

eceLaw

east coast environmental law

ECELAW Annual Report 2017

January 1 - December 31, 2017



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About ECELAW

VISION

ECELAW envisions a future where innovative and effective environmental laws and the fair application of those laws, provide Atlantic Canadians with a clean, healthy environment, which will make a positive contribution to the quality of life of its present and future inhabitants and visitors.

MISSION

ECELAW will encourage the development and fair application of innovative and effective environmental laws in Atlantic Canada through:

- Public Education
- Collaboration
- Legal Action



Chair's Message



The past year was a challenging one for ECELAW as we faced the temporary loss of funding from one of our long-time donors, the Nova Scotia Law Foundation. But not only did we survive - we thrived!

It is truly amazing how much work we do on such a limited budget. And we do it consistently year after year. I haven't done a mathematical analysis of the effective hourly cost of the many hundreds of hours of legal services we provide - but I will bet that it is by far much lower than any other private, government or non-profit legal organization out there. That's one of the reasons I'm happy to donate my money and my time to ECELAW.

The key to our success is a talented and dedicated core staff and an effective network of students and private practice volunteers. This combination allows us to leverage the generous donations we receive several fold. I would argue that the return on investment for our donors is one of the highest among public interest environmental law organizations.

This inspires us to expand our donor base and explore new sources of funding. We know that the money we receive will be used in the most effective way - we have been excellent stewards of our donors' funds.

One of my objectives over the next year is to reach out to other law firms and make the case for a sustaining financial commitment to ECELAW. I believe that most lawyers and law firms want to do more to help protect the environment and appreciate the need for the advocacy, education and legal action that ECELAW provides. Once they realize that on a dollar-for-dollar basis, they can do more to advance environmental law in our area by donating to ECELAW than by providing direct pro-bono services themselves, they will see ECELAW as the most logical choice. Supporting ECELAW will be a no-brainer.

In this pursuit, I am fortunate to have a talented and dedicated Board of Directors behind me. I am thankful for each and every one of them. I am also thankful for our talented and energetic staff under the leadership of our executive director who's vision of, and dedication to, public interest environmental law has been our guiding light.

I look forward to thriving for another year.

Brian Hebert

Executive Director & Senior Lawyer's Message



In 1982, the government of Nova Scotia issued permits to Nova Scotia Forests Industries (NSFI) to spray the dioxin-contaminated herbicides on crown land in Cape Breton. The local residents protested the permits but to no avail, so they sought a court injunction to stop the spraying. It was the first environmental court case in Nova Scotia and was documented in Neal Livingston's film *Herbicide Trials*.

There is a moment in the film when the narrator speaks with young lawyer Elizabeth May as the trial is recessed for the weekend. Her comment about the trial has stuck with me since the first time I heard it many years ago:

"You can't measure progress in anything like this.

All you do is just stay in, try not to have physical-mental collapse in the middle of it, listen to the other side's evidence, try to make your points where you can and endure. It's an endurance trial!"

I see those thoughts reflected in Joan Baxter's recently released book entitled, *The Mill: Fifty Years of Pulp and Protest*. I feel it in my conversations with the community members in Harrietsfield as their decades long battle for safe drinking water continues in the courts. The group of people who sat around a table in 2007 with a vision for public interest environmental law in Atlantic Canada understood that there is no short-term fix. Their passion for progressive, effective environmental law and a healthy environment for those who will follow them endures at ECELAW.

Celebrating 10 years, ECLEAW is building momentum by raising awareness and understanding, collaborating and improving access to justice. We will not stand by to watch species go extinct, witness the pollution of marine and freshwater, or live with unsustainable resource exploitation. As public interest lawyers ECELAW staff and volunteers offer legal tools and skills to a growing collaboration of groups, communities and individual citizens who are standing up and demanding accountability from government and corporate entities. I am very encouraged by this trend, and thrilled to be proponent of its cultivation on the east coast.

Lisa Mitchell



Articled Clerk's Message



After spending two years as a pro bono student with ECELAW during law school, it was my absolute pleasure to be welcomed to ECELAW's team as its first-ever articling clerk in June 2017.

