



# LE CLIMAT L'ÉTAT ET NOUS

Rethinking public action on the environment

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English version

## STATUS REPORT

### FOR A TRUE SOCIAL BLUEPRINT

The vast majority of Quebecers recognize the necessity of protecting the environment and of working on limiting global warming as a matter of urgency<sup>1</sup>. This necessity as well as sustainable development goals (SDGs) and greenhouse gas emission reduction targets set by the government over the past 15 years are supported by all political parties represented at the National Assembly.

A credible process for attaining targets in this field is vitally important since it will give all citizens a chance to plan and build a Québec that will constantly better match their aspirations, because the process demands substantial changes in all spheres of society. This is the core of sustainable development, which brings all these concerns and aspirations together into a common framework aimed at protecting the environment and social development<sup>2</sup>.

Taking all environmental initiatives—from combating climate change to the protection of ecosystems—and turning them into a social blueprint requires thinking in terms of sustainable development, going beyond short-term strategies and programs with sectoral goals, and setting out a coherent vision in a long-term plan that covers all the environmental, social and economic questions affecting Québec<sup>3</sup>.

In order to materialize, this social vision must be accompanied by a coherent structure capable of carrying out the necessary transformations. However, despite a broad consensus, a real resolve in the entire machinery of government, and the existence of many governmental organizations working in the field, Québec does not have a structure that is sufficiently integrated to allow development of a framework for action having the sustained capacity needed to lend effective support to its vision<sup>4</sup>.

To initiate a debate on the creation of such a structure, a score of academics, experts in governance, law, economics, public policy, sociology, environment, taxation, municipal affairs, indigenous communities and energy have come together to propose changes to the structure of government action on the environment in Québec and to support the attainment of Québec's sustainable development commitments—including long-term economic development in all regions of Québec, integrated management of water resources, adaptation to and fighting against climate change, land-use policy, etc.—in an integrated approach that is in keeping with the functioning of Québec society, yet tailored to current needs.

**This proposal is intended as a contribution to start a debate aimed at engaging Québec society within a few months of the next provincial election. It has been developed by academics, and does not claim to represent everybody's position, nor to be complete.**

1 Matto Mildemberger, Peter Howe, Erick Lachapelle, Leah Stokes, Jennifer Marion and Timothy Gravelle (2016). The distribution of climate change public opinion in Canada, PLoS ONE 11(8): e0159774. <https://doi.org/10.1371/journal.pone.0159774>

2 Claude Villeneuve (1998). Qui a peur de l'An 2000? Guide d'éducation relative à l'environnement pour le développement durable, UNESCO and Editions MultiMondes, 305 pp.

3 James Meadowcroft (2007). Who is in charge here? Governance for sustainable development in a complex world, Journal of Environmental Policy & Planning 9, pp. 299-214.

4 See, for example, Johanne Whitmore and Pierre-Olivier Pineau (2017), L'État de l'énergie au Québec 2018, Chaire de gestion du secteur de l'énergie, HEC Montréal



## THE NEED FOR INTEGRATED ACTION

It is essential to acknowledge the systemic nature of sustainable development, as presented by the 2030 Agenda for Sustainable Development, the United Nations and the International Council for Science (ICSU). This concept of sustainable development fosters a crosscutting vision and interactions between sustainable development goals and the actions taken to attain targets<sup>5</sup>. This integrated vision is indispensable for a number of reasons :

### Because it is our responsibility to bequeath a healthy planet to future generations.

A society should envision itself and plan for the long term, well beyond electoral cycles, and even generations<sup>6</sup>. Today's citizens thus have a shared responsibility towards past and future generations to ensure that a prosperous, dynamic society, the guardian of a healthy environment, is passed on. Children born today will be the elderly of 2100.

Acting without long-term planning, on the basis of merely short-term economic considerations, will inevitably bring problems that are more costly to solve than the savings supposedly made. But there are many examples from abroad —from the United Kingdom<sup>7</sup>, Sweden<sup>8</sup> and Costa Rica<sup>9,10</sup>, for example— to show that tensions between economic, social and environmental objectives are much easier to resolve with the support of a long-term vision and a true social blueprint.

### Because prevention is less expensive than repair.

Whether we like it or not, the climate changes that have already begun are bringing disruptions that affect us to varying degrees :<sup>11</sup>

- Extreme weather events are increasing: more violent storms, more frequent flooding at unusual

times, accelerated shoreline erosion, thawing of the permafrost, etc.<sup>12</sup>

- These events have real consequences for populations, both in the fragile economies of northern regions and isolated communities and in the metropolitan regions of Québec: they affect the economy and citizens' health, with the rise in new diseases and the spread of infection centres; the destruction of homes, neighbourhoods, and public infrastructures; job losses due to climate disasters; and the mobilization of public and private funds for repair and reconstruction rather than development. In addition, they have a disproportionate effect on the most vulnerable members of society, including children, the elderly, the disabled, and those on the socioeconomic margins.

