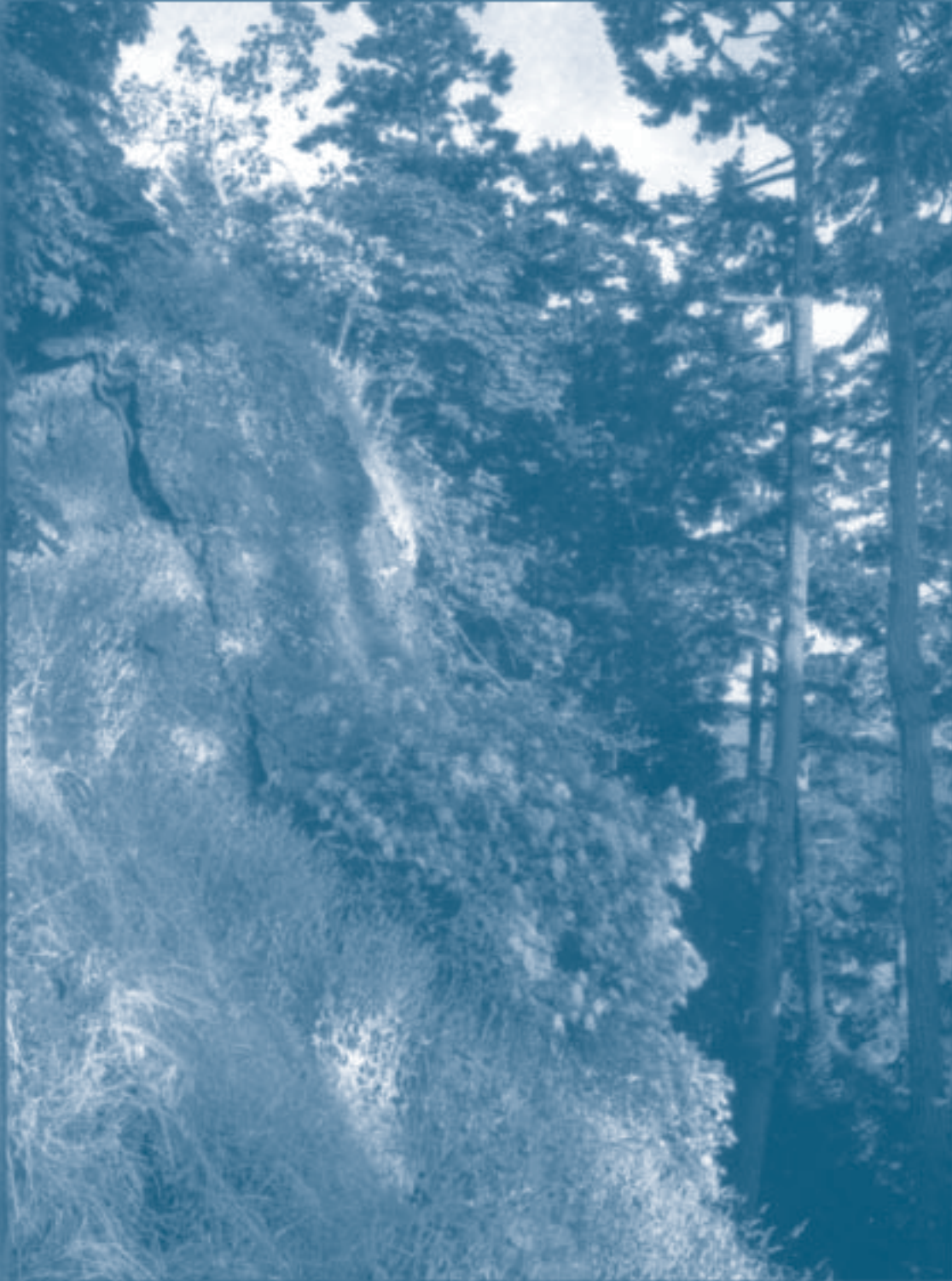


# WEST COAST ENVIRONMENTAL LAW



ANNUAL REPORTS 2001-2003

# Executive Director's Message

Since becoming Acting Executive Director in January 2002, my, and West Coast's, key challenge has been how to maintain our core strengths of credibility and commitment to British Columbia, while at the same time adapting to a changing landscape for law reform.

Changes to the landscape became abundantly clear in August 2001 when the BC government eliminated laws aimed at protecting the public's right to speak out and announced plans to cut regulations by one-third. They also began reviewing the laws that are central to protecting BC's land, air and water.



West Coast offered to assist the government by identifying regulations that had outlived their usefulness, but asked for an open, accountable process that safeguarded the environmental safety net. We received no such commitment. While a process of watering down environmental protections had begun several years earlier, it accelerated rapidly in 2001. This new era posed a fundamental challenge to West Coast: how to protect the air, water and communities of BC in this new environment.

We were no longer working with government to develop better laws, but instead focused on defending existing environmental protections.

## New Focus

To deal with the new challenges we focused our efforts on British Columbia, shifting resources away from our international work. While maintaining a commitment to constructive dialogue with government where possible, we diverted resources to ensuring public awareness of deregulation. We started to track changes to core

provincial environmental protection laws, translating the effect of technical legal changes for the public, and separating reasonable changes from efforts to undo environmental protection.

