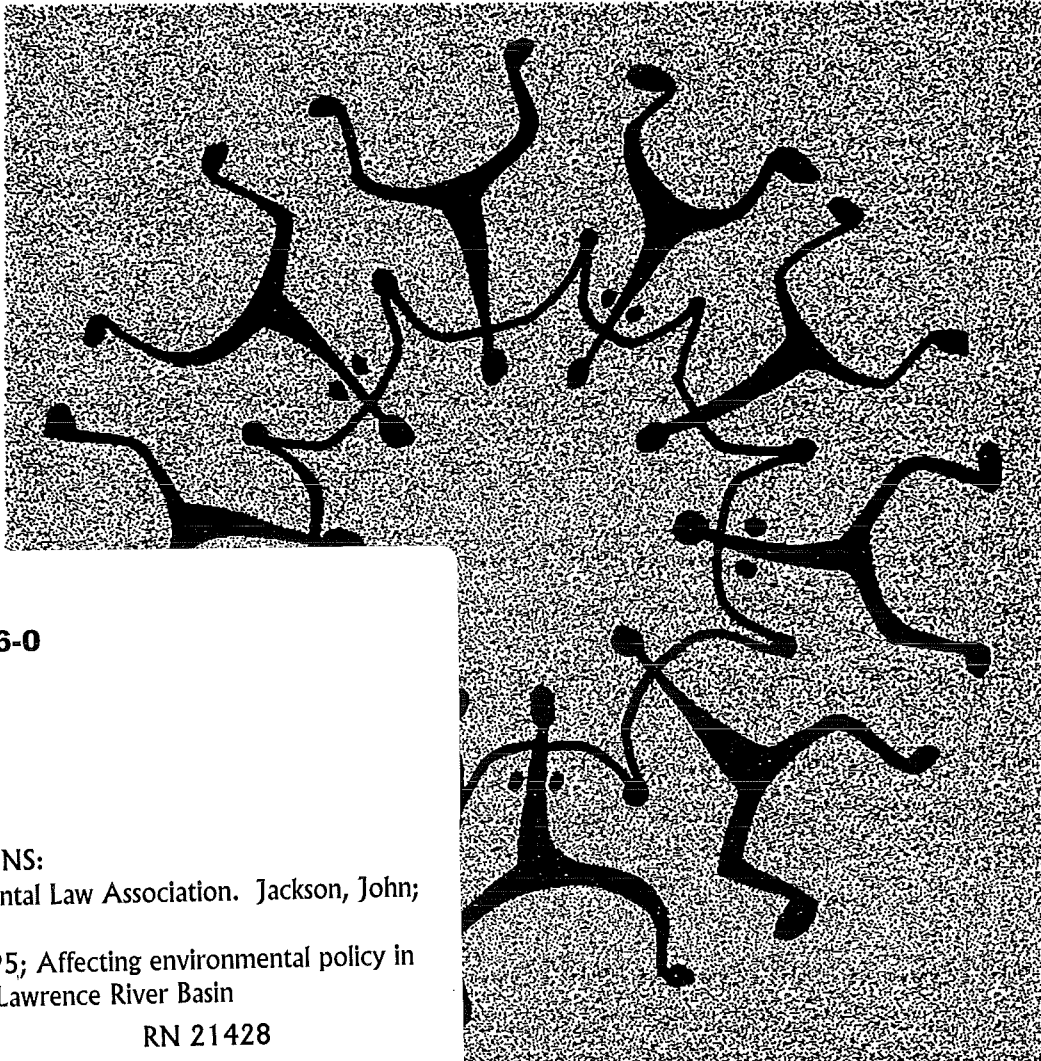


AFFECTING ENVIRONMENTAL POLICY IN THE GREAT LAKES-ST. LAWRENCE RIVER BASIN



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*A Primer for Community
Foundations*

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TABLE OF CONTENTS

INTRODUCTION	2
PART 1: Environmental Policy-Making In the Great Lakes and St. Lawrence River Basin	3
PART 2: Policy Work by Environmental Groups	6
PART 3: Support of Policy Work by Foundations	11
PART 4: Charitable Status: Potential and Limitations to Policy Work	14
PART 5: How Community Foundations can best Support Environmental Policy Work	17
APPENDIX 1: Contact List for Interviewees	19
APPENDIX 2: Inter-Jurisdictional Agreements and Institutions	21
APPENDIX 3: Glossary of Terms	25

AFFECTING ENVIRONMENTAL POLICY IN THE GREAT LAKES-ST. LAWRENCE RIVER BASIN

A Primer for Community Foundations

Summary

COMMUNITY FOUNDATIONS have always been focused on improving the quality of life in their communities by supporting the arts, social services, and economic development. A critical component of a community's quality of life is a healthy, diverse and vibrant environment. The most effective way to ensure long-term protection of the environment is to put the proper policies in place because this gets to the root causes of environmental problems instead of just addressing the symptoms.

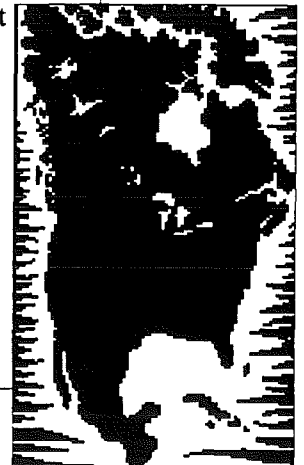
The Primer's primary purpose is to help community foundations explore how they can support environmental policy work in the Great Lakes. Its secondary purpose is to help environmental and community organizations better understand the role of community foundations. Although this Primer is based on interviews in the Great Lakes basin, its observations and conclusions are applicable throughout Canada and the US.

Because of their local geographic focus, community foundations are more likely to emphasize policy making at the local level by municipal governments. This is an area of policy making on which more and more environmental groups are placing their focus. The local environment is directly affected by environmental policies at the regional, provincial, state, federal and international levels. Therefore, community foundations should also be open to considering policy work at these non-local levels, when the connections to local problems are clear.

Community foundations have a broad range of skills to bring to environmental policy work. These skills include fundraising, grant making, convening the community, civic leadership, and drawing public attention to issues through their access to community leaders and the media. Community foundations can use their whole range of skills to contribute to environmental policy development and implementation in their communities.

The beginning step in developing community foundation support for environmental policy work is to increase the understanding of their donors and foundation boards. This will inevitably lead to greater financial contributions to the foundations for environmental policy work and to a strong support and leadership role by community foundations in the development and implementation of environmental policies.

Community foundations, by stimulating and supporting environmental policy work through their full range of skills, will make major long-term contributions to the quality of life in their communities for their current and future residents.



Introduction

Community foundations are the fastest growing part of the philanthropic community as financial contributions to them increase substantially.

COMMUNITY FOUNDATIONS are the fastest growing part of the philanthropic community as financial contributions to them increase substantially. In addition, community foundations play a breadth of roles that other parts of the philanthropic community do not play. Beyond giving money, community foundations actively participate in a broad range of ways to find solutions to the problems faced in their communities as they strive for community well-being.