Since then, I have been lucky to receive an abundance of mentoring and experience in environmental law that few law students, articling clerks or lawyers ever receive. My work has exposed me to many different areas of the law, including administrative, Aboriginal, civil, criminal, constitutional and marine law, and I further developed legal writing and drafting, project management, and advocacy skills. I experienced first-hand just how many areas of our life in Nova Scotia are touched by environmental law, as well as the truly honourable job ECELAW does in advocating for more sustainable

and better regulated aquaculture, fisheries and forestry, in advancing policy and laws that create better environmental rights and combat environmental racism, and in providing invaluable information and education to the public.

One of the things that make ECELAW unique is its relationships with people in communities and the way it practices collaborative law. This involves practicing law within an integrated and involved community. During my relatively short time here, I have worked alongside and with environmental organizations, government, lawyers, policy makers, community members, and students. At a time when legal costs continue to rise and access to justice becomes a rallying point for those dedicated to promoting justice, ECELAW has become a leader by not only serving, but enabling, its communities. In particular, I see that ECELAW has done a fantastic job teaching and mentoring volunteer students at the Schulich School of Law by providing them with the tools to be successful environmentalists and the skills to be thoughtful, competent environmental lawyers.

Looking to the future, I see a tremendous opportunity for ECELAW to grow. ECELAW is already a trusted authority on environmental law issues. During my time as articling clerk, I saw ECELAW take on multiple summer interns, set the stage for hiring a communications coordinator, and expand its reach by adding to its incredible online Information Library. I encourage ECELAW's Board to continue pushing for more growth. ECELAW is providing invaluable services that the public needs and wants.

Mike Kofahl

Our Team

Pro Bono

The Schulich Pro Bono program offers Dalhousie Law Students volunteer opportunities that develop their lawyering skills by working with supervising lawyers on projects that connect with and serve the local community.

Placement Courses

The vast majority of ECELAW's placement students derive from the Environmental Law Placement course (LAWS 2225) at Dalhousie's Schulich Law School, which provides students with the opportunity to work with environmental law practitioners in Halifax during the winter term.

Osgoode Environmental Justice Sustainability Clinic

2017 was ECELAW's third year participating in this virtual clinic program which pairs a senior law student with an environmental organization over the full academic year.

Volunteers

ECELAW receives student volunteers with varying interests and backgrounds, wishing to gain experience and develop their skillset.

Thank you to our talented community of students who dedicated their time and energy to ECELAW in 2017.



Pro-Bono Students

Ryan Cutcliffe
Marc Lewis
Kate Meagher
Tina Northrup
Ben Uhrich
Meg Williams
Rebecca Kirkwood
Natasha Kruitwagen
Vanja Mitrovic
Sarah Murphy
Chelsea Packman
Grace O'Brien
Savannah VanDongen
Riley Weyman
Ksenia Orehova
Alex Green
Ashley Wilsom
Jenna Khoury-Hanna
Kyle Jacobson
Mike Kofahl
Natasha Kruitwagen
Neil Robertson
Taylor Smiley

Volunteers

Taya Arnold
Abigail Tennant
Kyle Jennex
Melia Moorshouse
Vini Vaitheeswaran

**Environmental Law Placements
and Osgoode Clinic**

Graeme Melcher
Jennifer Evola (Osgoode)
Hina Farooqi (Osgoode)



Board of Directors

Brian Hebert, LLB (Chair), is a Partner at the law firm Mckiggan Hebert.

Phillip Saunders, QC (Vice Chair), is a Professor of Law at Schulich School of Law, Director of the Marine and Environmental Law Institute, and an Associate Professor at the School for Resource and Environmental Studies at Dalhousie University.

Mathieu Poirier, BSME, MBA (Secretary), is a management consultant in Deloitte's Toronto office.

Craig Beare, EEP, MMPA (Treasurer), is a Senior Accountant at MNP LLP.

Ashley Wilson, is a third year law student at Dalhousie's Schulich School of Law.

Bakes Mitchell, LLB, Intrim Director of Business Development and Partnerships for Mindful

Catherine Abreu, is the Executive Director of the Climate Action Network.

Deborah Carver, LLB, LLM, is the Owner and Director of the commercial art gallery, Studio 21 Fine Art in Halifax.

Heather Hill, BA (Hons), LLB, is a full time faculty member in the Kingstec School of Business at Nova Scotia Community College.

Julia Pelton, BSc, BA, has worked in the environmental not-for-profit sector for six years managing provincial programs that dealt with sustainable transportation, energy efficiency, watershed managements and youth employment.

Lil MacPherson, is Founder and Co-Owner of The Wooden Monkey restaurants.

