

ecojustice

2018 VICTORIES REPORT

COURAGE IN ACTION



OUR VISION

*A thriving environment, stable climate,
and healthy communities protected
by effective, well-enforced laws
throughout Canada*

OUR MISSION

*Ecojustice uses
the law to defend
nature, combat
climate change, and
fight for a healthy
environment for all*

*Special thanks to Fondation Écho (QC), Ivey Foundation (ON), Schad Foundation (ON),
and Sitka Foundation (BC), and 444S Foundation (USA) for uniting to support Ecojustice
and our environmental partners to advocate for modernized environmental laws.*

Dear Friend,

More than ever before, we must find the courage to stand up for the environment.

Human-caused climate change is impacting communities worldwide. Species loss is occurring at such an alarming rate that scientists say we have entered an era of “biological annihilation.” And environmental hazards are unjustly affecting the most socially marginalized communities in Canada.

Critical times call for bold, strategic action. Thanks to supporters like you, this year Ecojustice put into motion a new three-year strategic plan to deliver even more lasting solutions to our most urgent environmental problems.

Principled, thorough, and aspirational, this plan outlines tactics to strategically increase the impact of the litigation your steadfast support enables. It also, for the first time, articulates the core values the Ecojustice community must embody to fulfill our revamped mission — collaboration, courage, dedication, excellence, impact, and integrity.

As you read about the victories and breakthrough moments celebrated in this report — achievements your partnership made possible — we encourage you to reflect on this timely core value: Courage.

To be an environmental defender in the current age is not easy, and the path before us not easily tread. Entering a courtroom to expose industry’s environmental degradation, challenge governments’ failure to deliver on lofty promises, and propose novel interpretations of Canada’s environmental laws demands tremendous moral and mental fortitude.

Thank you for having the courage to partner with us and support bold legal action to defend nature, combat climate change, and fight for a healthy environment for all. Together, we will continue to build the case for a better earth.

Sincerely,



Devon Page
Devon Page,
Executive Director



Leonard Schein
Leonard Schein,
Chair of the Board

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*Outgoing in April 2018



CLIMATE CHANGE

Prolonged drought. State-of-emergency floods. Raging wildfires. The climate crisis is here and now. But even in the face of what can feel like an unrelenting onslaught of bleak news, we are optimistic.

From the Gulf of St. Lawrence to the coast of British Columbia, we are inspired by courageous communities leading the charge to keep dirty fossil fuels in the ground and combat climate change.

You are a critical part of the solution too. Together, we forced TransCanada to pull the plug on its Energy East pipeline project. Your support enabled a winning legal strategy that led to a reset of the project's tarnished review process, and ultimately dealt a series of fatal blows to TransCanada's pipe dreams.

This victory will keep more than 4,686 million tonnes of additional greenhouse gas emissions out of the atmosphere, limit tar sands expansion, and protect the drinking water of more than five million Canadians.

You gave us another vital boost when Ecojustice went to court to stop Kinder Morgan's controversial Trans Mountain pipeline. The historic hearing — the longest in Federal Court of Appeal history — was the result of the combined efforts of First Nations communities, local municipalities, and environmental groups.

As we await the court's decision, an Indigenous-led resistance on Burnaby Mountain has made it clear that local residents will not back down in the fight against Kinder Morgan any time soon.

Community resolve has also proven unshakable when it comes to putting the brakes on the export of U.S. thermal coal, one of the most carbon-intensive fossil fuels on the planet.

Thanks to your committed support, Ecojustice helped local residents and community groups challenge the Fraser Surrey Docks project, a thermal coal export facility in Vancouver's Lower Mainland. After a ferocious fight to secure our clients' right to access justice, the case was heard in May 2017. The court has since dismissed our lawsuit, but we've launched an appeal. And as we move forward, we take heart that after more than three years of hard-fought litigation, the project has yet to be built.

The stakes in the fight for a safe climate and a just transition are too high to leave subject to political whim. That governments, regulators, and industry groups continue to double down on high-carbon

Special thanks to Joe Tannenbaum, who supports Ecojustice's climate work to defend nature — our living legacy — for generations to come.



PHOTO OF ECOJUSTICE LAWYERS DYNA TUYTEL (LEFT) AND MARGOT VENTON (RIGHT) BY EMILY CHAN.

projects and use them as bargaining chips strongly signals that legal action — led by the people, for the people — may be our best bet to safeguard the climate for future generations.

We have a collective responsibility to summon the courage to meet this enormous challenge head-on. With you as our partner, we're ready to get to work.

