.2870–2880). This Order would add the six greenhouse gases (GHGs) specified in the Kyoto Protocol to Schedule 1 to CEPA. We urge the Government to enact the Order without delay.

This recommendation is based on the following considerations:

- The professional climate science community, as represented by the Intergovernmental Panel on Climate Change and numerous national science academies, has made clear that GHGs are being emitted from human activities in such quantities that they have become the dominant influence on global climate change. The science further shows that if GHG emissions are not reduced over the next few decades to a small fraction of current levels, they will cause large-scale, irreversible damage to the global environment, massive loss of species, grave harm to human health and major impacts in Canada.
- As a prosperous country with high per capita GHG emission levels and strong technology expertise, Canada has an undeniable responsibility to show leadership in the global effort to reduce GHG emissions.
- Canada's GHG emissions rose by 24% between 1990 and 2003 and are projected to continue rising indefinitely in business-as-usual scenarios. In theory, major emission reductions could be obtained purely through taxpayer-funded financial incentives and investments, but this approach would be an unacceptable contravention of fundamental equity principles such as polluter-pays and ability-to-pay, and would not likely be economically efficient. In practise, therefore, there is a consensus among climate policy experts that reducing GHG emissions significantly relative to business-as-usual will require regulation.
- In the near term, Canada is required by international law to comply with our Kyoto Protocol emissions target, beginning in 2008. Complying with our Kyoto obligation requires Canada to move quickly to put in place mandatory GHG emissions targets for Large Final Emitters (LFEs), which account for close to 50% of Canada's emissions. In its April 2005 plan *Moving Forward on Climate Change: A Plan for Honouring our Kyoto Commitment*, the Government recognized the urgency of implementing mandatory GHG targets for LFEs. The plan stated that "early implementation of the LFE system is important, since without it there is much less financial incentive for companies to seek out opportunities to reduce emissions from their operations" (p.16); that CEPA is the Government's "preferred option for implementing the LFE system" (p.17); and that draft LFE regulations are

“expected” to be published “in fall 2005” (p.18). CEPA is currently the only federal legislation available to regulate GHG emissions.

- In light of the state of scientific knowledge referred to above, there is no doubt that the six GHGs specified in the Kyoto Protocol meet all three criteria set out in section 64 of CEPA for addition to Schedule 1 to the act.

In summary, considering

- the need for deep GHG emission reductions to prevent major damage to the environment, biological diversity and human health,
 - Canada’s responsibility to show leadership in the global effort to reduce GHG emissions and to meet its legal obligation under the Kyoto Protocol,
 - the consensus among climate policy experts that reducing GHG emissions significantly relative to business-as-usual will require regulation,
 - the specific urgency of implementing mandatory GHG emissions targets for LFEs in keeping with recent Government commitments, and
 - the fact GHGs undoubtedly meet the criteria for addition to Schedule 1 to CEPA,
- the Government must not hesitate to enact the Order adding GHGs to Schedule 1 of CEPA.

Sincerely,

A handwritten signature in black ink that reads "M. J. Bramley". The signature is written in a cursive, slightly slanted style.

Matthew Bramley, Director, Climate Change