## New Strategies

We became more strategic, searching for areas where we could align environmental interests with powerful economic and legal forces:

- The US – Canada softwood timber dispute created an opening for solutions that met both environmental interests and BC resource communities' interest in sustainable solutions. We helped mobilize thousands of BC residents from Smithers to Penticton in support of a grassroots legislative alternative that would resolve the softwood impasse and ensure sustainable forests and communities.
- Court decisions recognizing government's duty to seek accommodation of First Nation interests created an opportunity to work with First Nations, and help them use the law to protect their environment.
- We identified areas with potential for positive law reform. We developed an action plan for removing provincial, regional and municipal barriers to sustainable urban development, and began working with green developers, municipalities and the province to develop laws and policies that will curb sprawl and move us toward urban sustainability.

## New Partnerships

We developed new partnerships:

- Our forestry initiative has West Coast working with one of the broadest coalitions ever assembled in British Columbia.
- We helped to ensure the relevance of the environmental agenda to an increasingly multicultural British Columbia, enlisting a local Chinese radio station to do a series of environmental education spots and developing a series of environmental education partnerships.
- And we began working with a unique partnership of farmers, landowners and First Nations to prevent the environmental damage that can be caused by oil and gas development.

## Old Strengths

Despite all these changes, West Coast still does what it has always done well. We're still committed to empowering British Columbians who want clean air, clean water and liveable communities. We're still providing the legal aid and legal education that citizens ask for in their efforts to protect ecological integrity. And where there are opportunities to make a difference, we are still committed to reasoned dialogue to find constructive solutions.

## Recent Successes

Old strategies and new, we are still scoring successes:

- We established a legal precedent that allows citizens to challenge the safety of pesticides.
- We forced the Ministry of Forest to reconsider protecting endangered species habitat – resulting in the protection of key marbled murrelet habitat on the Sunshine Coast.
- We helped our clients stop a power plant in Port Alberni that threatened neighbouring children with asthma, and helped stop hydro power development in parks.
- West Coast led the Coalition for Sustainable Forest Solutions, and prevented the province from acquiescing to US demands for wholesale privatization of forest land. And the Coalition succeeded in its efforts to have the Province repeal regulations that required logging even if it was both economically and environmentally unsustainable.
- Working with lawyers and businesses, West Coast provided a strong and reasoned critique of proposals to scrap the polluter pay system for clean-up of toxic real estate. Government backed away from proposals to undo laws that had led to the clean-up of hundreds of toxic sites around BC.

When I went from being Acting Executive Director to Executive Director in March 2003, it was with a clear mandate from staff and board to continue the process of change: to make West Coast more strategic, more focused, more responsive to the increasing diversity of BC communities. I, and all other staff at West Coast, are committed to building upon the strengths of West Coast – a commitment to the communities of BC and credibility based in respect for the truth.

West Coast will continue to serve British Columbians by providing the legal support needed to make our communities more liveable and to sustain the ecological integrity of our land. And we will continue to take a leadership role in realizing positive change to the laws that protect the health of BC communities and ecosystems.

Yours truly,



Chris Rolfe

# Special Thanks

The work of West Coast could not occur without the dedication of our supporters, staff and volunteers. At the core of our organization is an incredibly dedicated staff that spends long hours motivated by their love for the communities and land of British Columbia.

Their work, and our successes, would not be possible without the contributions of the Law Foundation of British Columbia, other foundation supporters, and our growing number of individual donors. West Coast thanks all of you for your support and help. It makes our work even more rewarding.

This year we would like to pay special tribute to the contributions of a few individuals who embody core attributes of West Coast:

## Agnes and Andy Thompson



*Andy and Agnes Thompson at Rideau Hall, where he was awarded the Order of Canada.*

Agnes Thompson and her late husband, Dr. Andrew Thompson, shared West Coast's commitment to the communities and environment of British Columbia. Dr. Andrew Thompson helped West Coast Environmental Law define our mission. He was known for his mastery of environmental and resource law, and his love of the outdoors and the North. He was committed to resolving environmental law disputes through constructive, cooperative dialogue, careful reasoning and clear analysis. Like West Coast, he was someone who was there for the communities of British Columbia, helping individuals and community groups stand up to threats to their local environment.

After he passed away in 2000, his widow, Agnes, wanted to pay tribute to the shared vision of West Coast and Dr. Thompson. In 2003, Agnes allowed West Coast to honour the legacy of Dr. Thompson by making a \$100,000 gift to West Coast. West Coast will use the income from this gift to make periodic awards to individuals who, like Andy Thompson, have contributed to the environmental protection and sustainability of British Columbia through the law.

West Coast is grateful for this generous gift and proud to sponsor the Dr. Andrew Thompson Award for Environmental Law.

## Linda Nowlan



Linda Nowlan joined West Coast in 1992, dedicating a decade of her life to West Coast Environmental Law, first as staff lawyer, later as executive director. As staff counsel and executive director, Linda cemented her reputation for honesty and fair-minded contributions to the public debate.