All too often, deciders deal with these events in piecemeal fashion, reacting after catastrophes have occurred rather than guarding against coming transformations.<sup>13,14</sup> But it is wiser to reduce the impact of expensive disasters, both from the psychological and health point of view of directly affected citizens, and financially, for all Quebecers.<sup>15,16</sup> This requires simultaneously :

- Rapidly reducing greenhouse gas emissions resulting from all society's activities in order to contribute to limiting global warming.<sup>17</sup>
- Increasing the number of carbon sinks, particularly in the forestry domain, through construction and agricultural practices.

5 A Guide to SDG interactions: from science to implementation, D. J. Griggs, M. Nilsson, A. Stevance, D. McCollum (ed.). International Council for Science, Paris. DOI: 10.24948/2017.01. <http://www.un.org/sustainabledevelopment/fr/> and International Council for Science (ICSU) (2017).

6 Edward A. Person (dir.) (2001). *Gérer l'environnement. Défis constants, solutions incertaines*. Presses de l'Université de Montréal (Montréal).

7 Natalia Fabra, Felix Christian Matthes, David Newbery and Michel Colombier (2015). *The energy transition in Europe: initial lessons from Germany, the UK and France. Towards a low carbon European power sector*. Center on Regulation in Europe (CERRE), Brussels.

8 Lorenzo Di Lucia and Karin Ericsson (2014). *Low-carbon district heating in Sweden — Examining a successful energy transition*, Energy Research & Social Science 4, pp. 10-20.

9 Carter A. Hung, William H. Durham, Laura Driscoll and Martha Honney (2014). *Can ecotourism deliver real economic, social, and environmental benefits? A Study of the Osa Peninsula, Costa Rica*, Journal of Sustainable Tourism 23, pp. 339-357.

10 Bruno Locatelli, Pablo Imbach and Sven Wunder (2013). *Synergies and trade-offs between ecosystem services in Costa Rica*, Environmental Conservation 41, pp. 27-36.

11 Valérie Bourduas Crouhen, Robert Siron and Anne Blondlot (2017). *État des lieux des pêches et de l'aquaculture au Québec en lien avec les changements climatiques*. Montréal (Québec). Ouranos. 84 pp.

12 Pascal Bernatchez, Steeve Dugas, Christian Fraser and Laurent Da Silva (2015). *Évaluation économique des impacts potentiels de l'érosion des côtes du Québec maritime dans un contexte de changements climatiques*, Laboratoire de dynamique et de gestion intégrée des zones côtières, Université du Québec à Rimouski. Report submitted to Ouranos, 45 pp. and appendices. [https://www.ouranos.ca/publication-scientifique/RapportBer-natchez2015\\_FR.pdf](https://www.ouranos.ca/publication-scientifique/RapportBer-natchez2015_FR.pdf)

13 World Bank and United Nations (2010). *Natural hazards, un-natural disasters : the economics of effective prevention*, World Bank (Washington), 254 pp. <http://www.banquemondiale.org/fr/news/feature/2010/11/15/natural-hazards-un-natural-disasters-the-economics-of-effective-prevention>

14 Craig Alexander and Connor McDonald (2014). *Natural Catastrophes: a Canadian Perspective*, TD Economics (Toronto), 14 pp. <https://www.td.com/document/PDF/economics/special/NaturalCatastrophes.pdf>.

15 Canada. *National Round Table on the Environment and the Economy (2011). Le prix à payer : répercussions économiques du changement climatique pour le Canada : TRNEE*. <http://nrt-trn.ca/wp-content/uploads/2011/09/prix-a-payer.pdf>

16 World Bank (2013). *Turn down the heat: Climate extremes, regional impacts, and the case for resilience*. Produced by the Potsdam Institute for Climate Impact Research and Climate Analytics for the World Bank. <http://documents.worldbank.org/curated/en/975911468163736818/pdf/784240WPOFull00DOCONF0to0June19090L.pdf>

17 Intergovernmental Panel on Climate Change (IPCC) (2014): *Climate change 2014: Synthesis report. Contribution of Working groups I, II and III to the Fifth Assessment report of the Intergovernmental Panel on Climate Change*, R. K. Pachauri and L. A. Meyer (eds.). IPCC, Geneva, Switzerland, 151 pp. <http://www.ipcc.ch/report/ar5/syr/>



And increasing Québec's resilience to climate change by preparing to:

- Re-examine land use, which implies, among other things, designating flood-prone areas, reforming farming practices, and rethinking the way we design cities and inhabit our buildings.
- Adapt our infrastructures (sewer systems, roads, and power transmission lines).
- Implement measures to prevent diseases and the disturbances that follow from the migration of new species and the weakening of indigenous or local species.
- Change our lifestyle and adapt our habits in order to contribute to the solution.<sup>18,19</sup>

With planning and preparation, it is possible to go beyond the current reactive mode and give ourselves the time to identify the transformations and investments through which we can modernize infrastructures and protect the environment, while safeguarding the development of a low-carbon economy, and also increasing Québec's society's resilience to the effects of climate change and other environmental disruptions.<sup>20,21,22,23</sup>