Melia Moorehouse, is in her second year of law school at Dalhousie University and is on the executive of Environmental Law Students Society and Lawyers Without Borders at Dalhousie.

Rosalie Francis, MA, JD, is a member of the Sipekne'katik Mi'kmaq First Nation community and has been involved in Aboriginal rights and Aboriginal issues for many years. Rosalie's career has included working for the Union of Nova Scotia Indians, directly involved in litigation, negotiations of Mi'kmaq Rights, and worked closely with the Assembly of Nova Scotia Mi'kmaq Chiefs and the Membertou First Nation.

Sara Seck, BMus, MMus, LLB, PhD, is an Associate Professor at the Schulich School of Law, and Marine and Environmental Law Institute.

Staff

Lisa Mitchell, BA, LLB, MES, Executive Director and Senior Lawyer

Tina Northrup, Office Manager

Mike Kofahl, BA, MA, JD, Articled Clerk

Daniel Lavigueur, Office Manager/Communications and Fundraising Coordinator

Natasha Kruitwagen, Summer Intern

Tina Northrup, Summer Intern

Stefan Schmidt, Summer Intern

A special thank you to the Schulich School of Law Academic Excellence Fund for Internships and the Federal Summer Jobs program, which granted ECELAW the capacity to hire three summer interns.

Contract Lawyers

Jamie Simpson, Juniper Law

Office & Meeting Space

ECELAW extends its gratitude to the Marine and Environmental Law Institute at Schulich School of Law, who generously continues to provide ECELAW with an office and meeting space. This arrangement has allowed ECELAW to work closely with Schulich students and faculty, and other faculties within Dalhousie University.



About ECELAW

WHO WE ARE

Incorporated in 2007, East Coast Environmental Law (ECELAW) is Atlantic Canada's legal environmental watchdog. ECELAW uses the law to help create healthier communities and enrich our natural environment. As a registered charity based in Halifax, Nova Scotia, ECELAW strives to strengthen and effectively use Atlantic Canada's environmental laws.

HOW WE TAKE ACTION

ECELAW responds to questions and inquiries on environmental law matters. Through collaboration with government and non-government organizations, we apply our knowledge and expertise to facilitate better enforcement and greater transparency in the realm of environmental law. We work to build robust laws that will ensure environmental protection, access to justice, and healthier communities today and for future generations. We mentor and work alongside students, building stronger foundations for tomorrow's leaders.

ECELAW takes action through three facets:

- Public Education
- Collaboration
- Legal Action

PUBLIC EDUCATION

We make environmental laws and legal options easy to understand for Atlantic Canadian communities and organizations seeking environmental justice.

- ECELAW carries out workshops, clinics, and speaking engagements to help inform and engage with Atlantic Canadian communities.
- Our online legal information library is a public resource of legal cases categorized by issue area that is not provided by any other free online service.

COLLABORATION

We work with individuals and groups to develop robust environmental laws, and ensure application of those laws throughout Atlantic Canada.

- Every year, ECELAW mentors future law professionals through a variety of student placements.
- ECELAW works side-by-side with community groups, institutions, and NGO's to cultivate sustainable solutions to environmental problems.

LEGAL ACTION

We identify ways to improve current environmental laws and support Atlantic Canadians in defending our environment by ensuring that the fair application of the law.

- ECELAW carries out legal and policy research to help review and strengthen Canadian environmental law.
- When necessary, ECELAW will take action to fight for what is just, through legal advice, referrals, or litigation.

2017 Strategic Highlights

Here are some of the focal areas of ECELAW engagement in 2017:

- With Jamie Simpson, we launched the first environmental private prosecution in Nova Scotia on behalf of Harrietsfield resident Marlene Brown.
- With local law firm McKiggan Hebert, we hired our first articled clerk, Mike Kofahl, who holds a joint certificate in Marine and Environmental Law from the Schulich School of Law. Mike has been leading our collaborative work on the effective development and deployment of East Coast Marine Protected Areas.
- With support from Pro Bono Dalhousie and the Schulich Academic Excellence Fund for Internships, we updated and expanded one of our most important public resources, ECELAW's online Information Library.
- After months of dedication from a broad coalition, we released a draft Nova Scotia Environmental Bill of Rights, advocating for a right to a healthy environment for all Nova Scotians.