She consistently saw West Coast as an organization that championed environmental protection and public participation, and demonstrated the power of truth and reason. It was sadness on the part of all staff that Linda decided to step down to spend more time with her family.

During her time at West Coast, Linda took the lead on West Coast's work to establish better protection of fish habitat in urban streams, and endangered species legislation. She is known for her expertise in oceans law, coastal planning, and international environmental law. She helped develop a number of tools aimed at furthering understanding of environmental law and empowering citizen activists. She also helped establish Smart Growth BC, the province's leading advocate for sustainable urban land use.

# West Coast Services and Programs

West Coast works to build liveable and sustainable communities that enhance both environmental and social well-being, and to sustain the ecological diversity and integrity of British Columbia. We do this by:

**Empowering British Columbians.** West Coast provides British Columbians with the legal aid and education and resources needed to protect and enhance their communities and natural environments. Two programs are primarily aimed at empowering British Columbians:

- Summary Advice and Legal Representation Program
- Environmental Citizenship Program

**Leading the Way for a Better Environment.** West Coast works proactively to improve the safety net of core environmental laws and improve laws and policies that affect sustainability in priority areas. Programs and projects in this area include:

- Laws for a Sustainable BC Program
- Oil and Gas Program
- Sustainable Forests Program
- Sustainable Urban Land Use Program
- Growing Green Project
- Climate Change Program



# Empowering British Columbians

Two West Coast programs provide British Columbians with the resources needed to protect and enhance their communities and natural environments. West Coast's Summary Advice and Legal Representation Program provides access to environmental legal assistance and our Environmental Citizenship Program provides the educational tools needed to participate actively and effectively in environmental decision-making.

“Over the years, West Coast is the environmental organization that has consistently been there for the small communities of BC.”

– Pat Moss, Smithers, BC

## Summary Advice and Legal Representation Program

West Coast believes that environmental protection starts when the ordinary citizen gets involved. We help by providing citizens and their organizations with the tools they need to participate in what can often turn out to be complex legal or regulatory procedures. West Coast's role ranges from providing citizens with summary legal information and advice that allows them to effectively participate in environmental decision-making to representing clients in court.

Our summary advice work is where the seeds of environmental justice are found. Every year, West Coast gets hundreds of calls looking for advice on an issue or dispute. With their expertise in all aspects of environmental law, West Coast staff lawyers help guide ordinary British Columbians through the laws, bureaucracies and tribunals that have a profound effect on the health of our communities and ecosystems. West Coast is committed to making these laws and processes accessible to and effective for ordinary citizens.

Beyond simple summary advice, West Coast represents clients in negotiations, writing legal opinions on their behalf, providing evidence and occasionally appearing in courts or tribunals. And, West Coast's Environmental Dispute Resolution Fund (EDRF) funds citizens and organizations requiring legal and expert help to resolve environmental disputes. By drawing on members of the bar across BC, the Fund also builds expertise and ability for the future. In 2001-2003, the Fund provided grants totalling \$360,000 to groups around BC.

But it's the stories behind West Coast's services that show the importance of West Coast's Summary Advice and Legal Representation Program:

- **Protecting endangered species on the Sunshine Coast.** The Sunshine Coast Conservation Association (SCCA) was appalled when the local forest officials said they didn't have the authority to take protection on endangered species into account when they approved logging plans. With help from the EDRF, SCCA convinced the court that the Ministry of Forests could consider protection of critical marbled murrelet habitat in the Brittain River Watershed. This decision led directly to protection of key marbled murrelet habitat.
- **Providing expert evidence on the GSX Pipeline.** In 2002, West Coast provided expert evidence on international climate change law and greenhouse gas mitigation to the National Energy Board hearings on the Georgia Straight Crossing gas pipeline. The GSX pipeline was eventually rejected by the BC Utilities Commission.
- **Challenging arsenic application in Smithers.** Residents in central and northern BC became concerned that the use of an arsenic-based pesticide over large tracks of land posed human and environmental health threats. When Smithers pediatrician Josette Wier appealed the pesticide use permit, she turned to the EDRF. With funds for expert witnesses and legal representation, Dr. Wier won an important legal precedent, giving British Columbians the right to challenge the safety of pesticides approved on faulty, outdated information.
- **Protecting rare habitat in the Queen Charlottes.** With support from EDRF, the North West Habitat Foundation was represented in an inquiry into approval for a planned hydroelectric plant in the Queen Charlottes. In 2002, the Comptroller of Water Rights ruled that the proposal for water diversion would not go ahead while serious environmental and aboriginal concerns remain unresolved.
- **Curbing pesticide use on private land.** Pesticide use on forestlands owned by Timberwest has long been a concern for the Cowichan Tribes. With EDRF assistance, the Cowichan Tribes affirmed their right to be consulted about pesticide use on private lands and obtained restrictions on pesticide use.

"The EDRF is a very real example of Think Globally, Act Locally. When local residents take an interest in protecting their environment, the EDRF is there to help them make their case. It doesn't get more grassroots than that."