**Because, despite the good intentions of its governments and its efforts in recent decades, Québec is not on track to meet its environmental and climate goals.**

Over the decades, various Québec governments have deployed substantial efforts aimed at the environment and the climate; in doing so, they were responding to a consensus that spread beyond partisan policy lines. Despite this consensus, and as reported by Québec's Sustainable Development Commissioner, among others, these efforts have not delivered the expected results, even though they

often go further than measures taken elsewhere in Canada and North America.<sup>24</sup>

For this group of experts and for many other observers, this situation is partly due to a government structure that is not well suited to the new complexity of environmental issues,<sup>25</sup> with the result that public policies, laws and regulations, and investments have not had the impact that they could have had, for lack of a structure ensuring consistency between actions taken and the absence of follow-up on those actions to adapt them to changing realities.

Of course, any proposal aimed at environmental governance must acknowledge the existence of a broader framework, which includes the jurisdiction and actions of the federal government, particularly in the area of water, as well as the integration of its economy with that of the rest of the planet through multiple agreements which provide a significant framework for Québec's actions. It would therefore be both useful and necessary to propose changes and improvements to environmental action at all these levels. In Canada however, the majority of responsibilities related to sustainable development, the environment, climate change, energy and water are provincial in nature; it therefore seems more appropriate, initially, to focus on this level, including the municipal level, which is responsible for land use.

**This is why we suggest that a governance structure be set up without delay in Québec in order to integrate all actions taken on sustainable development and climate change, following a coherent vision and plan.**

18 Intergovernmental Panel on Climate Change (IPCC) (2014). *Climate change 2014: Impacts, adaptation, and vulnerability. Part A: Global and sectoral aspects. Contribution of Working Group II to the Fifth Assessment report of the Intergovernmental Panel on Climate Change*, C. B. Field et al. (ed.), Cambridge University Press, NY, USA, 1132 pp. <http://www.ipcc.ch/report/ar5/wg2/>

19 François Sana (2014). *L'Économie circulaire: changement de paradigme économique ? Note d'analyse*, Pour la solidarité (European think & do tank). <http://www.pourlasolidarite.eu/fr/publication/leconome-circulaire-changement-complet-de-paradigme-economique>

20 Hu Yuan, Peng Zhou et Dequn Zhou (2011). *What is slow-carbon development? A conceptual analysis*, Energy Procedia 5, p. 1706-1712.

21 Xander van Tilburg, Laura Würtenberger, Heleen de Coninck et Stefan Bakker (2011). *Paving the way for low-carbon development strategies*, Energy research Centre of the Netherlands (ECN), 56 pp. <https://www.ecn.nl/docs/library/report/2011/e11059.pdf>

22 United Kingdom Government, *The Clean growth strategy*. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/651916/BEIS\\_The\\_Clean\\_Growth\\_online\\_12.10.17.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/651916/BEIS_The_Clean_Growth_online_12.10.17.pdf)

23 Carolina E. Adler et coll. (2016). *Resilience, in Research handbook on climate governance*, Dir. Karin Bäckstrand and Eva Löwbrand, Northampton, MA: Edward Elgar Publishing, pp. 491-502.

24 Jean Cinq-Mars (2016). *Rapport du commissaire au développement durable*, Bureau du vérificateur général du Québec. [http://www.vgq.gouv.qc.ca/fr/fr\\_publications/fr\\_rapport-annuel/fr\\_2016-2017-CDD/fr\\_Rapport2016-2017-CDD.pdf](http://www.vgq.gouv.qc.ca/fr/fr_publications/fr_rapport-annuel/fr_2016-2017-CDD/fr_Rapport2016-2017-CDD.pdf)

25 This problem is also encountered at the federal level, as pointed out by Corinne Gendron, Richard Janda, René Audet, Karine Casault, Chantal Hervieux, Émilie White, Marie-Claude Allard, Alice Friser, Aliou Diouf, Sarah Gagnon-Turcotte and Daniel King (2010). *Commentaires sur la Stratégie fédérale de développement durable 2010*, brief by the Chaire de responsabilité sociale et de développement durable (CRSDD) and the Centre de droit international du développement durable (CDIDD) submitted to the Sustainable Development Office of Environment Canada, 31 pp.



## AN OVERVIEW OF 50 YEARS OF SUBSTANTIAL, INNOVATIVE ENVIRONMENTAL INITIATIVES IN QUÉBEC

Québec has been a pioneer in certain aspects relating to the environment. In 1972, it became the first Canadian province to pass a law on the quality of the environment.<sup>26</sup> At around the same time, the first environmental consultations in Québec, initially conducted by Hydro-Québec, served as the basis for the creation of the *Bureau d'audiences publiques sur l'environnement* (BAPE) in 1978. One year later, in 1979, the Ministère de l'Environnement was created, headed by Marcel Léger. The same period also saw the passing of the Act respecting the Preservation of Agricultural Land and Agricultural Activities, which applies both to the government and to all persons and businesses, and which created the *Commission de protection du territoire et des activités agricoles au Québec* (CPTAQ) to protect the survival of agricultural land in the province, only 2% of the territory being suitable for agriculture.