Unfortunately, most community foundations do not pay much attention to the environmental aspects of their communities' quality of life. This does not reflect the public's concerns about the environment. For example, the results of a poll conducted in Toronto in 2000 by COMPAS for the *National Post* found that the top five areas that the public felt needed improvement in their community were traffic congestion, crime and safety, air quality, restaurant hygiene, and water quality. Three of these (traffic congestion, air quality and water quality) are environmental issues. A Canada-wide poll conducted for the federal government by Ekos Research in 2000 found that air and water quality were considered by the public to be the most important influence on their health, being more significant than the health care system, individual lifestyles, and income levels. The high level of support for environmental action in the US is reflected by the fact that three-quarters of the environmental ballot measures country-wide in the 1998 election were passed.

The community foundations that do support environmental activities rarely contribute to work on environmental policy. Environmental policy work is essential because it results in changes in decision-making processes and in the criteria used to make decisions. This means that we are more likely to avoid or lessen environmental problems in the future.

The Great Lakes Community Foundations Environmental Collaborative (the Collaborative), which was initiated in

1996, is dedicated to encouraging and supporting community foundations to do more environmental work to protect and restore the Great Lakes-St. Lawrence River basin. In 1999, the Toronto Community Foundation received a grant from the Collaborative with support from the Joyce Foundation to prepare this Primer.

This grant was one of seven public policy grants made by the Collaborative. The lessons learned from these grants are presented in a monograph available from the Council of Michigan Foundations or through its website at www.cmif.org.

The Primer begins with a brief description of environmental policy and the context within which environmental policy is made in the Great Lakes-St. Lawrence River basin. Part 2 describes the policy work carried out by groups in the basin, pointing out some differences and similarities in approach among different sizes of groups, and pointing out their perceptions of the kinds of support that they need from foundations. Part 3 explores the role that foundations are currently playing in funding environmental policy work and the reasons for the state of their current funding efforts. Part 4 describes the legal framework within which foundations operate and the meaning of that for their ability to support environmental policy work. In the final section, the Primer draws some conclusions about how community foundations can more effectively support environmental policy work.

This Primer is based on interviews with seven community foundations (three from Canada and four from the US), six private foundations (three from Canada and three from the US), and eight environmental groups (four from Canada, three from the US, and one bi-national). Appendix 1 is a contact list for those who were interviewed. These organizations were chosen to reflect the diversity of community and private foundations, and environmental and citizens' groups. Therefore, we are confident that the conclusions are valid and useful to community foundations.

Part 1

Environmental Policy-Making in the Great Lakes and St. Lawrence River Basin

The significance & meaning of policy

All those interviewed emphasized that policy work is essential. ... Policy work by environmental and citizens' groups refers to their work that is aimed at changing the ways that decisions are made by government.

ALL THOSE INTERVIEWED emphasized that policy work is essential. A recurring theme in their comments on this topic was that by carrying out or supporting policy work, they hope to make it easier for those who are working to protect or clean up the environment to achieve their goals. Instead of having to repeat the same fight time and time again to protect wetlands, to clean up contaminated sediments, to stop incinerators from being built, it is hoped that policy work will result in legislation, regulations, and programs that set requirements and guidelines that will avoid these threats.

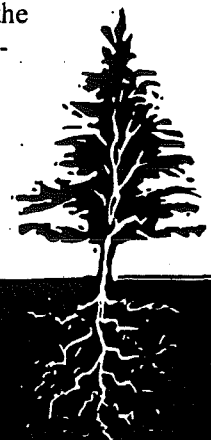
Policy work by environmental and citizens' groups refers to their work that is aimed at changing the ways that decisions are made by government. This refers to both changes in the processes that governments use to make decisions and to the criteria that are used in making decisions. For example, the policy work could be focused on improving the opportunities for participation in government decision-making. Or, the policy work could be focused on changing a regulation so that governments are required to consider factors such as cumulative impacts, impact on future generations, or on other species.

Policy work is distinguished from issue-specific work by being broader in application than one specific time and place. For example, working to protect a particular wetland would be issue-specific work. It would become policy work, if the group were striving to have more protective measures put into place for all wetlands in a region. Likewise, a group working to have contaminated sediments cleaned up in a harbour would be engaged in issue-specific work, but a group working to develop a funding mechanism for cleanup of contaminated sediments would be engaged

in policy work. Frequently environmental and citizens' groups are engaged in both issue-specific and policy work.

The policy work referred to in this Primer is focused on government policies at the local, regional, state, provincial, federal and international levels. Private corporations also have internal policies to guide their decision-making. Sometimes environmental groups try to affect these internal policies. In this Primer, however, we focus on government policy-making.

Policy work can have several components to it: research, proposals for action, education of the public and of policy and decision-makers, advocacy to get the changes put into place, and watch-dogging to ensure proper implementation of the policy. For example, a group doing policy work to improve waste management policies might begin by doing research on the environmental, social and economic impacts of the current waste management system. They might also do research on alternative ways in which wastes are being dealt with or avoided in other parts of the world. They would be likely to pull this research together into a document that included recommendations for action to improve the situation. The group may then take this research and try to educate the public or policy-makers. For example, they may try to educate the public by producing a series of fact sheets based on their research, or holding public forums, or going into schools or to meetings of other community groups to educate them on the situation. They may also try to educate



policy and decision-makers by sending the document to them and by arranging meetings with decision-makers where they discuss their research results and recommendations. They may engage in direct advocacy work where they lobby elected representatives to change legislation or regulations to put their proposals for action into place. Finally, once a policy has been put into place, the group may release annual reports to show how much progress has been made at achieving the goals agreed to in the policy.

The Great Lakes-St. Lawrence River basin

THE GREAT LAKES-ST. LAWRENCE River basin is a vast ecosystem, which stretches over 3,800 kilometres (2,400 miles) from

beyond Duluth, Minnesota in the west to the mouth of the St. Lawrence River. Since settlement began by Europeans almost 400 years ago, the environment in the Great Lakes-St. Lawrence River basin has been subjected to substantial degradation. Over the past hundred years, major efforts have been made to protect and restore the environment in the basin. Progress has occurred as a result of these efforts; nevertheless, the problems are still severe.

The International Joint Commission is a bi-national oversight organization appointed by the Canadian Prime Minister and the US President. Every two years it releases a report on the condition of the Great Lakes environment and makes recommendations for action. In its June 2000 report, the International Joint Commission concluded:

“Much more must be done to ensure that citizens of both countries can safely swim and drink water and eat fish from the Great Lakes.

The integrity of the Great Lakes ecosystem has been and continues to be compromised. Contaminated sediments in the lakes produce health problems. Although point-source emissions of toxic substances within the Great Lakes basin have been reduced in some measure, significant amounts of these

contaminants are reaching the lakes through the air from places within and far beyond the basin.