Public Awareness & Education

Over the Line Symposium

The Environmental Noxiousness, Racial Inequities and Community Health (ENRICH) Project's two-part academic symposium, *Over the Line: A Conversation About Race, Place and the Environment*, was held on October 26th and 27th at the Halifax Central Library and Dalhousie University's Ondaatje Hall. The symposium brought together experts from across North America to explore relationships between race, place and the environment, as well as how these elements contribute to a community's health, political, social and economic climates. ECELAW's Executive Director, Lisa Mitchell, moderated a panel discussion.

Reconciliation in our Watershed Workshop

On October 12th, 13th, and 14th, KAIROS Canada hosted *Reconciliation in Our Watershed*: a multi-day event that took place at various locations in Halifax, including the Halifax North Memorial Library, the Mi'kmaw Native Friendship Centre, and St. Andrew's United Church. The event explored some of the major ecological justice issues faced by Nova Scotians and how these challenges are part of a larger Canadian narrative. The event considered Indigenous rights as a key piece of the discussion and how reconciliation might be facilitated. The multi-day workshop was attended by Lisa Mitchell, who presented in a panel discussion on environmental racism, and Tina Northrup, who led a city walk and workshop session.

ECELAW Information Library

With the support of law student volunteers and a summer internship funded by the Schulich School of Law, ECELAW launched the first of a series of major updates to its online Information Library, adding hundreds of new and revised summaries of environmental law cases from throughout Atlantic Canada and creating new supplementary materials to make the information more accessible.

Sustainable Oceans Conference

With support from the Ecology Action Centre (EAC), ECELAW's Articled Clerk, Mike Kofahl, was one of the few east coast representatives at the *Oceans 20 - Oceans Act Workshop* in Ottawa on June 13th- 15th. The conference, which was hosted by West Coast Environmental Law, Canadian Parks and Wilderness Society, the David Suzuki Foundation, and the Ecology Action Centre, was attended by a wide representation of groups from private and public sectors. The primary purpose of the conference was to explore innovative ways to improve Canada's *Oceans Act* and facilitate a more efficient and effective process to establish Marine Protected Areas (MPA). ECELAW's presence at *Oceans 20* was an opportunity to foster relationships with similarly aligned organizations and better represent the interests of Atlantic Canadians in the national conversation about the *Oceans Act*.

EcoConnections Conference

Tina Northrup represented ECELAW on September 22nd and 23rd at the Nova Scotia Environmental Network's EcoConnections Conference in Truro. The conference facilitated networking and capacity building for environmental leaders from all sectors in Nova Scotia and offered an opportunity to explore diverse experiences and priorities for ongoing and future conservation efforts.

Capping Carbon Talk Series

Capping Carbon, hosted by the Ecology Action Centre, was a six-part panel series that ran from March 9th until June 29th in response to Nova Scotia's upcoming implementation of a carbon cap-and-trade system. Lisa Mitchell moderated two panel discussions at Dalhousie University and Acadia University.

Environmental Issues Election Debate

ECELAW co-hosted the *Environmental Issues Election Debate* to engage individual candidates of the 2017 Nova Scotia provincial election in discussion about how each candidate would address climate change, environmental rights protection, and community health and wellbeing. This public debate was held on May 16th, and was co-hosted with the Sierra Club and the Ecology Action Centre.

Digby Quarry and the Case for Responsible Trade Panel Discussion

Sierra Club Canada and ECELAW co-hosted *Digby Quarry and the Case for Responsible Trade*, a panel discussion at the Schulich School of Law, on June 20th. The panel was an effort to inform the public on the NAFTA trade agreement and the ways in which it systematically inhibits our ability to protect the environment against development by international firms, with the case of the Digby Neck Quarry being case and example.

Additional events in which ECELAW participated in throughout the 2017 year included:

- *See Change: Tides of Environmental Learning*, hosted by Acadia University;
- *Do Oil and Water Mix*, an offshore oil panel discussion at the Mahone Bay Centre, hosted by the Council of Canadians;
- *Canada's Coal Phase-Out*, hosted by the Ecology Action Centre;
- *Perspectives on Environmental Racism, Grassroots Resistance, and Law and Policy in Nova Scotia*, hosted by the Environmental Law Students' Society and the Marine and Environmental Law Program at the Schulich School of Law, Dalhousie University.

