



INCOME SECURITY ADVOCACY CENTRE
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Standing Committee on General Government
c/o Clerk of the Committee
Room 1405, Whitney Block, Queen's Park
Toronto, ON M7A 1A2

By email to: sprzezdziecki@ola.org

Dear Standing Committee Members,

Please accept this letter as ISAC's submission on your deliberations around Bill 172, *Climate Change Mitigation and Low-carbon Economy Act, 2016*.

The Income Security Advocacy Centre (ISAC) is a community legal clinic funded by Legal Aid Ontario. We have a provincial mandate to improve the income security of people living in Ontario through test case litigation, policy development, advocacy and community organizing. Although we work primarily in the area of social assistance law and policy, we are also keenly aware of the impacts of the costs of energy on low-income Ontarians.

Along with many of our sister legal clinics, we were a founding member of the Low-Income Energy Network (LIEN) in 2004 and have been advocating through that body to end energy poverty in Ontario through a number of mitigative programs and measures to assist low-income Ontarians to afford the cost of energy. Government has instituted programs that respond directly to this advocacy by providing emergency utility rate assistance, energy conservation and efficiency home retrofits, and consumer protections and education, as well as ongoing assistance with electricity rates through the recently introduced Ontario Electricity Support Program.

We are writing to highlight the need to provide similar programs and measures to mitigate the impacts of a cap-and-trade system on low-income Ontarians. While we certainly agree that strong action is necessary to reduce greenhouse gas emissions, government must take steps to ensure that low-income Ontarians are not further impacted by increased costs that many would find impossible to bear. On these issues, we refer members of the Standing Committee to specific recommendations made by the Canadian Environmental Law Association in its submission EBR 012-6844, dated March 22, 2016 (pages 7-12), as listed below.

As noted in the 2014 report of the United Nations Intergovernmental Panel on Climate Change (*Climate Change 2014: Impacts, Adaptation, and Vulnerability*, available at <http://ipcc-wg2.gov/AR5/report/>), people living in poverty are among the most strongly impacted by the effects of climate change. At the same time, however, people living in poverty have contributed the least to the greenhouse gas emissions that fuel the problem. And, by virtue of their low income, they are least able to take steps on their own to adapt to climate change impacts.

As Ontario moves to address the effects of climate change through a cap-and-trade system, it cannot ignore these disproportionate impacts. Government must ensure that low-income Ontarians do not face the additional burden of increased costs resulting from the cap-and-trade system itself.

While the current legislation provides for allowances to industrial emitters from the Greenhouse Gas Reduction Account, no similar provision exists to assist low-income Ontarians, despite similar provisions currently in place in jurisdictions like California, Quebec, and British Columbia. Not only should Ontario explicitly recognize the impact of climate change and of cap-and-trade on low-income communities, a direct credit or rebate program should be implemented through the Greenhouse Gas Reduction Account.

Through the creation of legislation and the adoption of two successive poverty reduction strategies, Ontario has committed to reducing poverty as a matter of cross-governmental social policy. The *Ontario Poverty Reduction Act 2009* states that, as a matter of principle, reducing poverty includes “establishing supports for, and eliminating barriers to, full participation by all people in Ontario’s economy and society” with particular focus on members of groups that face discrimination and are at heightened risk at poverty. In the area of energy policy, Ontario has, as noted above, instituted a number of programs that recognize the additional assistance required for low-income Ontarians to afford the rising cost of energy. As it now moves to enact strong environmental policy, Ontario must now bring these commitments together by taking the additional steps required to ensure that low-income Ontarians are given the supports required to make the transition to a decarbonized economy.

We support the following recommendations made by the Canadian Environmental Law Association (CELA) in pages 7-12 of submission EBR 012-6844 dated March 22, 2016:

Recommendation 9: Subsection 2(1) should be amended by adding the following paragraph:

Paragraph 2(1)(c): to recognize the disproportionate impact of climate change on low-income and vulnerable communities and to assist low-income and vulnerable communities in their transition to a decarbonized economy

Recommendation 10: Section 68 should be amended to add the purpose of assisting low-income and vulnerable communities as one of the authorized expenditures under the GGRA.28

Recommendation 11: Schedule 1, subsection 1(1) should be amended to reflect Ontario's commitment to a just transition to a decarbonized economy which will not disproportionately burden low-income and vulnerable communities.29

Recommendation 13: Subsection 68(2) should be amended as follows:

Paragraph 68(2)(2): To directly fund new and additional initiatives, or to expand existing initiatives, described in Schedule 1 to this Act, that are likely to reduce greenhouse gas emissions, ensuring that at least 25% of the GGRA revenue will be used to benefit low-income and vulnerable communities.

Recommendation 15: Schedule 1, subsection 1(1) should be amended as follows:

Any of the following types of new, additional initiatives, or the expansion of existing initiatives, may be funded, in whole or in part, from the Greenhouse Gas Reduction Account in accordance with section 68 of the Act, but only if the particular initiative is likely to reduce greenhouse gas emissions, including initiatives which are likely to assist low-income and vulnerable communities in reducing greenhouse gas emissions, or if the initiative is likely to address the disproportionate impact of the cap and trade program on low-income and vulnerable communities.

1a(i) Any initiatives which are likely to address the disproportionate impact of the cap and trade program on low-income and vulnerable communities.

(ii) Any initiatives which are likely to assist low-income and vulnerable communities with the reduction of greenhouse gas.

We also support CELA's recommendations on engagement with Indigenous communities (p. 6-7), who not only have critically important knowledge to impart related to environmental protection but are among the communities that are disproportionately impacted by both poverty and climate change:

Recommendation 6: The preamble to Bill 172 should be amended as follows:

First Nation and Métis communities have extensive experience and knowledge relating to environment protection in Ontario. The government of Ontario shall incorporate the traditional ecological knowledge and other information provided by First Nation and Métis communities in its strategic level planning and in its development of specific actions.

Recommendation 7: Section 7 should be amended to require strategic level consultation with First Nation and Métis communities on the government of Ontario's climate change action plans.

Recommendation 8: Subsection 7(2) should be amended as follows:

If a First Nation or Métis community provides the Minister with any traditional ecological knowledge or other information relevant to preparing climate change action plans or specific actions under Bill 172, the Minister shall incorporate that traditional ecological knowledge or other information into its decisions.

Thank you for your consideration of this submission.

Sincerely,

A handwritten signature in blue ink, consisting of the letters 'M' and 'E' followed by a horizontal line.

Mary E. Marrone
Director of Advocacy & Legal Services