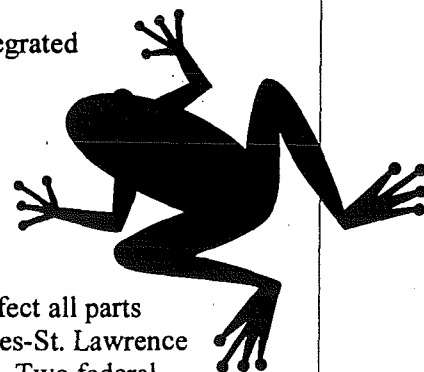
Drinking water must be extensively treated. Swimming must often be prohibited and beaches closed. Fish in the Great Lakes are contaminated with persistent toxic substances, including mercury and PCBs. These fish pose a threat to the health of those who eat them and to their unborn children.

Increasing urbanization is adversely affecting water quality. As a result of human activities, alien invasive species are entering the lakes and causing billions of dollars in damages and massive aquatic ecosystem disruption.”

Many other environmental problems not reported in this report plague the Great Lakes-St. Lawrence River basin. These include deteriorated health of wildlife because of contaminants, loss of wetlands and other critical habitat, falling water levels and predictions of long-term drops in water levels primarily because of climate change, major human health consequences from smog, and threats from radionuclides being released from nuclear power plants and radioactive waste storage facilities scattered around the Great Lakes basin.

The Great Lakes-St. Lawrence River basin is an integrated ecosystem, in which one part affects the other parts. For example, contaminants put into Lake Superior at Thunder Bay, Ontario may one day float down the St. Lawrence River past Montreal, Québec. Likewise, the dredging of the St. Clair and Detroit Rivers in the 1950's lowered water levels throughout Lakes Huron and Michigan by 40 centimetres (16 inches).

This vast integrated ecosystem is divided by numerous political jurisdictions, each with its own distinct power to make decisions that affect all parts of the Great Lakes-St. Lawrence River ecosystem. Two federal



Much more must be done to ensure that citizens of both countries can safely swim and drink water and eat fish from the Great Lakes.

A powerful, diverse community dedicated to improving and protecting the environment in the Great Lakes-St. Lawrence River basin has developed.

governments, two provinces, eight states, 110 First Nations and Tribes, and innumerable municipalities have decision-making power within this basin. In addition, each of these has many different departments or agencies with their own distinct responsibilities.

As a result, one of the challenges that has had to be confronted within this basin is to find ways to cooperate to develop consistent policies and programs. Efforts to achieve this have resulted in the development of an elaborate (and confusing to the newcomer) patchwork of agreements and institutional structures to foster cooperation. Appendix 2 contains a chart listing some of the main inter-jurisdictional agreements and institutions.

Now, as we gain a greater understanding of environmental problems in the Great Lakes-St. Lawrence River basin, we are realizing that we need agreements and cooperation that reach beyond this basin to encompass the world. For example, a greater understanding of the distances that many air contaminants travel means that to

protect the Great Lakes-St. Lawrence River basin, we must work at the United Nations level to develop an agreement on persistent organic pollutants. Another example is that we are increasingly becoming aware that, if we are to protect the Great Lakes basin from the introduction of destructive creatures such as zebra mussels, we need to work at the international level.

A powerful, diverse community dedicated to improving and protecting the environment in the Great Lakes-St. Lawrence River basin has developed around the basin. This includes citizen action groups in each area, environmental and conservation organizations, health care organizations, labour unions, research and educational institutions, industries and all levels of government, including First Nations and Tribes. Foundations—especially private foundations—have played an essential role in supporting the development of this community through their on-going support of the individual and collective activities of many of these organizations.

Part 2

Policy Work by Environmental Groups

Environmental groups in the Great Lakes-St. Lawrence River basin

Most of the groups in the basin are local groups dedicated to protecting and enhancing their community's well-being.

THE PUBLIC believes that environmental non-government organizations have a vital lead role in protecting the environment. In a Gallop poll conducted across the US in April 2000, the respondents said that they place more trust in national and local environmental organizations to protect the environment than in government, small businesses or large corporations. In the same poll, 76% of the respondents said that they feel that the environmental movement has had "a great deal" or "a moderate amount" of impact on US environmental policies.

The Great Lakes-St. Lawrence River basin contains innumerable environmental and citizens' action groups dedicated to protecting and restoring the environment. For example, the Ontario Environment Network's surveys indicate that there are at least 600 such groups in that province alone, and they are discovering new ones every day.

Most of the groups in the basin are local groups dedicated to protecting and enhancing their community's well-being. They may be fighting to stop a proposed threat such as the draining of a wetland, the construction of an incinerator, the spread of urban development onto farmland, the construction of a road through a forest, the expansion of a landfill, or the building of a factory-farm for hogs. They may be working to correct an existing problem in the community, such as to stop the spraying of pesticides on parklands and lawns, to close down a hospital incinerator, to clean up contaminated sediments, to get a company to stop polluting the community, to restore a degraded wetland, or to plan the phase out of a nuclear power plant. Finally, they may be working to enhance the community by introducing reuse and recycling centres, by promoting public

transit, by building community gardens, by planting trees, or by promoting or building solar and wind power.

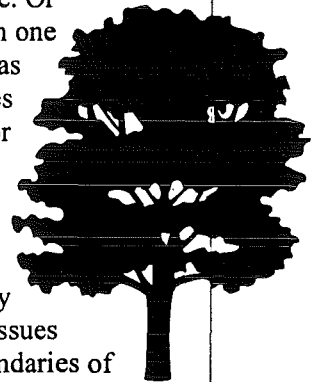
Almost all of these local groups are based solely on volunteer efforts. Some of them occasionally receive funding to allow them to hire staff on a short-term or periodic basis, but rarely do they have ongoing full-time staff. The longevity of these groups varies substantially. Some of them have existed for decades, but many rise and fall in response to a specific threat or a specific opportunity and close down when their project has been completed. Sometimes the same group rises and falls repeatedly as community needs demand.

There also are many groups in the Great Lakes-St. Lawrence River basin that are regional in nature. For example, they may focus on work around one of the lakes, such as the Lake Michigan Federation and the Lake Superior Alliance. Or they may focus on work in one section of the basin, such as Northwatch, which focuses on northeastern Ontario, or Citizens for Alternatives to Chemical Contamination, whose work focuses on central Michigan.

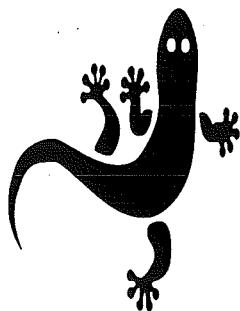
These regional groups play a vital role in addressing issues that reach beyond the boundaries of one municipality or issues that commonly recur in several different parts of the region.

The financial situation of these regional groups varies substantially. A few are multiple staffed organizations. Most, however, have only one staff person who is paid only part-time—even when working full-time—and whose pay is sporadic.