Environmental Law Inquiry Service

ECELAW received a number of inquiries in 2017 from individuals, community groups, and NGOs. Environmental law inquiries responded to by ECELAW included:

- Lafarge tire burning and the associated Environmental Impact Assessment, Colchester County, NS;
- Herbicide spraying provincial approvals and federal re-evaluation;
- Raw sewage dispersion through straight pipes, LaHave River, NS;
- Public beach access and protection, South Shore, NS and Margaree, NS;
- Alton gas brine storage pond approvals, Shubenacadie River, NS;
- Boat Harbour Clean-up, Pictou, NS;
- Highway twinning project of highway 101, Falmouth, NS;
- Federal investigation into the release of pesticides and disinfectants into marine ecosystems from aquaculture practices, NS & NB;
- Access to information related to aquaculture activities off the coast of Nova Scotia;
- Proposed beach related developments, Cape Breton, NS & Parlee Beach, NB;
- Recovery of oil from Manolis L, Newfoundland;
- Aggregate Mining environmental impact assessment, Glenholme, NS;

Legal Action

Bilcon

In 2016, ECELAW partnered with the Sierra Club of Canada as interveners, receiving legal representation by Ecojustice, in the federal case to stop a New Jersey company, Bilcon, from collecting more than US \$100 million from Canadian taxpayers. The dispute continues after over 10 years, when Bilcon's proposed basalt quarry on Digby Neck was rejected following a joint Canada-Nova Scotia environmental assessment review of the project. Consequent to the rejection, Bilcon approached a NAFTA tribunal in search of compensation for its alleged losses. The NAFTA tribunal concluded that the review process of the quarry was discriminatory and unfair to the quarry's proponent, Bilcon. In the past year, the Government of Canada applied to have the NAFTA tribunal decision set aside. The Federal Court of Canada hearing date was set for January 2018, in Ottawa, Ontario.

Contaminated Water: Harrietsfield, NS

The community of Harrietsfield has been suffering with the consequences of leachate from a contaminated site in their community for more than 10 years. After three unsuccessful court appeals by the responsible parties and no enforcement action by the provincial government, Marlene Brown, a private citizen and active community member, made the difficult decision to go to court.

In May 2017, Marlene Brown joined up with ECELAW and environmental lawyer Jamie Simpson, and proceeded to charge two numbered companies and two individuals under sections 67 and 132 of Nova Scotia's Environment Act for the release of substances causing adverse effect into the environment and failing to comply with Ministerial Orders. In July 2017, Nova Scotia's Public Prosecution Service stepped in to take over the case. ECELAW has been assisting Marlene Brown and other residents since 2013. The decision to proceed with a private prosecution for an environmental offence was not only a first for ECELAW, it was a first in the history of Nova Scotia.

Aquaculture

Kelly Cove Salmon is the salmon farming division of Cooke Aquaculture Inc. The Shelburne site is one among 100 salmon farm sites that Cooke Aquaculture manages in the Maritimes. Since operation began in 2012, two concerned property owners near the Kelly Cove operation have witnessed and reported the distribution of medical feed, broken feed lines expelling medical feed outside of the cages, the placement of company anchors outside the boundaries of the company's lease, two mass mortalities, and the wash up of remnants of fish and unknown substances along the shore. Kathaleen Milan and Ron Neufeld have made five requests under Nova Scotia's Freedom of Information and Protection of Privacy Act (FOIPOP) for the release of information from Kelly Cove about these incidents. Despite their persistent requests, very little information has been released.

In the spring of 2017, Catherine Tully, Nova Scotia's Privacy Commissioner, released a report recommending the release of information requested by Ron and Kathaleen. After the Department of Fisheries and Aquacultures decided to ignore the Privacy Commissioner's report and withhold the requested information, Ron and Kathaleen initiated an appeal of that decision in the Supreme Court of Nova Scotia. The hearing date has been set for March 29, 2018. Together with the law firm McKiggan Hebert, ECELAW has been supporting and will continue to support Kathaleen and Ron as they navigate the legal system.

Energy East National Energy Board Review

ECELAW represented Nature Canada and Nature New Brunswick in the hearing process of the Energy East National Energy Board Review until the proponent withdrew its application in October 2017. ECELAW is proud to have been part of an effective collaboration of many organizations to reset the NEB process and require consideration of climate change impacts in pipeline assessments.