- Andrew Gage, EDRF Staff Lawyer

- **Protecting drinking water in the Fraser Valley.** Industrial agriculture – the source of water contamination that killed 7 in Walkerton Ontario – is also a threat to surface and drinking water quality here in BC. In 2002, we helped a Fraser Valley group challenge a high intensity livestock operation that produced tonnes of manure waste, threatening the quality of drinking water in surrounding wells. The West Creek Citizens' appeal was successful – ordering the farm to cease operations until an appropriate manure management system was in place.
- **West Coast in court to ensure fair Nanoose Bay Military Test Site hearings.** In 2002 and 2003, West Coast staff lawyer Andrew Gage represented Society Promoting Environmental Conservation in the Federal Court. Andrew was challenging the adequacy of public hearings conducted by the federal government prior to expropriating the seabed below the Nanoose Bay military test site, a move the government made in part because of its unwillingness to prohibit nuclear weapons.
- **Protecting air quality in Port Alberni.** In 2001, we helped a Port Alberni community group oppose placement of a power generation plant adjacent to a residential neighbourhood, explaining the legal and political process, weighing different legal arguments. By providing evidence of the potential health impacts of the plant, the community was able to block the rezoning needed for the plant.
- **Stopping hydroelectric development in Strathcona Park.** We provided a coalition of local groups with an opinion explaining that it would be illegal for government to give a mining company a license to drain lakes in Strathcona Provincial Park in order to produce hydro power. Faced with public opposition and West Coast's legal opinion, the Province reversed course.

In communities throughout BC, West Coast is making a difference by giving community groups and individuals access to the courts, tribunals, laws and policies that effect their communities and their environment.

# Environmental Citizenship Program

Citizenship in its fullest sense is not simply a legal status, but involves a willingness and ability to accept one's full rights and responsibilities, and participate in civic decision-making. West Coast is committed to giving British Columbians the knowledge and tools they need to become full environmental citizens. We do this through environmental and legal education that helps individuals participate in the processes that affect their communities and environment.

Our citizens' guide series provides British Columbians with information on topics ranging from international law to municipal law, from tax implications of protecting private land to forest use planning. Recognizing the changing demographic face of British Columbia, our Environmental Citizenship Program has focused on outreach to BC's multi-cultural community – giving these communities access to the environmental and legal resources they need.

## Multicultural Outreach

The demographic face of BC is changing. BC received a total of 424,000 immigrants during 1992-2001, about half of whom reported no English language ability upon arrival. In the Lower Mainland, Chinese speakers account for about one in six people. West Coast has been at the forefront of ensuring that new Canadians have the resources they need to be full environmental citizens, and ensuring that the environmental movement is relevant to new Canadians.

Although West Coast made its first forays into multicultural outreach in 1999, our Building Bridges project really took off with the hiring of permanent multicultural outreach coordinator, Susanna Tam, in the Spring of 2002. Susanna worked to cement strategic partnerships with outreach organizations, and worked to ensure the relevance of West Coast outreach to multicultural communities. Partnerships with multicultural support organizations and market research

showed us that, contrary to prevalent stereotypes, there was a huge demand for relevant environmental resources in multicultural communities.

West Coast has endeavoured to meet this demand and worked with dozens of committed volunteers from other organizations to develop new outreach collaborations. A featured guest on environmental issues for CHMB radio, Susanna is also developing an important social marketing initiative covering climate change issues. With Susanna's help, West Coast has positioned itself as a hub linking multicultural outreach agencies with resources in the environmental community, and helping the environmental community maintain its relevance to an evolving British Columbia.



"There aren't really any cultural barriers to environmental concern but language and social norms can prevent mainstream organizations from communicating issues and solutions. 'Building Bridges' is changing that."

- Susanna Tam, Multicultural Outreach Coordinator

## Tools for Engagement

West Coast helps British Columbians fulfill their potential as environmental citizens by giving them the knowledge necessary to be effective on complex environmental law topics. In 2001-2003, we developed a number of resources that explain legal topics that affect the environment and environmental advocacy.

For instance, the threat of being sued can squelch the desire to speak out for the public interest. Here at West Coast, we have witnessed a growing trend toward individuals being sued or threatened with suits after speaking out. Citizens who wrote letters to the editor have been sued as co-conspirators in a suit against legal and illegal protesters. West Coast was threatened with a suit when it held public meetings that highlighted environmental impacts of coalbed methane development in the US. Another group was sued for defamation after circulating a pamphlet critical of expansion of a gravel pit; the group had expressed its honest belief that the pit operator was out of compliance with environmental laws. A city councillor was even sued after he made the mistake of

The threat of being sued can squelch the desire to speak out effectively on issues of public interest. West Coast's *SLAPP Handbook* gives citizens information on how to avoid being sued and know how to react if sued.

伸展至華人社區

saying that particleboard was used in construction of a residential development (in fact, oriented strandboard, not particleboard, was used). Cases like these sow fear. Citizens are fearful that assertions they honestly believe (and which are often true) could land them in court, fighting an expensive battle. West Coast's **Strategic Lawsuits Against Public Participation – The West Coast Environmental Law SLAPP Handbook** works to demystify

the legal process by explaining typical SLAPP torts, and gives citizens information on how to avoid being sued and know how to react if sued.