Some environmental groups working in the Great Lakes-St. Lawrence River basin have a province or state-wide or even national focus in their work. Parts of these groups' programs are specific to the Great



Environmental groups play a lead role in environmental policy in the Great Lakes-St. Lawrence River basin.



Lakes-St. Lawrence River basin. For example, the National Wildlife Federation in the US has a Great Lakes Office in Ann Arbor, Michigan, which works on Great Lakes issues. The Canadian Environmental Law Association in Toronto, Ontario, as well as working on provincial and federal law reform, has programs focused on Great Lakes specific issues, such as Great Lakes water diversion, export, and consumption. The Nature Conservancy and the Sierra Club in the US are other examples of national groups that have offices dedicated to carrying out Great Lakes programs.

These organizations have several or more full-time staff and have, in most instances, been in operation for over 20 years.

Finally, there is one Great Lakes-St. Lawrence River basin-wide environmental non-governmental organization with membership throughout the basin both in Canada and the US. This organization—Great Lakes United—focuses on issues that have impacts across the entire basin.

Great Lakes United, which has been in operation for 18 years, has offices in Buffalo, New York and Montreal. It has nine staff.

In a survey of Great Lakes environmental groups in 1996, the 231 responding groups estimated that they had budgets totalling \$41 million, more than one million members, more than 2,100 full-and part-time staff, and more than 26,000 hours of volunteer time per year.¹ The total volunteer hours would be substantially greater because it is likely that a greater percentage of groups with staff than of groups that are purely volunteer in nature were included in and responded to the survey.

Most of these groups work together through networks to be more effective at achieving their shared goals. Sometimes this is through an on-going network on a wide range of Great Lakes-St. Lawrence River basin issues. In other cases, a few

groups form an agreement to work together on a specific project. Such networks allow them to be more effective at pulling together and articulating grassroots concerns across the vast Great Lakes-St. Lawrence River basin. It also allows them to make maximum use of their limited financial resources.

The 1996 survey of environmental groups in the Great Lakes basin found that 90 percent of those responding had collaborated with other environmental groups in the previous year.² Most of these groups said that the number of groups that they were collaborating with was increasing. The survey also showed that groups were increasingly working with social justice groups.

ENVIRONMENTAL GROUPS play a lead role in environmental policy in the Great Lakes-St. Lawrence River basin.

Role of environmental groups in environmental policy making

They may play a watchdog role to protect or enhance environmental policies and to ensure their implementation. For example, environmental groups from throughout the Great Lakes-St. Lawrence River basin have been the leading advocates to ensure that the Great Lakes Water Quality Agreement between Canada and the US is not weakened whenever considerations of renegotiating it arise.

These groups also play a lead role in policy development. For example, local groups have been the prime proposers of by-laws to restrict or eliminate the use of pesticides in municipalities. Other groups have been heavily involved in the development of water quality standards in each state and at the federal level through the Great Lakes Water Quality Initiative.

Many groups that never intended to become involved in environmental policy work end up doing so as they experience

¹ Institute for Conservation Leadership and Environmental Support Center, *Great Lakes, Great Stakes: The Environmental Movement in Reflection*, August 1996.

² *Ibid*, p. 8.

Government budget cuts over the past decade have greatly reduced government's ability to provide basic services, let alone develop and implement policy.

problems and search for solutions. One long-time researcher of community groups says that groups such as local nature clubs switch from "enjoyers to advocates."³

The policy work of environmental groups within the Great Lakes-St. Lawrence River basin focuses on protecting and improving water quality and quantity, achieving the reduction and phase out of the use of persistent toxic substances, promoting renewable energy alternatives, improving public access to government decision-making processes, developing legislation to ensure the protection and enhancement of the natural ecosystem and its diversity (forests, fish, wildlife, wetlands and special features), improving air quality, promoting legislation on land use planning, and cleaning up contaminated sites.

Funding for groups to support policy work comes primarily from membership donations, private foundations and government agencies. The 1996 survey of environmental groups in the Great Lakes region found that approximately 40% of the funding for the groups came from private foundations.⁴ Few are receiving donations to support policy work from community foundations.

Obstacles encountered by environmental groups in achieving policy work objectives

IN THIS PART we focus on the internal organizational and financial obstacles that

environmental groups encounter as they conduct policy work in the Great Lakes-St. Lawrence River basin. However, before doing so, we present a few recurring elements of the political system that were frequently pointed out by the environmental groups and foundations who were interviewed as working against good policy making. Prime among these were:

- ▶ Policy work requires a long-term vision and commitment, but governments usually are working within a short 3 to 4

year cycle coinciding with the election cycle.

- ▶ Government budget cuts over the past decade have greatly reduced government's ability to provide basic services, let alone develop and implement policy.
- ▶ Some elected government representatives and some government staff have mixed feelings about the role of environmental and citizens' groups because they feel that the governments themselves represent what the public wants because they are elected. This concern was most frequently pointed out in relation to decisions about the appropriate use of natural resources. Other government people support active citizen involvement because they see it as essential for bolstering support for their programs.

Organizational Obstacles to Policy Work

- ▶ Most environmental and citizens' groups depend on volunteers to undertake their work. Both foundations and environmental groups repeatedly pointed out that effective policy work requires regular staff since it requires constant vigilance, research, and consistent faces and voices in government decision-making forums. In addition they pointed out the need for on-going staff to do the basic work in keeping an organization going, such as for finances, grant writing, and volunteer co-ordination. These latter functions are critical if an organization is to be effective at carrying out the policy components of its work.
- ▶ Environmental groups need more access to technical and legal expertise to carry out their policy work.
- ▶ Most environmental groups do not have sufficient resources dedicated to outreach to communicate their messages in an effective manner. A well-researched policy statement will not be effective at changing policy unless accompanied by a detailed outreach plan.

³ Sally Lerner, *Environmental Stewardship: Studies in Active Earthkeeping*, 1993, p. 6.

⁴ *Great Lakes, Great Stakes*, op cit, p. 7.

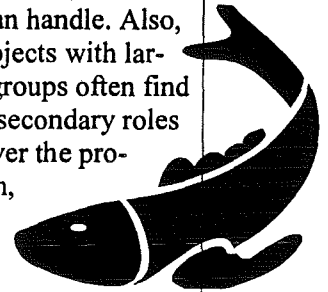
Financial Obstacles to Policy Work

Overcoming the organizational obstacles to effective policy work requires access to adequate resources. Foundations (primarily private ones) have been the major source of funding for policy work for environmental groups in the Great Lakes-St. Lawrence River basin.