Educating & Mentoring Environmental Law Students

Pro Bono

In the 2017 year, ECELAW was pleased to supervise more than 20 student volunteers. Students at the Schulich School of Law volunteer through the Pro Bono Dalhousie program and the Environmental Law Students' Society on practical research opportunities. During the 2017 year, Pro Bono students engaged in the following work:

- Conducting research to support continued development of ECELAW's online Information Library;
- Assisting with public inquiries through tasks such as conducting legal research and drafting legal memoranda;
- Drafting ECELAW publications on the PEI Water Act, coastal protection, private prosecutions and straight pipes;
- Supporting and participating in an environmental law Research-a-Thon that ECELAW co-hosted in collaboration with the Ecology Action Centre and the Environmental Law Students' Society and Marine and Environmental Law Program at the Schulich School of Law.

A Year in Review

Placement Program

The Environmental Law Placement is a for-credit course at the Schulich School of Law. Through this program, students work directly with ECELAW on extended research projects. The 2017 placement student, Graeme Melcher, completed a detailed research paper entitled *Through the Cracks: The Impacts of Legislative Failures Upon At-Risk Species in Newfoundland and Labrador*.

Osgoode Clinic

Students from law schools outside of Nova Scotia volunteer and are able to work with ECELAW through the distance placement program at the Environmental Justice and Sustainability Clinic at Osgoode Hall Law School, York University. This virtual placement opportunity enables Ontario-based students to engage in public interest environmental law work in Atlantic Canada. Jennifer Evola completed the second half of her placement with ECELAW in April 2017 and Hina Farooqi completed the first half of her placement from September to December 2017. In late October, Hina travelled to Halifax to meet ECELAW staff and participate in *Over the Line: A Conversation About Race, Place and the Environment*. Both students conducted research and participated in a variety of ECELAW files during their placement.

Summer Students

Through the Canada Summer Jobs program and the Schulich Academic Excellence Fund for Internships, ECELAW had the privilege of providing summer employment to three law students from the Schulich School of Law: Natasha Kruitwagen, Tina Northrup and Stefan Schmidt. These students facilitated ECELAW's work on the Harrietsfield private prosecution, the Information Library, and public outreach and inquiries.

Projects and Collaborations

ECELAW engages in collaborative efforts with many Atlantic Canadian communities, individuals, organizations, scholars, and members of government. In 2017, ECELAW worked in partnership to prepare a number of federal law reform submissions, including:

- Federal Fisheries Act Review;
- National Energy Board Modernization Process;
- Environmental Impact Assessment in Canada;
- Navigation Protection Act;
- Federal Frontier and Offshore Regulatory Renewal Initiative (FORRI).

Industry-Wide Investigation for Waste Disposal Practices in Aquaculture

Bill Ernst, a retired Environment Canada employee, alongside ECELAW, West Coast Environmental Law, the Ecology Action Centre, the Conservation Council of New Brunswick, Living Oceans Society, and Friends of the Earth Canada, called for an industry-wide investigation into chemical dumping practices at aquaculture sites. The call for action to the federal government followed a formal complaint made in February 2016 and Environment and Climate Change Canada's (ECCC) confirmation that certain aquaculture activities result in disposal at sea and, in doing so, likely violate federal Disposal at Sea Regulations. Despite these violations, it appeared that dumping of disinfectants and pesticides used to treat sea lice in open ocean fish farms continued without enforcement action by the ECCC.

Coalition for the Protection of Prince Edward Island Water

In December 2017, the PEI legislature passed the provincial Water Act. Throughout the 2017 consultations on the proposed Act, ECELAW provided support and advice to the Prince Edward Island Environmental Rights Working Group and the Coalition for Protection of PEI Water. The process of drafting a proposed PEI Water Act included community consultation plans. After reviewing the proposed PEI Water Act, ECELAW engaged with citizens and non-profit organizations to offer recommendations that would strengthen the Bill and include rights to clean water and watershed planning. The island's inhabitants and significant agriculture sector are entirely dependent on ground water sources, lending urgency to this crucial effort.

Environmental Bill of Rights Launch

On April 21st, the Nova Scotia Environmental Rights Working Group launched a draft, non-partisan Environmental Bill of Rights for Nova Scotia. The proposed Bill would ensure the right to a healthy environment, provide better legal access to Nova Scotians to exercise that right, and specifically address the unique concerns of historically marginalized and vulnerable communities. The public launch of the Bill included the sharing of first-hand experiences of environmental injustices by community members from Boat Harbour, Harrietsfield, Lincolnville, Sipekne'katik First Nation and Shelburne, Nova Scotia.