British Columbians

trying to protect their local environment face a bewildering array of laws, regulations and planning processes. The **BC Guide to Watershed Law and Planning** is an interactive website ([www.bcwatersheds.org](http://www.bcwatersheds.org)) that helps individuals identify and access information about relevant legal tools and planning processes. The Guide promotes ecologically sound watershed management and covers laws, planning processes and administrative programs that affect fish habitat, biodiversity and watersheds. The Guide includes over 200 pages of materials, as well as literally thousands of links to external sites and pages that provide further information on identified issues.

And West Coast's recent publication, **Kyoto, POPs and Straddling Stocks: Understanding Environmental Treaties**, makes the arcane but increasingly relevant world of international environmental law accessible.

## Major Publications of the Environmental Citizenship Program

*Kyoto Pops and Straddling Stocks: Understanding Environmental Treaties*

*BC Guide to Watershed Law and Planning*

*Strategic Lawsuits Against Public Participation – The West Coast Environmental Law SLAPP Handbook*

*Arctic Legal Regime for Environmental Protection*

*The Streamside Protection Regulation and Opportunities for Citizen Advocacy*

*Guide to Lobbyists Registration Act for BC Environmental Non-Profits and Charities*

# Leading the Way for a Better Environment

West Coast works proactively to improve the safety net of core environmental laws and improve laws and policies that affect sustainability in key priority areas.

## Laws for a Sustainable BC Program: Protecting the Environmental Safety Net

Clean air. Clean water. Protecting the natural splendour of British Columbia. Those are values that almost all British Columbians believe in. And they are the values that motivate West Coast's Laws for a Sustainable BC Program. Laws for a Sustainable BC promotes and defends BC's environmental protection safety net – working to establish effective laws and effective enforcement.

It's not an exaggeration to say that the deregulation of BC's environmental protection laws is one of the most dramatic challenges to our environment, to West Coast and BC's environmental community. In August 2001, the BC government eliminated the *Protection of Public Participation Act*, announced plans to cut regulation by one-third, and began reviews of almost all the core laws that protect BC's land, air and water.

Since then almost all major environmental, forestry and land use legislation have been rewritten. Combined with radical cutbacks to the government staff, the net effect has been to remove environmental protections and reduce citizen oversight and input into decision-making.

Legislation and regulation are complex and the impacts of regulatory change aren't immediately apparent to activists and citizens. Focusing on capacity building and public awareness, West Coast is using our legal expertise to track and provide information on the nature of the legislative and regulatory changes underway as well as their impact on our environment and quality of life. Providing regular bulletins and legislative analyses as well as in-depth reports and popular information, West Coast is at the forefront, raising questions about the adequacy of BC's new environmental laws.

“Great new resource for anyone working to protect streams or watersheds... Thank you WCEL!!”

– Jill Thompson, Sierra Club of British Columbia

After West Coast provided a strong and reasoned critique, government backed away from proposals to undo laws that had cleaned up hundreds of toxic sites around BC.

# Major Publications of the Laws for a Sustainable BC Program

*The BC Government – A One Year Environmental Review*

*What BC Needs in Safe Drinking Water Legislation*

*Whistle Blower Protection – Strategies for BC*

*Cruise Control – Regulating Cruise Ship Pollution on the Pacific Coast of Canada*

*Undermining the Law: Addressing the Crisis in Compliance with Environmental Mining in BC*

## Oil and Gas Program

With Provincial government initiatives to double oil and gas production by 2006, develop coalbed methane, and lift the offshore oil and gas moratorium, West Coast responded by launching this program in 2001. The Program responds to widespread concerns regarding the adequacy of legal protections for the environment and communities as well as the public's awareness of and ability to use the laws already in place.

West Coast's Oil and Gas program is unique in BC. In its first year and a half, West Coast has established BC's first outreach program on oil and gas development, built awareness of development issues with tours and speakers, and established links with American groups working to ensure responsible coalbed methane development in the American west.

“Our Coalbed Methane work is taking West Coast into new areas. Working with the Treaty 8 First Nations, northeast landowners and farmers is new territory for an environmental group and I'm excited that we're the ones helping them come to grips with this potentially damaging development.”

– Karen Campbell, Staff Lawyer

A key priority has been to provide communities with the tools they need to understand what oil and gas development means for them, and what they can do to protect their air, water and local environment. In the Spring of 2003,

we conducted a series of community workshops on coalbed methane development. Billed as an ultra clean source of energy, coalbed methane development can be an environmental disaster if environmental safeguards are not in place. US experience with coalbed methane includes contamination of drinking water aquifers and surface

water, salinization of soil and intense disruption of the land. West Coast travelled to northeastern BC, the southeast and Courtenay to draw attention to concerns about coalbed methane.

*Pump it out: The Environmental Costs of BC's Upstream Oil and Gas Industry* is a web-based environmental law primer for oil and gas regulation in BC developed by West Coast in 2002-2003. It describes the steps an 'upstream' company will go through for a typical oil and gas project, from exploration to abandonment of wells and pipelines. For each step, it describes what happens to the environment, applicable laws and whether they are enforced, what needs to be changed to protect the environment and human health, and finally, what a concerned citizen can do about it.