While being highly appreciative of the resources that foundations put into policy work in the basin, environmental groups pointed out some of the problems that they encounter in accessing and using these resources:

- ▶ Policy work usually requires long-term commitment. Therefore, environmental groups need to have multi-year support from foundations and a recognition by foundations of the need to stick with it for the long haul. For example, several environmental groups noted that foundations appear to be tired of funding certain issue areas, such as contaminated sites and water quality, but these areas are still problematic and require ongoing attention.
- ▶ At the same time as raising this concern, many groups emphasized the need for foundations to be ready to support policy projects that address emerging issues.
- ▶ Foundations may have their own ideas about the type of policy work that is required and, therefore, may have narrow funding goals. These do not always mesh with the areas that environmental groups think should be priorities for policy work.
- ▶ Most of the funds received are dedicated to quite specific policy work, which makes it difficult for groups to have the resources to address policy issues that arise unexpectedly and need immediate attention.
- ▶ Effective policy work at the national level requires some presence by environmental groups in the nations' capitals in Ottawa and Washington, DC. This could include periodic trips to the capital or establishing their own offices there. It is difficult to get foundation support for these kinds of activities.

- ▶ It is easier to find foundations (especially community foundations) to support educational activities and non-policy work such as tree plantings and clean-up days than for policy work.
- ▶ Many foundations require the development of partnerships among environmental groups and also with non-environmental group organizations as a precondition of funding. While this can be valuable, it can result in a whole new set of administrative problems, which only the larger groups can handle. Also, in such collaborative projects with larger groups, the smaller groups often find that they are given only secondary roles and have little control over the project direction. In addition, the requirements for partnerships with non-environmental groups may result in changes in the focus of the policy work.
- ▶ It is difficult to find foundations to fund attendance at meetings or conferences despite the critical importance that these meetings can have in providing access to information and to policy-makers.
- ▶ Some organizations pointed out that the vast distances in the Great Lakes-St. Lawrence River basin create unusual obstacles in this area in undertaking policy work as it places limitations on the ability of similar organizations to meet and develop positions and strategies on policy issues, to monitor the progress of activities on a specific issue, and to develop and prepare project proposals. Funding for this kind of work is extremely hard to find.
- ▶ Many foundations do not fund administrative positions and do not support enough overhead costs to support an organization. Without this core support, it will be impossible for an organization to carry through on their policy work, even if a policy project has been funded.
- ▶ Organizations have to spend time to develop and write grants. Environmental groups have only limited resources to do this. Many of the smaller groups do not have experience at writing project pro-



Policy work usually requires long-term commitment. Therefore, environmental groups need to have multi-year support from foundations and a recognition by foundations of the need to stick with it for the long haul.

Environmental groups said that there is a need for greater transparency in foundation grant making to make it easier for environmental groups to know what policy work can be funded.

posals and, as a result, are overwhelmed at the task of applying for funding. Environmental groups need to establish relationships with foundations to ensure that project proposals can be carefully considered. This also is most effectively achieved through paid staff.

- ▶ Environmental groups said that there is a need for greater transparency in foundation grant making to make it easier for environmental groups to know what policy work can be funded, and to understand the application and reporting requirements. They also asked for more feedback when an application is turned down.
- ▶ A major concern expressed by environmental groups, which was strongly reinforced by foundations, is a lack of diversity in funding sources. Some environmental groups are in danger of being too financially dependent on a few foundations for their support.
- ▶ Local community groups have a critical role to play in policy work both at the local level and at the state, provincial and

federal levels. Grassroots support for policies, which is most effectively reflected by community groups, is often critical in convincing policy-makers to act. Most private foundations do not give grants to these smaller groups because most of them do not have charitable status and because the larger foundations are not set up to support the smaller grants that such groups require.

- ▶ Some foundations associate policy work with "lobbying," an activity that they believe they cannot fund and still maintain their own charitable tax status.

The problems created by these last two concerns and the efforts to overcome these obstacles are discussed in Part 4 of this Primer.

Canadian environmental groups have even more difficulty obtaining funding for policy work because there are more foundations in the US than in Canada that will fund Great Lakes policy work. Some private foundations in the US have tried to reduce this inequity by supporting some Canadian environmental groups.

Part 3

Support of Policy Work by Foundations

GRANT-MAKING FOUNDATIONS are divided into two main types: private foundations and community foundations.

Private foundations are created by a major donation from an individual or family or by a one-time donation or on-going funding from a profit-making company. In the US, the latter are called company-sponsored or corporate foundations. The donor that sets up the private foundation determines what types of charitable activities the money will be used for and can control the investment and giving decisions by controlling the membership of the board of directors. Indeed, the board of directors can be entirely made up of family members or officers of the company. Each year, private foundations are required by law to distribute a certain percentage of their assets.

Community foundations, by contrast, are created by donations from a wide range of givers. A major on-going role of a community foundation is to conduct fund raising campaigns in the community. The board of a community foundation must represent broad community interests and the funds must be used to benefit a specified geographic area.

Community foundations may have a range of types of funds:

- ▶ unrestricted community endowment funds, which make grants responding to changing needs of the community;
- ▶ donor-advised funds for grants made on the basis of annual benefactor recommendations to the board of directors;
- ▶ designated funds for grants made to charitable organizations specified when the fund is established;
- ▶ field-of-interest funds, where grants are made to organizations working in a specified area of interest;
- ▶ unrestricted named funds for grants to a wide range of organizations upon approval by the board of directors;

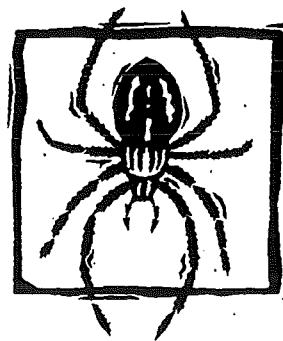
- ▶ agency endowment funds established by charitable organizations to which others can donate; and
- ▶ pass-through grants to specific organizations within a specified period of donation.

Some community foundations have the whole range of types of funding mechanisms; others have only a few.

In addition to making grants for charitable purposes in the community and to fundraising, community foundations often provide leadership in their community. Unlike private foundations, the boards of community foundations are usually made up of a diverse membership from the community. The community foundation usually has a positive but relatively neutral profile in the community. Therefore, community foundations sometimes play an active role as the seeker of solutions to community problems, rather than simply as granters of money to others.

For example, when a controversy arose around whether a second bridge should be built between Buffalo and Fort Erie, NY or whether the existing one should be doubled in size, the Community Foundation for Greater Buffalo put together a multi-stakeholder panel to explore the issue and hold public meetings. It funded this process as well as hired consultants to work with the panel. The panel finally made recommendations for a preferred solution to the problem.

The board of a community foundation must represent broad community interests and the funds must be used to benefit a specified geographic area.



Role of private foundations in environmental policy making

A recurring theme in interviews with the private foundations was that it is essential to support policy work to get to the root causes of the problems rather than just addressing the symptoms.

PRIVATE FOUNDATIONS have long been major donors of funding for Great Lakes-St. Lawrence River basin policy work.

A recurring theme in interviews with the private foundations was that it is essential to support policy work to get to the root causes of the problems rather than just addressing the symptoms. When summed together, the goals of the private foundations in environmental policy work are quite similar to those stated by environmental groups, although usually each foundation has its own special interest that its grant making focuses on.