Over the intervening years, Québec has continued to develop legislation and structures to protect the environment and deal with related issues in its economic and social development. These actions being too numerous to be fully listed here, we will mention only the most important steps.

In 1994, the governments of Québec and Canada signed an agreement under the St. Lawrence Vision 2000 Action Plan (Phase II) and created the Areas of Prime Concern (ZIP) program,<sup>27</sup> which aims to “promote further knowledge on the river environment, to favour local initiatives of protection, restoration, conservation and enhancement of the St. Lawrence’s uses and resources within a sustainable perspective.”<sup>28</sup> There are today 12 ZIP committees working on the fifth of phase of the action plan (St. Lawrence Plan for Sustainable Development, 2011–2026).

The Québec Water Policy, adopted in 2002, created watershed-management organizations responsible for integrated water management by watershed. Four years later, the Québec government enacted its Sustainable Development Act (2006), to which all the government’s actions are in principle subject. Section 17 of this act stipulates that each government department and agency of the Québec public administration must include in its annual report a section stating its objectives in connection with the sustainable development strategy and progress made

26 Paule Halley (2012). *La loi sur la qualité de l'environnement a 40 ans*. Le Devoir, December 21, 2012. <http://www.ledevoir.com/opinion/idees/366907/la-loi-sur-la-qualite-de-l-environnement-a-40-ans>

27 Government of Canada, *St. Lawrence Action Plan*, background section [http://planstlaurent.qc.ca/en/home/about\\_us/background/historic.html](http://planstlaurent.qc.ca/en/home/about_us/background/historic.html), retrieved on November 27, 2017.

28 Stratégies Saint-Laurent, ZIP Committees, <http://www.strategie-sl.qc.ca/english>, retrieved November 27, 2017.

during the year.<sup>29</sup> A few years later, in 2009, the government reasserted the collective nature of water resources in a law designed to strengthen the protection of the province’s water resources.<sup>30</sup>

The Sustainable Development Act also led to “the right to live in a healthful environment in which biodiversity is preserved” being enshrined in the Québec Charter of Human Rights and Freedoms. It also created the position of Sustainable Development Commissioner, tasked with stating his or her “findings and recommendations respecting the carrying out of the Sustainable Development Act,”<sup>31</sup> and the *Fonds vert*, funded initially through royalties on waste, the CO<sub>2</sub> content of fossil fuels, water use and, in recent years, revenue from the carbon market.

Québec took climate change into consideration very early on, being the first Canadian province to set highly ambitious goals for greenhouse gas emission reductions. With the OURANOS consortium, set up in 2002, Québec created an original research organization bringing together universities, government departments, and Hydro-Québec to participate in advancing regional climatology and anticipating the effects of climate change on its population and its economy. In so doing it became a world leader in the field. In 2006, the government committed itself to combating climate change. Its second climate change policy, adopted in 2012, covers the 2012–2020 period. Among other things, it heralded the creation of the Québec Cap and Trade System for Greenhouse Gas Emissions Allowances (SPEDE), creating, beginning in January 2015, a shared market with California, which grew still further with the addition of Ontario at the beginning of this year.<sup>32</sup>

29 Gouvernement du Québec, *Sustainable Development Act*, section 17. Publications Québec, chapter D-8.1.1 (updated September 1, 2017).

30 Gouvernement du Québec, *Act to Affirm the Collective Nature of Water Resources and to Promote Better Governance of Water and Associated Environments*. Publications Québec, chapter C-6.2 (updated September 1, 2017). <http://legisquebec.gouv.qc.ca/en/ShowDoc/cs/C-6.2>

31 Gouvernement du Québec, *Auditor General Act*, section 43.1. Publications Québec, chapter V-5.01 (updated September 1, 2017). <http://legisquebec.gouv.qc.ca/en/showDoc/cs/V-5.01>

32 Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, *The Québec Cap and Trade System for Greenhouse Gas Emissions Allowances*. Retrieved December 17, 2017. <http://www.MDDELCC.gouv.qc.ca/changements/carbone/Systeme-plafonnement-droits-GES-en.htm>



In the fall of 2015, the government adopted a greenhouse gas reduction target for 2030 of 37.5% over 1990 levels.<sup>33</sup> Six months later, it adopted a new energy policy, 2016–2030, and announced the creation of a new agency, Energy Transition Québec (TEQ), to manage this transition, which will affect most government departments and agencies.<sup>34</sup>

TEQ was created in April 2017 in parallel with the restructuring of the *Fonds vert*, which is now managed by the *Conseil de gestion du Fonds vert*, whose mission is to “supervise the governance of the *Fonds vert* and coordinate its management in a perspective of sustainable development, efficiency and transparency.”