Marine Protected Areas (MPAs)

With support from the Ecology Action Centre our articulated clerk attended the "Oceans 20-Canada's Ocean Act Workshop" in Ottawa. The three day conference included presentations and facilitated discussion on Canada's ocean law generally and marine protected areas (MPA) specifically. This facilitated ECELAW's participation in an important cross-Canada collaboration on MPAs supported by the Gordon and Betty Moore Foundation. Working with West Coast Environmental Law, the Ecology Action Centre and others, ECELAW has been active in MPA development on the East Coast and in protecting the offshore marine environment. We have made submissions to the Federal House of Commons Committee on Oceans and Fisheries, released two written briefs and collaborated with the Offshore Alliance as they advocate for independent impact assessment for all offshore project proposals. ECELAW's work will continue in 2018 with a focus on community and Indigenous led marine protected areas for Atlantic Canada.



Supporters

ECLEAW receives ongoing in-kind and financial support from public and private foundations, institutions, and individual patrons. It is only through these generous contributions and the commitment of our many collaborators and volunteers that public interest environmental law is alive and well in Atlantic Canada.

Thank you.

ECLEAW received support from the following foundations and institutions in 2017:

City of Halifax-Councillors District Activity Fund

ECHO Foundation

Gordon and Betty Moore Foundation

Marguerite Hubbard Charitable Foundation

Marine & Environmental Law Institute, Schulich School of Law, Dalhousie University

The Catherine Donnelly Foundation

Sage Environmental Program

2017 Financial Statements

**East Coast Environmental Law Association
Unaudited Statement of Financial Position
As at December 31, 2017**

	Dec 31, 2017	Dec 31, 2016
	\$	\$
ASSETS		
Current Assets		
Unrestricted Cash	57,704	104,695
Restricted Cash	14,740	
Investments	65,003	22,761
Prepaid Wages	6,719	
Accounts Receivable	7,416	70,959
	<u>151,581</u>	<u>198,415</u>
TOTAL ASSETS	151,581	198,415
LIABILITIES		
Current Liabilities		
Accounts Payable & Accrued Liabilities	5,680	9,832
Deferrals	32,239	44,594
	<u>37,919</u>	<u>54,426</u>
Long Term Liabilities		
Long Term Deferrals		17,500
TOTAL LIABILITIES	<u>37,919</u>	<u>71,926</u>
NET ASSETS		
Unrestricted Net Assets	54,243	67,070
Internally Restricted Net Assets	59,419	59,419
TOTAL NET ASSETS	<u>113,662</u>	<u>126,489</u>
TOTAL LIABILITIES AND NET ASSETS	151,581	198,415

East Coast Environmental Law Association
Unaudited Statement of Operations & Changes in Net Assets
For the Year Ended December 31, 2017

	2017	2016
	\$	\$
REVENUE		
Direct Grants	49,386	112,458
Direct Projects	20,724	
Direct Contributions	32,361	14,401
Other Revenue	4,266	1,827
TOTAL REVENUE	106,738	128,686
EXPENSES		
Program		
Salaries & Wages	48,725	68,191
Consulting - Juniper Law (Harrietsfield)	9,649	5,827
Indirect Project Costs	565	944
	<u>58,939</u>	<u>74,962</u>
Administrative		
Salaries & Wages	27,093	32,694
Consulting	6,362	
Office supplies	1,237	525
Telephone & Conferencing	194	1,274
Conferences & Events	645	3,330
Insurance	1,300	1,300
Bank fees	375	456
Accounting	490	1,481
Payroll	264	
Bad debt	5,000	
Dues & fees	2,440	2,064
Website	1,392	1,608
	<u>46,793</u>	<u>44,731</u>
Fundraising		
Salary & wages	10,939	3,798
Consulting	868	
Events	1,166	88
Advertising	223	
Transaction costs	637	
	<u>13,833</u>	<u>3,885</u>
TOTAL EXPENSES	119,565	123,579
(DEFICIENCY) EXCESS OF REVENUE OVER EXPENDITURE	(12,827)	5,108
UNRESTRICTED NET ASSETS - beginning of the year	67,070	61,962
UNRESTRICTED NET ASSETS - end of the year	54,243	67,070



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east coast environmental law

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