“The Provincial Government has passed so much major environmental legislation with so little debate we'll be learning the consequences for years to come. In the meantime, it's a huge task making sense of what they've done. But it has to be done so environmentalists can focus their attention on the real problem areas.”

– Mark Haddock, Staff Lawyer

## Major Publications of the Oil and Gas Program

*Pump it out: The Environmental Costs of BC's Upstream Oil and Gas Industry* (concentration draft)

## Workshops of the Oil and Gas Program

*Poisoning our Future? The Impacts of Coalbed Methane* (Fernie, Hudson's Hope, Courtenay, Vancouver).

*NGO Forum on Oil and Gas* (Vancouver).

# Sustainable Forestry Program

In 2001, the new BC government embarked on a massive initiative to rewrite BC's forestry laws. A new "results-based" Code unveiled in the Fall of 2002 rolled back citizen and government oversight of corporate forest management and reduced statutory environmental protections while providing significant new exemptions to forest companies. In the face of the government's dramatic forest deregulation initiative, West Coast has refocused its work on new opportunities for forest reform in BC.

Forest certification harnesses market power to change forest management by promoting products that use wood harvested in an ecologically and socially responsible manner. It provides environmentally sound timber producers with an opportunity to distinguish their product from the rest of the market place, and gives consumers a sustainable choice. West Coast has taken a leadership role in the development of Forest Stewardship Council certification standards for BC, negotiating world class standards that provide a meaningful alternative to destructive forestry practices.

When the US-Canada softwood timber dispute focused attention on BC forest tenure laws, West Coast saw both a threat and an opportunity. The threat was decreased public control over logging, and an increased rate of cut. The opportunity was to rid the province of requirements that lead to logging in areas where it was neither economically or environmentally sustainable, and to increase community control over logging within a framework of effective environmental protection.

West Coast worked with the BC Coalition for Sustainable Forest Solutions to introduce a forest reform agenda into the softwood discussions. The aim was to meet both environmental interests and BC resource communities' interest in sustainable solutions. The coalition pressed the province to remove forestry subsidies that were environmentally and economically damaging, and developed a network of support for forest reform in communities across British Columbia. In late 2002, this campaign was successful in eliminating minimum cut requirements, moving the government towards greater market access to timber, and imposing a partial take back of company tenure.

West Coast has also been developing new legal tools to achieve lasting conservation, accommodation of Aboriginal Title and Rights and devolution of authority to more local levels. We have worked with aboriginal communities to help them engage in forest land use planning aimed at ensuring sustainable forestry in their traditional territories, and we've worked with a multisectoral team of experts to find solutions that protect land on BC's central and north coast.

## Major Publications of the Sustainable Forestry Program

*A Results-Based Forest and Range Practices Regime for British Columbia*

*Briefing Guide for the FSC-BC Regional Certification Standards*

*Getting Beyond the Softwood Lumber Dispute: Solutions in BC's Interest*

"We need a new social contract in BC, that ensures workers, First Nations and forest communities benefit from forestry operations that are sustainable over the long term."

– Jessica Clogg, Staff Lawyer

## Workshops of the Sustainable Forestry Program

*Forest Land Use Planning for First Nations* (in Metlakatla, Mount Currie and Pavillion).

## Sustainable Urban Land Use Program

Urban development laws – everything from technical standards for roads, buildings and sewer systems to zoning and regional plans that provide broad brush directions on where development will occur – have a profound impact on our environment that can last for centuries. While there is significant interest in the development community, local governments and community groups for sustainable urban practices, existing regulatory structures not only fail to encourage sustainable urban growth, but often block green innovations.

With the creation of Smart Growth BC – an innovative NGO supporting planning for a sustainable urban environment, West Coast has shifted its focus to the laws that engender or hinder urban sustainability. Local government is now on the leading edge for environmental action in BC, and West Coast recognized a huge potential to pursue a positive law reform agenda by identifying solutions and giving municipal officials and local activists the tools they need to green local bylaws.

In April 2002, we published *Cutting Green Tape: An Action Plan for Removing Regulatory Barriers to Green Building and Community Innovations*, an in-depth research piece that identifies regulatory barriers to sustainable, liveable urban areas and proposes practical steps towards removing them. Five months later, we hired Deborah Curran, an expert in urban sustainability to pilot our new Green By-laws Project. This project is a critical follow-up to *Cutting Green Tape*, giving local governments and community activists the information and examples they need to advocate for and adopt sustainable building, zoning, development and other municipal by-laws.

## Major Publications of the Sustainable Urban Land Use Program

*Cutting Green Tape: Removing Regulatory Barriers to Green Innovation*

“How we use our urban land base is largely determined by municipal by-laws and civic policies. By-law reform is a key tool for the prevention of urban sprawl.”

– Deborah Curran, Staff Lawyer

## Growing Green Project

Growing Green is West Coast’s new sustainable agriculture law and policy reform project. With agricultural production increasingly dependant on the agribusiness model, Growing Green provides a counter-balance, helping to develop practical law and policy reform proposals to make growing and distributing food in BC more sustainable.

Working with partners, FarmFolk/CityFolk and the Liu Institute on Global Issues, the project has a strong grassroots focus with a goal of increasing the capacity of voluntary organizations to contribute to federal, provincial, and local law/policy making.