Lastly, in March 2017, the Québec government made substantial amendments to the *Environment Quality Act* and other legislative provisions affecting the fight against climate change and governance of the *Fonds vert*. In particular, these amendments increased the transparency of the process of authorizing projects involving risks to the environment, created additional means to increase public participation in the work of the BAPE, and introduced a “climate test” making it possible to intervene ahead of projects in order to assess and minimize their GHG emissions. These changes also led to the creation of a management council tasked with assessing the performance of programs, projects, and activities financed by the *Fonds vert* using a results-oriented approach.

After a half-century of environmental policies, Québec has numerous laws and multiple organizations and structures whose mandate touches on sustainable development, the environment, water, and climate change. These organizations play an important role and are led by people who believe in their mandate, are competent, and seek to move Québec ahead on these issues.

### Current management of sustainable development

The Sustainable Development Act passed by the Québec government in 2006 is intended to oversee all programs and actions. This act is exemplary, at least on paper. In practice however, its implementation remains limited, as is shown by the various reports of the Sustainable Development Commissioner, which point out, among other limitations<sup>35</sup> :

33 Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (2015). *Québec adopte la cible de réduction de gaz à effet de serre la plus ambitieuse au Canada*, Québec, press release of November 27, 2015. <http://www.fil-information.gouv.qc.ca/Pages/Article.aspx?idArticle=2311278022>

34 Gouvernement du Québec, *Act respecting Transition énergétique Québec*. Publications Québec, chapter T-11.02 (updated September 1, 2017). <http://www.legisquebec.gouv.qc.ca/en/showdoc/cs/T-11.02>

35 See the various reports, available at: [http://www.vgq.gouv.qc.ca/fr/fr\\_publications/fr\\_index.aspx](http://www.vgq.gouv.qc.ca/fr/fr_publications/fr_index.aspx)

an absence of training and understanding of sustainable development within the civil service; an absence of rigour in the development of targets and the monitoring of actions taken to achieve them; and the need to develop a results-driven management framework.

Coordination of the Sustainable Development Plan is handled by the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) through its *Bureau de coordination du développement durable*, among whose responsibilities is the rendering of accounts, with the support of Institut de la statistique du Québec. The MDDELCC also leads the *Comité interministériel du développement durable*, on which government departments and agencies are represented. Committee members are civil servants at assistant or associate deputy minister level.

The work of this committee is underpinned by the 2015–2020 strategy, which sets out eight orientations :<sup>36</sup>

1. Strengthen governments.
2. Develop a green and responsible economy.
3. Manage natural resources in ways that are responsible and respectful.
4. Foster social inclusion and reduced social and economic inequality
5. Improve public health through prevention.
6. Ensure sustainable land development.
7. Support sustainable mobility.
8. Foster the production and use of renewable energy and energy efficiency to reduce greenhouse gas emissions.

This strategy is also designed to create synergy between the multiple strategies and action plans that overlap with its mandate, including: the *Climate Change Action Plan 2013–2020*, the *Plan d'action en électrification des transports 2015–2020*, the *Politique québécoise de gestion des matières résiduelles*, the *Orientations gouvernementales en matière de diversité biologique*, the *Stratégie pour assurer l'occupation et la vitalité des territoires*, the *Agenda 21 de la culture*, the *Stratégie maritime*, the *Politique énergétique 2030*, the *Plan d'action gouvernemental en économie sociale 2015–2020* and the *Stratégie québécoise d'économie d'eau potable*.

36 Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques. *Government Sustainable Development Strategy 2015–2020*. Québec, 2015, 121 pp. [http://www.MDDELCC.gouv.qc.ca/developpement/strategie\\_gouvernementale/strategie-DD.pdf](http://www.MDDELCC.gouv.qc.ca/developpement/strategie_gouvernementale/strategie-DD.pdf)



## A STRUCTURE STRUGGLING TO COPE WITH EVER MORE COMPLEX ISSUES

Québec's occasionally avant-garde initiatives since the late 1970s have clearly produced significant environmental successes, often supported by the outcomes of public consultations through, for example, the BAPE and the CPTAQ. However, the proliferation of environment-related issues in recent years and the widening scope of the objectives and challenges to be met are overwhelming an organization created by an amalgamation of agencies and laws that have developed over the years. The authors have concluded that this structure lacks coherence and visibility in the development of objectives and strategies, in the creation of programs, and in accountability.

### The thorny problem of municipalities' representation and funding

Created by provincial laws, municipalities have a close relationship with citizens and should play an important role in environmental governance. Their capacity to act is however restricted by outmoded funding and laws, such as the Act respecting the Preservation of Agricultural Land and Agricultural Activities and the Act respecting Land Use Planning and Development.

The Act respecting Land Use Planning and Development, enacted in 1979, created the regional county municipalities (RCMs), each headed by a council of elected municipal representatives to oversee the management of common goods and services, particularly land use. Once the territories of the RCMs had been decided upon, the first generation of development plans was produced, on the basis of which local municipalities were to develop their own land-use development plan. Preparation of the second and third generation of development plans was rendered significantly more complex with the multiplication of environmental standards, which include clauses stemming from the Sustainable Development Act, added on with no real integration.