Overall, the private foundations interviewed expressed satisfaction with the results of their grant making for policy purposes. They listed a range of factors that contribute to an effective policy project by an environmental group. These include:

- ▶ a focused goal with a solid understanding of the policy issue;
- ▶ a realistic assessment by the group of the issue at hand and the opportunities to further it;
- ▶ an understanding of the opportune timing to further the policy;
- ▶ the use of a range of tools to further the policy objectives, including research, communication, and plans for implementing the policy objectives;
- ▶ contact with appropriate policy decision-makers;
- ▶ collaboration with other environmental and other interested organizations, such as First Nations and Tribes, and medical and health organizations—for these collaborative efforts to be successful, the roles of each partner must be clearly articulated; and
- ▶ the ability to compromise on their goals in order to achieve some gains.

Private foundations listed several problems they encounter in trying to support policy work in the Great Lakes-St. Lawrence River basin and several holes in the effectiveness of current grant making programs. These include:

- ▶ inadequate support of core work of envi-

ronmental groups, especially for administration, fund raising and communications activities;

- ▶ the difficulty of supporting small projects, since large private foundations are not set up to handle the large administrative burden in funding many small projects—they would rather fund a few large ones;
- ▶ only limited attendance by foundation staff and board members at meetings of environmental groups—such contact is essential for foundations to more fully understand the nature of environmental groups and their desires and needs;
- ▶ inadequate evaluation processes in place by private foundations to regularly assess the effectiveness of their programs; and
- ▶ difficulties in giving grants to organizations without official charitable status. This problem is discussed further in Part 4 of this Primer.

The private foundations interviewed stated that they believe that community foundations are more capable than private foundations at filling in some of these holes because they can more easily be directly connected to the environmental groups in their communities. It is for this reason that some private foundations financially support the development of the Great Lakes Community Foundations Environmental Collaborative.



Role of community foundations in environmental policy making

Community foundations are not currently substantial donors of funds to support environmental policy work. Those foundations interviewed give between zero and two percent of their grants to environmental policy work.

COMMUNITY FOUNDATIONS are not currently substantial donors of funds to support environmental policy work.

Those foundations interviewed give between zero and two percent of their grants to environmental policy work. They give more money to environmental causes, but even that is not a substantial part of their giving. In many cases none of their money goes to environmental causes.

The foundations that were interviewed listed the following as reasons why they have not thus far been giving substantial amounts of their money to environmental policy work:

- ▶ community foundations focus their funding on projects specific to their local communities—their boards usually think of policy work as something to be done at a level outside of their communities;
- ▶ their boards do not have a high level of understanding of environmental issues and particularly of environmental policy needs;
- ▶ their board members fear getting involved in environmental issues because they are too controversial within the community and may get the foundation caught in local conflicts, which could impede their ability to raise funds within the community;
- ▶ the connections of their board members to the establishment within the community may make them hesitant to stir up the local political waters;
- ▶ a high percentage of a community foundation's monies are in funds specified for particular purposes and few of these are specified as being for environmental purposes;
- ▶ community foundations usually have very limited paid staffing and, therefore, find it very difficult to set up new programs;
- ▶ even those foundations that would like to give money to environmental policy work said that they rarely receive quality applications for such work from environmental groups in the community; and

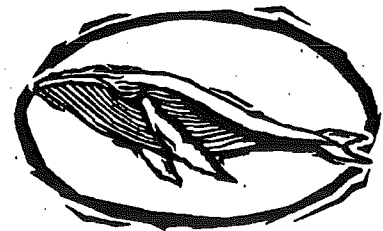
▶ the overwhelming majority of local environmental groups do not have charitable status and community foundations' monies must go to charitable works. In addition, community foundations have a perception that policy work is lobbying and, therefore, is not charitable work. These problems and the ways that some community foundations overcome them are discussed in Part 4 of this Primer.

However, many community foundations are currently considering putting more of an emphasis on environmental causes, including environmental policy work. Two major factors are motivating these considerations: (1) a growing concern in many communities around environmental issues, and (2) an increasing interest among their existing, and particularly among new donors, in having some of their money go to environmental causes.

To prepare to support environmental causes and environmental policy work, some community foundations are currently undertaking the following activities:

- ▶ educating their board members and potential donors on environmental issues;
- ▶ linking environmental policy with community quality of life issues;
- ▶ ensuring that environmental questions are brought forward when they conduct their strategic planning exercises to determine community needs; and
- ▶ attending meetings of environmental groups to become educated on their concerns or pulling together meetings of environmental groups in the community to explore roles that the foundation could play in addressing environmental issues.

Some of these programs are being funded by the Great Lakes Community Foundations Environmental Collaborative.



Part 4

Charitable Status: Potentials and Limitations to Policy Work

A review of the law in Canada and the US shows that environmental groups with charitable status can engage in certain amounts and types of political activities to try to get their policy initiatives implemented.

TWO MAIN CONCERNS around foundation funding for environmental policy work repeatedly arose during the interviews for this project:

- 1. Threats to maintenance of charitable status:** Environmental groups with charitable status spoke of feeling like they are walking across a tightrope, always in danger of falling off as they try to inch their way through the unclear interpretations of what activities are permitted by governments. They fear having their charitable status challenged because of policy work being interpreted as unacceptable advocacy work. Foundations described similar feelings when deciding what to fund. To be safe, community foundations frequently explained that they simply avoid funding policy work because they fear that it will be seen as a lobbying activity and, as a result, governments will see it as being outside of their charitable mandate.
- 2. Inability to fund groups without charitable status:** Most environmental groups do not have charitable status. Even though these groups may be making substantial contributions to policy work, foundations often automatically reject their funding requests because of this lack of official status.

During this project, we addressed this issue through two methods: first, by obtaining a legal opinion from lawyers expert in Canadian and US law on charitable organizations, and second, by asking environmental groups and foundations how they addressed these concerns.

Funding environmental policy work within charitable guidelines

A REVIEW OF THE LAW in Canada and the US shows that environmental groups with charitable status can en-

gage in certain amounts and types of political activities to try to get their policy initiatives implemented. Likewise the laws in both countries show that foundations can support such types of work provided that they watch the guidelines.

Many foundations, rather than obtaining expert advice on these potentials and limitations, avoid the issue completely by simply avoiding supporting policy work of any kind. This is an unfortunate consequence, since policy work is essential to the well-being of our communities.

In Canada⁵

Charitable activities do not include political activities. "Efforts to influence law, government policy, or public opinion, are viewed as political activities. Any political activities which involve direct or indirect support of, or opposition to, a political party or candidate for public office is prohibited." Individuals within the organization are not prohibited from undertaking such activities on their own time as long as it is not done in the name of the organization.