Barry Robinson,
Climate Change Program Director



Seeing the Ecojustice team in court to stop Kinder Morgan reminded me that their legal work to protect the climate, wildlife and ecosystems is unparalleled.

*— Misty MacPuffee,
Raincoast Conservation
Foundation*

HEALTHY COMMUNITIES

Every 35 minutes someone in Canada dies due to human-caused air pollution, according to Health Canada's own estimates. Indigenous communities often bear more than their fair share of this harm.

But in Ontario's Chemical Valley, where members of the Aamjiwnaang First Nation breathe some of the most polluted air in all of Canada, your support is helping 25-year-old Vanessa Gray fight this insidious, systemic injustice.

Together, we helped Vanessa force the Ontario government to investigate a massive flaring incident at Imperial Oil's refinery in Chemical Valley. Members of the Aamjiwnaang and neighbouring

*Pollution in my
community is unjust,
but thanks to you,
Ecojustice is helping
me fight back.
— Vanessa Gray,
Aamjiwnaang First Nation*



PHOTO OF ECOJUSTICE
CLIENT VANESSA GRAY
BY AVERY ZINGEL



Special thanks to Ed and Virginia Daniel, who support Ecojustice's healthy communities work to ensure clean air and water for every person living in Canada.

communities felt their windows shake when soaring flames pushed pungent clouds of sulphur compounds into the sky. Because of you, affected residents will finally get clarity around what happened at the refinery and how government intends to address the incident.

Your support also prompted the Ontario government to fund a long overdue health study examining the effects of air pollution on the residents of Chemical Valley.

Ontario's commitment came after Global TV aired *Canada's Toxic Secret*, an award-winning investigative report that cast national attention on the situation in Chemical Valley and drew upon documents obtained by Ecojustice through Freedom of Information requests.

The documentary also introduced viewers to Ada Lockridge — a courageous Ecojustice client and Aamjiwnaang First Nation member — and broadcast her legal fight for the right to a healthy environment in the face of extreme pollution.

Your commitment to Ecojustice is integral to this fight. Our years of hard work with Ada are paying off: Ontario updated its sulphur dioxide air quality standard for the first time in 43 years.

At the national level, we celebrated a breakthrough moment for Canada's environmental rights movement.

Supporters like you amplified our calls to overhaul the *Canadian Environmental Protection Act* and include a provision to recognize your right to a healthy environment. We were thrilled to see our recommendations adopted by the federal committee tasked with reviewing this important law.

Eight years ago, when we launched our right to a healthy environment campaign in partnership with the David Suzuki Foundation, few people believed the idea would gain traction with Canadians and government. This breakthrough signifies that attitudes are changing.

You are to be congratulated for being among the first to courageously embrace the concept of environmental rights in Canada.

With you as our partner, we will continue to empower communities with legal tools to ensure that no one living in Canada is afraid to breathe air, drink water, or eat food from the earth.



*Dr. Elaine MacDonald,
Healthy Communities Program Director*

NATURE

Canada's wildlife are in peril. From bees to boreal caribou and blue whales, species are in decline.

The good news is that there are laws that can help us address this biodiversity crisis. But the law must be enforced to be truly effective. When enforcement lags, Ecojustice steps in.

This year, your support made it possible for us to partner with environmental organizations, Indigenous communities, and scientists to give voice to more than 4,842 animal and plant species.

On the east coast, you give voice to the beluga whale, leatherback sea turtle, and more than 4,000 species through our lawsuit to stop risky offshore drilling in the Gulf of St. Lawrence. Because of you, five environmental organizations working in coalition have access to legal expertise in their longstanding fight to protect this biologically-rich marine area.

Your support also helped us launch our biggest species-at-risk lawsuit ever, giving voice to 37

at-risk plant and animal species in Ontario — including the mountain lion and Cerulean warbler.

On the west coast, you give voice to five species of Pacific wild salmon. Thanks to you, we are representing independent biologist Alexandra Morton in a lawsuit to protect wild salmon from *piscine reovirus*, a highly contagious virus found in 80 per cent of farm fish. In recent months, we've been heartened to see legislators in Washington State vote to ban open-net farming of Atlantic salmon. Meanwhile, our lawsuit has been buoyed up by a parallel case brought by the 'Namgis First Nation.

Finally, pollinators — including Canada's 800 bee species — will have their day in court, thanks to you. In 2017, Ecojustice lawyers defeated multiple attempts by the federal government and pesticide companies to shut down our lawsuit aimed at protecting pollinators from a harmful class of pesticides known as neonicotinoids.