Today, the Act respecting Land Use Planning and Development is due for a thorough overhaul. Since it has some 500 sections, revising it involves substantial work, which is progressing only very slowly. But effective development management requires a clear statement of the balance between responsibilities falling to the Québec government and those falling to municipal councils through development plans and urbanization plans. It also requires clarification of the nature of democratic representation of the various local and regional territories to the Québec government. Thus, out of 101 RCM *préfets*, only 30 are elected by universal suffrage, including 14 mayors of towns having RCM status. Nor are the 54 aboriginal communities of 11 nations formally represented to the Québec government, at least so far as questions affecting territories are concerned.

In addition to the question of democratic representation, municipal funding through property taxes remains a brake on municipalities' capacity to act effectively on sustainable-development issues.

### Inability to reach goals that have been set

As the issues become more complex, Québec is struggling to attain its environmental goals despite considerable efforts, as is shown by the two following examples :

1. *The fight against climate change.* As stated by the report *Comptes du Fonds vert 2016–2017*, grants from the *Fonds vert* in excess of \$1.2 billion have resulted in Québec's annual GHG emissions being reduced by a mere 0.7%.<sup>37</sup> Between 2012 and 2014, Québec failed to reduce its GHG emissions, which remained at 8% below the 1990 threshold, far from the objective of 20% by 2020.<sup>38</sup> The gains obtained through spending by the *Fonds vert* were largely wiped out by the commissioning of a single cement works in 2017.
2. *Energy policy 2030.* While Québec aims to reduce its petroleum consumption by 40% by the year 2030, consumption of petroleum products increased between 2009 and 2016.<sup>39</sup> The first 2017–2020 action plan under the energy policy, tabled in June 2017, contains no forecast or analysis to explain what these programs will do to progress towards these goals.<sup>40</sup>

### Incompatible plans and strategies

The Québec government's plans and strategies for the environment often exhibit inconsistencies that make it difficult to develop a concerted approach applicable to all the government's actions. Some examples will bring this difficulty into focus :

37 Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, *Comptes du Fonds vert 2016–2017*, 2017, 35 pp. <http://www.MDDELCC.gouv.qc.ca/ministere/fonds-vert/comptes/comptes-fonds-vert-2016-2017.pdf>

38 Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, *Inventaire Québécois des émissions de gaz à effet de serre en 2014 et leur évolution depuis 1990*, tableau 2, page 13 (2016). <http://www.MDDELCC.gouv.qc.ca/changements/ges/2014/Inventaire1990-2014.pdf>

39 Johanne Whitmore and Pierre-Olivier Pineau (2017), *L'État de l'énergie au Québec 2018*, Chaire de gestion du secteur de l'énergie, HEC Montréal.

40 Ministère de l'Énergie et des Ressources naturelles, *Tableau synoptique du Plan d'action 2017–2020 de la politique énergétique 2030*, Québec, 2017, 3 pp. [http://politiqueenergetique.gouv.qc.ca/wp-content/uploads/Tableau-PA-PE2030\\_FR.pdf](http://politiqueenergetique.gouv.qc.ca/wp-content/uploads/Tableau-PA-PE2030_FR.pdf)



1. *Energy Policy 2030*: The GHG reduction targets built into the Energy Policy 2030 tabled in April 2016 are incompatible with the reduction target adopted six months earlier by the same government: while GHG emissions related to energy represent 70% of total emissions in Québec, the energy policy objectives will deliver only a little less than half the target by 2030, without explaining how the other sectors might succeed in making up the deficit.
2. *National Water Policy*: Adopted in 2002, this policy was intended to secure integrated watershed management by handing responsibility for its implementation to the watershed bodies (OBV). This mission is financially supported by the Québec government, which must provide the watershed agencies “with stable funding, which will thus allow them to effectively draft and monitor the implementation of the water-related master plans for which they will be responsible” (National Water Policy, 2006, p. 20). This policy is backed up by, among other things, the Act to Affirm the Collective Nature of Water Resources and to Promote Better Governance of Water and Associated Environments, enacted in 2009. In theory, integrated water management is the correct way to manage water resources, making sure to allow sufficient space around rivers to safeguard the lasting functioning of watercourses and increase the resilience of river systems in a changing climate.<sup>41,42</sup> In practice, with an annual budget of approximately \$125,000 per OBV, integrated water management targets are difficult to attain.<sup>43</sup> In addition, the water master plans produced by the OBVs are not required to be integrated into development plans. Lastly, a number of watersheds cover more than one RCM, which complicates the enforcement of water management measures and gives RCMs located upstream of watersheds a distinct advantage over those located downstream. The latter are subject to decisions that are not always taken in the interests of the whole community.

These examples illustrate the limitations of the approach: policies and action plans are frequently drawn up in silos, with no obligation to integrate with other existing policies and plans, a far cry from the synergy central to the Government Sustainable Development Strategy 2015–2020. Not all environmental and development policies present such obvious contradictions. Nevertheless, in general they do not connect their own objectives with those of other sustainable-development-related efforts, which makes concerted action difficult.