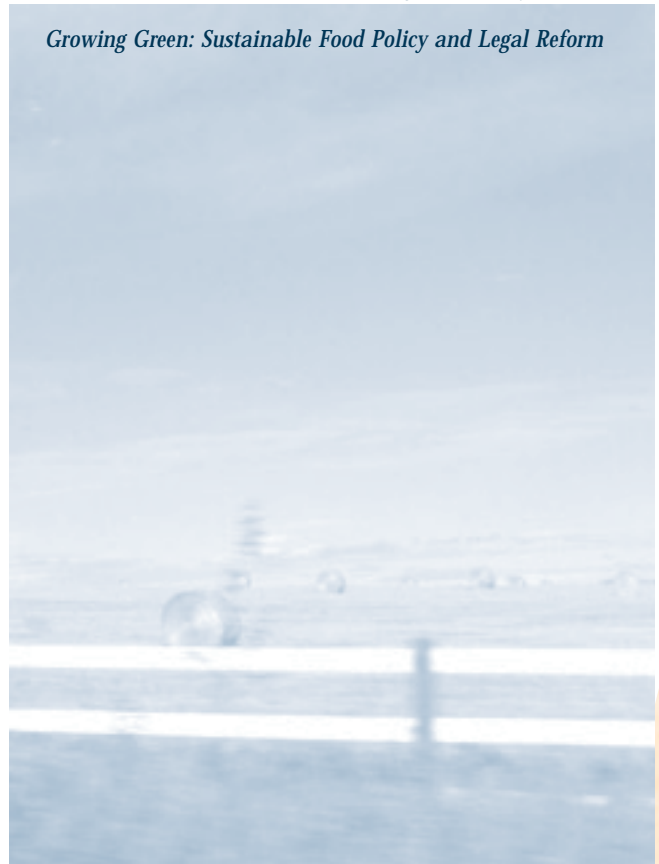
*Growing Green* takes a collaborative approach of working with industry, farmers, government and environmental groups, and looks at how to remove barriers, correct perverse disincentives, address regulatory hurdles, or fill regulatory gaps in order to pursue the potentially enormous environmental

and economic benefits associated with growing food in an environment-enhancing fashion.

## Major Publications of the Growing Green Project

*CitiesPlus Foundation Paper Series: Agricultural Systems*

*Growing Green: Sustainable Food Policy and Legal Reform*



## Climate Change Program

2001 was a watershed year for international environmental law. July saw the international community successfully negotiate rules for implementation of the *Kyoto Protocol* in Bonn, Germany. The Bonn Accord was a successful outcome to what experienced diplomats have labelled the most complex international negotiation ever, and was a milestone in international environmental cooperation. It established an architecture for international greenhouse gas emission reductions that will begin the world's transition to serious greenhouse gas emission reductions.

West Coast was in Bonn and played a key role in these developments. We supported Canadian and international environmental groups by explaining the implications of the various complex issues under negotiation in Bonn. West Coast and David Suzuki Foundation's publication, *Taking Credit: Canada and the Role of Sinks in International Climate Negotiations*, was applauded as the definitive statement of environmentalists' concerns regarding the treatment of carbon sinks under the *Kyoto Protocol*, and helped ensure international rules for the treatment of carbon sinks that would not undermine the *Kyoto Protocol*.

West Coast also played a key role in development of Canadian policies to reduce greenhouse gas emissions. We negotiated with industry for stringent emission trading rules and advocated for solutions that would be most effective in re-orienting the Canadian economy toward lower greenhouse gas emissions.

It was some regret that West Coast decided to phase out of climate change work in 2002. Faced with increasing attacks on BC's core environmental laws, West Coast decided to shift resources to provincial issues.

## Major Publications of the Climate Change Program

*Taking Credit: Canada and the Role of Sinks in International Climate Negotiations*

*Sink Solutions*

*Taking Effective Action on Climate Change: Comments on the Federal Government Options for Addressing Climate Change*

## West Coast People

### Staff

Lawrence Alexander, Karen Campbell, Jessica Clogg, Deborah Curran, Barbara Everdene, Andrew Gage; Ceciline Goh, Mark Haddock, Christopher Heald, Linda Nowlan, Alexandra Melnyk, Ian Reid, Chris Rolfe, Susanna Tam.



### Board 2001-2003

Jim Atwater, Wendy Baker, Wally Brault (until October 2001), Laurel Brewster (from October 2001), Jutta Brunnee, Ardyth Cooper, Tony Crossman (from October 2001), Jeff Fox (from September 2002), Sarah Groves, Nancy Hannum, Jef Keighley (until September 2002), Helga Knotte, Murray Lott (until September 2002), Minelle Mahtani (from October 2001), Pat Moss, Marie Potvin (from October 2001 to January 2002), John Robinson (from October 2001), Stuart Rush, Ray Schachter (until October 2001), Mark Underhill (from September 2002). Honorary Members: Thomas Berger, Garth Evans, Chris Harvey, Ross McLellan, Greg McDade.