"Non-partisan political activities may be carried out by a charity if:

- ▶ the charity devotes 'substantially all' of its resources to charitable work, excluding political activities
- ▶ any political activities are 'ancillary and incidental' to the charity's charitable activities
- ▶ no more than 10% of the charity's resources may be devoted to such activities."

"This means that, for example, an organization established to preserve and restore rivers may campaign for legislation against dumping of waste into rivers, provided these limits are met."

"Some 'political' activities are permit-

⁵ All quotes in this section are from a legal opinion by Brian Iler of Iler Campbell, Barristers & Solicitors, Toronto, June 23, 2000.

Frequently, foundations interpret the limits and the permitted political activities clauses in excessively restrictive ways.



ted without limit:

- ▶ engaging in public policy discussions with government
- ▶ engaging in public debate by providing information and raising concerns
- ▶ providing an expert opinion on an issue to government or the media
- ▶ publishing policies adopted by political parties on an issue.”

In the US⁶

Political activities in the US are also defined as not being charitable activities. Political activities are defined as “not just looking to support or oppose a candidate in a political campaign, but also any activity that is intended to support or oppose legislation, commonly called ‘lobbying activities’. Advocating to legislatures would be considered lobbying activities.” Influencing legislation is “considered to have two aspects: grassroots lobbying, which is defined as an effort to affect the opinions of the general public or any segment thereof, and direct lobbying, which is defined as any attempt to influence legislation through communication with any member or employee of a legislative body.”

The following activities are considered charitable activities: “research, conservation efforts, public education, and litigation to protect the environment.”

A set of guidelines exists for the amount of political activities that an environmental group with charitable status can conduct and still maintain its charitable status. These guidelines vary by whether the group is registered as a 501(c)(3) organization or chooses to also register as a 509(a) organization known as a “publicly supported organization.”

Frequently, foundations interpret the limits and the permitted political activities

clauses in excessively restrictive ways. This means that “too many grant officers unnecessarily curtail their grantees’ public policy work and lobbying.”⁷

Unlike private foundations, community foundations are allowed under US law to themselves engage in lobbying activity provided they meet the limitations provided by tax law.⁸

THE MOST OBVIOUS WAY to address this issue may appear to be to help groups obtain charitable status. Suggestions were made that foundations could provide assistance to groups to get this status by, for example, providing examples of successful applications or by providing the groups with access to legal help to make the application.

This solution may be limited in its effectiveness, however. Some environmental groups said that they do not want charitable status because their prime role is advocacy work and they fear that having charitable status will put a damper on their ability to carry out this vital function. Also most small local totally volunteer environmental groups may be unable to obtain approval for charitable status because they do not meet the government’s criteria for record of educational activities, financial records, etc.

In Canada, “obtaining charitable registration is difficult, and often impossible, for environmental organizations.”⁹ In the US, it is much easier for environmental groups to obtain charitable status.¹⁰

Rather than forcing groups without charitable status to obtain charitable status

Funding environmental policy work by groups that do not have charitable status

⁶ The quotes in this section are taken from a legal opinion provided by Richard J. Lippes of Allen & Lippes, Attorneys at Law, Buffalo, August 4, 2000.

⁷ Nan Aron, “Making Grant Dollars Go Further,” *Foundation News & Commentary*, November/December 1998.

⁸ “Electing to Lobby,” *Foundation News & Commentary*, November/December 1998.

⁹ Brian Iler.

¹⁰ Richard J. Lippes.

Groups with and groups without charitable status said that they found their partnerships to be useful and usually mutually beneficial.

before they can support them, some foundations use other mechanisms:

1. Have the group without charitable status apply for funding through another environmental group that has charitable status. This is sometimes referred to as "passing through grants" or "obtaining a fiscal agent."

The group with charitable status will then contract with the other group to carry out the work. This is the most commonly used mechanism. The group with charitable status is responsible for ensuring that the work carried out with the money is charitable in nature and that proper financial management and reporting to the foundation occurs. In this situation, a percentage of the grant usually goes to the charitable organization to reimburse it for its time spent fulfilling its responsibilities.

Generally, non-charitable organizations have not had difficulty finding a charitable organization to partner with. Sometimes, however, there is reluctance on both sides to make such an arrangement. From the perspective of the non-charitable organization, the loss of a percentage of the money off the top of the budget can be a serious concern in an already limited budget. There also is a fear that their goals may be interfered with in some way by the larger group with charitable status. From the perspective of the organization with charitable status, concerns arise around having responsibility for delivery of a program over which they may have little control and for which the money they receive does not cover their real costs. They also have concerns that these grants may compete with funding applications that they are making for their own work.

Despite these concerns, both groups with and without charitable status said that they found these arrangements to be useful and usually mutually beneficial. Effective partnerships can be a catalyst for raising more funds to work on a specific issue. Also the sharing of policy work will assist in achieving policy reform as it takes time to pass laws. One of the outcomes of such arrangements is that having had access to a grant from a foundation sometimes has

given the organization without charitable status the opportunity to develop a structure and record that allows it to obtain charitable status for itself.

To make these arrangements work, there must be formal arrangements agreed to by the charitable and non-charitable organizations to outline their respective responsibilities.

2. Regranting programs. Sometimes foundations set up a program that approves mini-grants to non-charitable organizations to undertake charitable activities. A grant is given to a charitable organization that then disperses these funds to non-charitable organizations. Each individual grant is usually relatively small in size. The activities that the regranting occurs for must be charitable in nature even if the receiving organization does not have charitable status.
3. Community foundations can make a contract with a non-charitable organization to carry out a specified piece of work. This could include, for example, paying an environmental group to conduct research on a particular policy issue. One foundation has an operating grants program that allows the foundation to provide small grants to local organizations to undertake some activities.
4. Foundations can set up training sessions or provide other services for free to community groups regardless of whether the group receiving this service has charitable status.
5. Establish a charitable organization that can pass through grants to individuals or organizations that do not have charitable status.

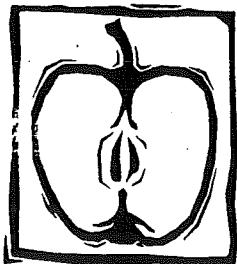
This type of charitable organization does not have any assets and its purpose is to provide support for charitable activities by individuals and organizations without charitable status.



Part 5

How Community Foundations can best Support Environmental Policy Work

Community foundations have the potential to play an extremely valuable role in supporting environmental policy work.



COMMUNITY FOUNDATIONS have always been focused on improving the quality of life in their communities by supporting the arts, social services, and economic development. A critical component of a community's quality of life is a healthy, diverse and vibrant environment. The most effective way to ensure long-term protection of the environment is to put the proper policies in place. Unfortunately, most community foundations have paid little attention to this aspect of protecting and enhancing the quality of life in their communities.