41 Biron, P.M., Buffin-Bélanger, T., Larocque, M., Choné, G., Cloutier, C.-A., Ouellet, M.-A., Demers, S., Olsen, T., Desjarlais, C. and Eyquem, J. (2014) Freedom space for rivers: a sustainable management approach to enhance river resilience. *Environmental Management*, 54, 5, 1056-1073

42 Buffin-Bélanger, T., Biron, P.M., Larocque, M., Demers, S., Olsen, T., Choné, G., Ouellet, M.-A., Cloutier, C.-A., Desjarlais, C., Eyquem, J. (2015) Freedom space for rivers: an economically viable river management concept in a changing climate. *Geomorphology*, 251, 137-148

43 See, for example, <https://www.lechoabitenbien.ca/actualites/politique/2017/4/3/budget-l-obvaj-deploire-l-absence-d-investissement.html>

This lack of overall internal consistency is due to (i) the absence of a clear hierarchy between the various policies and strategies, (ii) a reluctance to take into consideration citizens’ positions put forward by the BAPE (recent examples being the REM and the Arnaud Mine) [refs], and (iii) the weakness of long-term goals that would make it possible to integrate orientations over five or 10 years into a general schedule.

### Plans lacking in data, analysis, and forecasts

The authors also explain the lack of consistency as the result of plans and strategies that are deficient in scenarios and quantitative measurements :

1. *Government Sustainable Development Strategy 2015–2020*. This strategy presents seven fundamental tasks, eight directives and five essential activities. It does not however say explicitly how these are compatible with the goals of other strategies, including the Climate Change Action Plan 2020 (CCAP 2020). Similarly, there is no schedule or forecast enabling an assessment the impact of these changes on these objectives. Thus, the current administrative management objectives 2 and 3 propose reducing “GHG emissions of the government fleet by 9% by 2020” and “GHG emissions of the light-duty vehicle fleet by 9% over the level assessed in 2009–2010” without indicating whether or not this objective meets CCAP 2020 [p.25]. For the time being, despite the objectives of the CCAP 2020, which aims at a 20% reduction of internal emissions [p. 47], Québec will only succeed in respecting its commitments through the carbon market and by buying credits from California, with the attendant risks of the transfer of Québec capital and of opportunities for innovation.
2. *Energy Policy 2030*. This policy sets out a series of targets, including the 40% reduction in the use of petroleum products, without proposing a pathway for attaining these targets, nor indicating how they fit in with the government’s climate objectives. The policy evaluates neither the cost of these objectives nor the sectors affected, and nor does it justify the choice of the various targets set. By comparison, the Clean Growth Strategy proposed by the UK government in 2017 presents quantified objectives by sector along with key policies, forecasts in various sectors, evaluation of predicted performances until 2032, and detailed modelling.<sup>44</sup> California has developed a Scoping Plan which describes in detail the approach the State has adopted to reach its goals.<sup>45</sup>

While countries with economies comparable to that of Québec, such as the United States, United Kingdom, France,

44 UK government, *The Clean growth strategy: Leading the way to a low carbon future*, 165 pp. (October 2017). <https://www.gov.uk/government/publications/clean-growth-strategy>

45 <https://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>



the Netherlands, Sweden, and Norway, are developing quantified plans and strategies backed up by quality data, varied modelling, and detailed analyses,<sup>46</sup> Québec is generating strategies and plans that are too often vague and generic and do not allow a clear path to be traced toward the attainment of objectives or quantified assessment of progress. Without measurable objectives, its plans struggle to break out of the realm of noble intentions and fine words.

### Inconsistent initiatives

The absence of any structures seeking to unify decisions taken on sustainable development facilitates inconsistent action by the government.

- Québec municipalities have often seen their actions to protect the environment challenged by the Québec government. This has been the case regarding numerous regulations prohibiting fracking, rejection of pipelines, and the construction of expressways in urban settings.
- Despite ambitious greenhouse gas (GHG) reduction targets, the Québec government, both directly and through its financial tools, has supported activities that are major GHG emitters, including the Port-Daniel cement works and petroleum exploration, with no cost-benefit assessment of the impact of these activities on the price of carbon and the competitiveness of the entire Québec economy.
- We are still awaiting an overhaul of the Act respecting the Preservation of Agricultural Land and Agricultural Activities, which struggles to protect the best agricultural land in the province, to restrict urban sprawl, and to support the economic development of numerous regions of Québec, contrary to the principles set out in the Sustainable Development Act.<sup>47</sup>

No government can altogether avoid taking political steps that deviate from its major orientations. However, it is essential to assess and measure the impact of such deviations and their cost in relation to efforts devoted to attaining long-term objectives. Clearly, the *Comité ministériel de l'économie, de la création d'emplois et du développement durable*, a standing committee under the direction of the Ministre de l'Énergie et des Ressources naturelles, does not succeed in following sustainable development objectives and too often takes inconsistent action with neither assessment nor compensation.