## EDRF Lawyers 2001-2003

The following lawyers have generously provided assistance to EDRF clients, working at substantially reduced rates, and often volunteering additional hours:

Bill Andrews, David Ashton, Judy Atkins, David Austin, Wendy Baker, Glen Bell, Richard Bridge, Thomas Buri, Kathryn Chapman, Greg Corson, Lisa Fong, Jacinta Gallant, Lesley Giroday, Eleanor Gregory, Mark Haddock, Ann Hillyer, Patricia Houlihan, Greg McDade, Brenda McLuhan, Roy Millen, Reidar Mogerman, Eamon Murphy, Chris Pollard, Matt Pollard, Glen Purdy, Krista Robertson, Susan Rutherford, Frank Seier, Iris Turaglio, Mark Underhill, Tracy Wachmann.

## West Coast Supporters

Next year, West Coast will celebrate 30 years of hard work protecting our environment and promoting solutions that support a more sustainable relationship with our natural world. The success of our work – from efforts to reduce pulp mill pollution in the late eighties to our new program to limit the damage caused by poorly regulated oil and gas development – depends upon the financial support of thousands of individual donors and dozens of organizations and foundations.

West Coast pays tribute to the individuals and foundations that contribute their support to our work. Thank you for your outstanding commitment to environmental justice and sustainability.

## Foundation Supporters

Our grateful thanks to the **Law Foundation of BC** for their continued generous support. The Law Foundation continues to provide operating funds, and support for our Environmental Dispute Resolution Fund.

We are also grateful to the following foundations and agencies for their support: Agriculture & Agri-Food Canada, Brainerd Foundation, Bullitt Foundation, Canadian Rural Partnership Initiative, David and Lucile Packard Foundation, Endswell Foundation, Environment Canada, Federation of Canadian Municipalities, Fisheries & Oceans Canada, Human Resources Development Canada, Millennium Bureau of Canada, Ministry of Community Development (BC), Natural Resources Defense Council, North American Fund for Environmental Cooperation, Real Estate Foundation, Tides Canada, Vancouver Foundation, Victoria Foundation, W. Alton Jones Foundation, Walter & Duncan Gordon Foundation, and Wilburforce Foundation.

# Financials

## *West Coast Environmental Law Statement of Revenues and Expenditures*

<b>REVENUES</b>	<b>2002-03</b>	<b>2001-02</b>	<b>2000-01</b>	<b>1999-00</b>
<b>General</b>				
Law Foundation operating support	525,900	525,900	461,750	461,750
Law Foundation EDRF grants	180,000	180,000	180,179	180,000
Donations, memberships & investments	66,156	51,341	68,586	185,224
Foundations, agencies and fees	705,051	457,954	532,484	603,574
<b>TOTAL</b>	<b>1,477,107</b>	<b>1,215,195</b>	<b>1,242,999</b>	<b>1,430,548</b>
<b>EXPENSES</b>	<b>2002-03</b>	<b>2001-02</b>	<b>2000-01</b>	<b>1999-00</b>
<b>General</b>				
Audit, accounting and legal	26,888	28,679	32,262	21,979
Communications and development	20,672	33,587	35,093	33,653
Leases and equipment	42,260	35,965	61,864	31,567
Library collection and website	12,269	12,026	12,808	15,057
Phone, fax, email, courier	27,893	28,346	44,279	45,762
Professional liability insurance	36,849	28,589	21,426	18,660
Publications and member services	14,553	13,309	20,723	24,363
Rent, utilities and maintenance	56,339	50,211	46,149	43,540
Supplies and stationery	6,623	9,729	10,401	6,253
Travel and training	20,262	24,142	28,152	12,067
Wages and subcontracts	726,780	588,577	481,552	530,213
<b>Directed</b>				
Climate Change	-	1,000	305	801
Endangered Species and Habitat	-	-	60,063	162,581
Environmental Citizenship	9,246	1,818	24,686	8,922
Environmental Dispute Grants	180,000	180,000	180,679	180,000
Growing Green	109,572			
Laws for Sustainable BC	95,756	86,077	171,182	21,482
Oil, Gas, Mining and Energy	24,531	17	-	10,281
Other	69,839	105,727	-	3,425
Sustainable Urban Land Use	9,937	13,527	31,430	23,935
<b>TOTAL</b>	<b>1,490,269</b>	<b>1,241,326</b>	<b>1,263,054</b>	<b>1,194,541</b>
	<b>(13,162)</b>	<b>(26,131)</b>	<b>(20,055)</b>	<b>236,007</b>

Complete audited statements available on request

*West Coast Environmental Law wishes to thank the photographers who have kindly contributed their work: Brian Mitchell, Judith White, and West Coast staff.*

West Coast Environmental Law is BC's legal champion for the environment. West Coast empowers citizens and organizations to protect our environment and advocates for the innovative solutions that will build a just and sustainable world.

---

**West Coast Environmental Law**

1001 - 207 West Hastings, Vancouver, BC

CANADA V6B 1H7

phone: 604.684.7378 or 1 800 330 WCEL (in BC)

fax: 604.684.1312 email: [admin@wcel.org](mailto:admin@wcel.org)

[www.wcel.org](http://www.wcel.org)