Together, we're fighting to ensure regulators give due weight to science, so that pollinators — responsible for one in every three bites of food you eat and critical to healthy ecosystems — are not recklessly endangered.

Special thanks to Joan Norris, who supports Ecojustice's nature work because the law plays a vital role in the race to save wild spaces and species.

Canada's environmental
community relies heavily on
Ecojustice's legal experts to
defend people and the planet.

— Beatrice Olivastri,
Friends of the Earth Canada

In *Silent Spring*, renowned author and biologist Rachel Carson gave voice to nature, outlining the threat DDT (dichloro-diphenyl-trichloroethane) posed to entire species, and ignited the modern environmental movement. By bravely speaking out, she compelled the U.S. government to more closely regulate and eventually ban this harmful substance.

Today, the Ecojustice community carries Carson's legacy forward by being a courageous and outspoken voice for nature. Together, we speak out in court for species and ecosystems so that biodiversity can thrive.



MJV

Margot Venton,
Nature Program
Director

FINANCIALS

STATEMENT OF OPERATIONS

Fiscal year ended October 31, 2017

	2017	2016
REVENUE		
Donations	4,128,957	3,531,186
Grants	1,119,056	936,363
Bequests	821,587	1,200,454
Contribution from University of Ottawa	166,500	118,499
Investment Income	91,007	109,496
Cost awards and recoveries	77,816	78,271
	\$ 6,404,923	\$ 5,974,269
EXPENSES		
Amortization of property and equipment	113,080	73,912
Contracts	297,830	214,095
Facilities and Office	822,348	765,873
Fundraising Activities	370,294	361,414
Human Resources	121,748	110,463
Litigation program and support	186,467	186,134
Public education	129,845	171,398
Salaries and compensation	3,550,727	3,335,518
Science and research	2,637	4,438
Travel	101,005	136,398
	\$ 5,695,981	\$ 5,359,643
Excess of revenue over expenses before loss on sale of property held-for-sale	708,942	614,626
loss on sale of property held-for-sale		(19,327)
Excess of revenue over expenses	708,942	595,299
NET ASSETS AT BEGINNING OF YEAR	\$ 4,015,061	\$ 3,419,762
NET ASSETS AT END OF YEAR	\$ 4,724,003	\$ 4,015,061

Ecojustice maintains internally restricted funds to safeguard the Society's ability to continue as a going concern and to ensure the completion of current cases. Our full audited financial statements are available on our website at ecojustice.ca.

THE IMPACT OF YOUR INVESTMENT

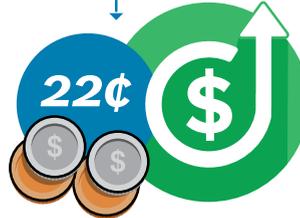


When you invest \$1 in Ecojustice you contribute **\$1.26*** to our legal programs. Here's how it works...

**Figures are based on 2016-17 financial results*



About 60 cents is directly invested in our legal experts to take on high-stake cases



About 22 cents is invested in fundraising to stretch your dollar further, so we raise another \$1.10



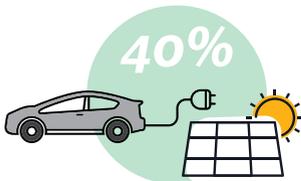
About 18 cents ensures we have talented people and reliable systems to navigate complex legal processes and stay accountable to our community.



\$1.26 gets invested in legal work



The rest gets reinvested for the future



40% is directed toward combatting climate change and accelerating the transition to a clean energy future



35% is directed to empowering communities and protecting them from toxic chemicals and pollution



25% is directed to give voice to nature and stand up for species and ecosystems under threat

THE YEAR IN REVIEW...

- ▶ Defeated Energy East — for good
- ▶ Went to court to fight dirty U.S. coal exports
- ▶ Inspired 40,000 Canadians to call for stronger environmental laws
- ▶ Forced Ontario to investigate massive Imperial Oil flaring incident and toughen flaring rules
- ▶ Launched lawsuit to protect the Gulf of St. Lawrence from offshore drilling
- ▶ Sent experts to Ottawa to advocate for stronger legislative framework
- ▶ Launched lawsuit to protect 37 at-risk species in Ontario
- ▶ Celebrated breakthrough for environmental rights
- ▶ Blocked attempts to dismiss neonics lawsuit
- ▶ Challenged Kinder Morgan in court

Thanks for putting your courage into action by supporting Ecojustice!

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