46 See the description of the British flood management process presented by Catherine Wright of the UK Environment Agency at the forum on flooding organized by the MDDELCC in October 2017: Catherine Wright, *Mapping flood risk — its role in improving flood resilience in England*. <http://www.MDDELCC.gouv.qc.ca/foruminondations2017/documents/Wright.pdf>

47 Bernard Vachon (2008). *Trente ans de zonage agricole : il faut renforcer... et assouplir!*, Le Soleil, December 5, 2008. <https://www.lesoleil.com/opinions/point-de-vue/trente-ans-de-zonage-agricole-il-faut-ren-forcir-et-assouplir-19437692b03da10c6964f85bef6dd22>

### Limited accountability

The proliferation of plans and strategies developed to deal with the issues makes the task of monitoring and of rendering accounts considerably more complex. Yet this task is essential for assessing progress made, identifying unforeseen difficulties, and correcting approaches in time to ensure the attainment of objectives specific to these plans, and also of broader goals related to compliance with environmental-protection and sustainable-development legislation.

Monitoring of the objectives of the various government departments is conducted in a narrow manner. Moreover, the structure in place, accountability measures, and tools (including budgets) are today primarily aimed at executive administration of programs rather than at attaining broader goals set out in plans and strategies.

In this perspective, it is important to stress that :

1. Members of ministerial committees do not have the power to take decisions and act in the general interest; they therefore confine themselves to the traditional role of defending the interests of their department.
2. The *Bureau de coordination du développement durable* has neither the budget nor the political weight to impose compliance with objectives and the Act.
3. The monitoring and accountability “apparatus” has neither the budgets nor sufficient resources to act as a counterweight to the demands of public administration departments and to enable true evolution of practices; thus, in recent years, the Ministère du Développement durable, de l'Environnement et de la Lutte aux changements climatiques has considerably reduced its compliance auditing objectives.<sup>48</sup>
4. Despite the orientations, the absence of adequate structures and effective incentives makes citizens' participation highly marginal, and their weight in decisions taken nil or limited.

48 Louis-Joseph Saucier (2015). *Le choix délibéré d'un régime d'autorisation environnementale complaisant*, Brief presented by the Syndicat de la fonction publique et parapublique du Québec in the consultations on the green paper entitled “Moderniser le régime d'autorisation environnementale de la loi sur la qualité de l'environnement”, pp. 5-6; Sustainable Development Commissioner of Québec (2011). *Rapport du vérificateur général du Québec à l'Assemblée nationale pour l'année 2010—2011, Rapport du commissaire au développement durable*, chapter 2. [http://www.vgq.gouv.qc.ca/fr/fr\\_publications/fr\\_rapport-annuel/fr\\_2010-2011-CDD/fr\\_Rapport2010-2011-CDD.pdf](http://www.vgq.gouv.qc.ca/fr/fr_publications/fr_rapport-annuel/fr_2010-2011-CDD/fr_Rapport2010-2011-CDD.pdf)



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## **ACTION NOW**

All citizens, political actors, and government actors feel involved in the proposed energy transition, environmental protection, and sustainable development. However, the government's difficulties in attaining its objectives regarding the enforcement of sustainable development policies in the wider sense, which also includes GHG emission reductions, water management, etc., is not solely attributable to a lack of political will.

Québec cannot go on repeatedly failing to reach its targets and cannot content itself with reacting to the changes and catastrophes that are occurring with increasing frequency. It cannot content itself with allowing other countries to transform themselves, hoping to be carried along on the wave, without risking the loss of its influence on the

international stage and losing ground in terms of its economic competitiveness.

To remedy this, we consider it essential that the government put in place a structure capable of ensuring consistency and the tracking of all its objectives and environmental obligations in order to maximize the economic, environmental, and social benefits of its efforts. These structures should also be given the financial means and the necessary competences to accomplish their work, and ensure that accountability measures are set in place when a government objective is defined.



## ABOUT THIS DOCUMENT

This report was produced as part of a voluntary initiative by experts; it presents a revised environmental governance framework for Québec. This initiative was launched in summer 2017 and is supported by Institut de l'énergie Trottier, the Chief Scientist of Québec, and Institut du Nouveau Monde.

The document's authors met on two occasions in fall 2017, in the presence of observers from Coalition Avenir Québec, Option nationale, the Parti Québécois, Québec solidaire, the Fonds vert, Transition Énergétique Québec, the Ministère de l'Économie, de la Science et de l'Innovation, and the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

The group was put together by a steering committee made up of five university researchers — **Luc Bernier**, holder of the Jarislowsky Chair on Public Sector Management, University of Ottawa; **Pascale Biron**, Professor and Chair, Geography Planning and Environment, Concordia University; **Normand Mousseau**, professor of physics, Université de Montréal and academic director of Institut de l'énergie Trottier, Polytechnique Montréal; **Stéphane Paquin**, director of the Groupe d'études et de recherche sur l'international et le Québec, ÉNAP; **Marie-Christine Therrien**, professor at the Centre de recherche sur la gouvernance, ÉNAP — and two external members — **Julie Caron-Malenfant**, director general of Institut du Nouveau Monde and **Roger Lanoue**, expert in strategic management, energy and accessibility of drinking water.

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