



Canadian Environmental Law Association
L'Association canadienne du droit de l'environnement

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24 November 1981

The Honourable Keith Norton
Minister of the Environment
14th Floor
135 St. Clair Ave. W.
Toronto, Ontario
M4B 1P5

Dear Mr. Norton:

Re: Funding for Intervenors in E.A.A. Hearings

This letter is being written in support of Ministry of Environment funding for intervenors who wish to participate in the hearing regarding Ontario Hydro's application for approval of its plans to construct two 500 KV transmission lines through eastern Ontario.

We have received a copy of Mr. Steven Shrybman's letter to you dated November 16, 1981 requesting funding for the Hydro Consumers Association. Also, we have been in contact with Energy Probe, Ottawa, and Pollution Probe, Ottawa, both of which had earlier applied for funding from your Ministry.

As you know, the Canadian Environmental Law Association has had numerous discussions with yourself and staff of your Ministry regarding funding for intervenors. And we consider the issue to be a crucial one. As Mr. Shrybman points out in his letter, the right to participation in Environmental Assessment Act hearings is merely window-dressing where the resources of the intervenors are as disparate as they are between the parties to the Hydro eastern Ontario transmission line hearing.

We are aware of your Ministry's reluctance to set precedents for funding. However, you must be aware that the process cannot be fair if the allocation of resources is so unequal as to belie any idea of fairness.

We would suggest that in regard to this case your policy should be thoroughly reviewed. First, it is an uncontested fact that rural ratepayers in eastern Ontario do not have resources anywhere equal to those of Hydro. While the intervenors stand to gain no financial or personal benefits from participation, the people of Ontario could benefit greatly because of the issues they intend to raise in relation to alternatives to the undertaking and the environmental effects of carrying out the undertaking.

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As this is one of the first hearings under the Environmental Assessment Act, and as it affects a large part of eastern Ontario, we urge you to consider seriously funding the participation of the groups noted above.

Mr. Shrybman points out in his letter that several mechanisms for providing funding would be acceptable to his group, the Hydro Consumers Association. If your Ministry is concerned with duplication of resources, it is apparent that the groups which have requested funding could be relied upon to cooperate in organizing their cases and allocating funds accordingly.

In conclusion, we urge you to consider seriously the matters raised in this letter. We submit that this funding request cannot be lightly dismissed, and we would further ask that you meet with us and with the groups seeking funding, so that the matter can be fully discussed.

Thank you for your attention to this proposal.

Yours very truly,
CANADIAN ENVIRONMENTAL LAW ASSOCIATION



Grace Patterson
Director of Litigation

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