All private foundations and most of the community foundations interviewed, as well as the environmental groups, stressed that community foundations have the potential to play an extremely valuable role in supporting environmental policy work in the Great Lakes-St. Lawrence River basin. The private foundations repeatedly emphasized that there are ways that community foundations are able to more effectively support policy work than are private foundations. This is because the community foundations operate in the places where many of the environmental problems are being directly experienced and where the solutions must be found.

Because of their local geographic focus, community foundations are more likely to emphasize policy making at the local level by municipal governments. This is an area of policy making on which more and more environmental groups are placing their focus. The local environment is also directly affected by environmental policies at the regional, provincial, state, federal and international levels. Therefore, community foundations should also be open to considering policy work at these non-local levels, when the connections to local problems are clear.

Community foundations have a broad range of skills to bring to environmental policy work that private foundations do not have. In addition to fundraising and grant making, these skills include convening the

community, civic leadership, and drawing public attention to issues through their access to community leaders and the media. Community foundations should use their whole range of skills to contribute to environmental policy development and implementation in their communities.

The following are ways that those interviewed suggested that community foundations can contribute to environmental policy work in their communities:

1. Provide community leadership on environmental policy issues:

- ▶ Attend environmental meetings to show their support for these efforts.
- ▶ Provide a convenor role on policy issues that have direct impact in their community through organization of meetings and workshops between community leaders, decision makers and environmental groups.
- ▶ Make connections between community leaders and environmental groups.
- ▶ Speak to the media about environmental policy matters.

2. Provide education on environmental issues:

- ▶ Organize events where foundations and environmental groups are brought together to meet and educate each other on specific issues.
- ▶ Create environmental educational material (eg, a directory of environmental organizations) that can be used as a communication tool with the public; this information should show how environmental policies at the international, federal, provincial, state, and municipal levels affect local conditions.
- ▶ Provide a clearinghouse for environmental information to the public or financially support an environmental group in the community to develop and maintain such a clearinghouse.
- ▶ Give Great Lakes-St. Lawrence River basin issues visibility in the community

Interviewees suggested community foundations establish a Regional Shared Fund that would pool funds from several community foundations within an area.



by sponsoring or supporting others to carry out educational sessions focused on the Great Lakes-St. Lawrence River basin.

3. Financially support environmental policy work by environmental groups:

- ▶ Encourage and support collaborative efforts among environmental groups and with like minded organizations in the community to increase effectiveness and efficiency in their policy work. The foundation should ensure that there are clear definitions of responsibilities in such collaborative arrangements to minimize potential problems.
- ▶ Establish a Regional Shared Fund that would pool funds from several community foundations within an area, *eg*, a lake, to be used to carry out policy work that would benefit the community but must be conducted at a wider regional area in order to be effective. This Regional Shared Fund could be used to leverage support from private foundations. The fund could be administered through representation from contributing community foundations.
- ▶ Encourage and support Great Lakes-St. Lawrence River basin-wide policy work by regional, national and bi-national groups that work collaboratively with local groups in the community.
- ▶ Provide on-going support grants for work on particular policy issues.

4. Support development of environmental groups in community:

- ▶ Establish funds within the foundation that are dedicated to the environment.
- ▶ Bring potential or existing donors to the table to meet local environmental organizations, or conduct site visits with donors to demonstrate the needs and problems found in the community.
- ▶ Establish matching grants or endowment funds for environmental groups.
- ▶ Give financial and technical assistance to improve fund raising and grant application skills, organizational management skills, volunteer management skills and bookkeeping skills. This could be done by giving financial support for these activities or by arranging training sessions

within the community.

- ▶ Provide financial support for travel grants to meetings in other parts of the Great Lakes-St. Lawrence River basin to help educate local environmental groups and help them make connections.
- ▶ Provide core funding or in-kind assistance to assist in provision of office space and staff. Skilled people within the community could be made available to small environmental groups within the community to do their bookkeeping, etc.
- ▶ Support the development of communication strategies by environmental groups.

The beginning step in developing community foundation support for environmental policy work is to increase the understanding of their donors and foundation boards about:

- ▶ local environmental issues;
- ▶ the relevance of environmental policy activities to their community's quality of life;
- ▶ the relationship of their community to the Great Lakes-St. Lawrence River basin, and;
- ▶ knowledge of what the environmental groups in their community are doing to address these issues.

This can be achieved by including existing and potential donors and foundation board members in the leadership, in convening meetings, and coordinating educational activities as listed under items 1, 2 and 4 in this section. In addition, community foundations could hold special meetings where environmental groups are invited to meet with the board or donors. Community foundations should also include people with environmental expertise on their boards. This will inevitably lead to greater financial contributions to the foundations for environmental policy work and to a strong support and leadership role by community foundations in the development and implementation of environmental policies.

Community foundations, by stimulating and supporting environmental policy work through their full range of skills, will make major long-term contributions to the quality of life in their communities for current and future residents, and promote the restoration and preservation of the Great Lakes-St. Lawrence River basin.

Appendix 1

Contact List for Environmental Groups and Foundations Interviewed

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Appendix 1 (continued)

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Appendix 2

Agreements and Institutional Government Arrangements across the Canada-US border in the Great Lakes

Issue Area	Relevant Agreement and Description	Organization	Purpose	Membership	Activities
All	<p>Boundary Waters Treaty</p> <p>Purpose: to provide the principles and mechanisms to help prevent and resolve disputes, mainly those concerning water quantity and water quality along the boundary between Canada and the US.</p> <p>By Whom: Treaty between the US and Great Britain signed in 1909.</p>	International Joint Commission (IJC)	To implement the <i>Boundary Waters Treaty</i> by resolving disputes and by alerting the governments to emerging issues along the boundary that may give rise to bilateral disputes, and assist in the protection of the trans-boundary environment.	Three commissioners appointed by the Prime Minister of Canada and three commissioners appointed by the President of the US.	<ul style="list-style-type: none"> ▶ rules upon applications affecting the levels and flows of the boundary waters and regulates the operation of these projects; ▶ reviews and comments on the implementation of the <i>Great Lakes Water Quality Agreement</i> through its Biennial Report on Great Lakes Water Quality.
		Council of Great Lakes Governors	To provide a forum in which governors and premiers can address their shared concerns and work together toward common environmental and economic development goals.	Governor of each Great Lakes state with the Ontario and Québec premiers considered as associate members.	<ul style="list-style-type: none"> ▶ developed <i>Great Lakes Charter</i> on water quantity issues, ▶ developed <i>Great Lakes Toxic Substances Control Agreement</i>; ▶ promotes economic development and tourism.
		Great Lakes Commission	To promote the orderly, integrated and comprehensive development, use and conservation of the water resources of the Great Lakes basin.	Appointed by each Great Lakes state governor. Formed in 1955 by legislation in each of the eight Great Lakes states and received federal congressional consent in 1968. Ontario and Quebec were added as associate members in 1999.	<ul style="list-style-type: none"> ▶ aquatic nuisance species; ▶ areas of concern; ▶ brownfields redevelopment; ▶ Great Lakes Information Network; ▶ recreational activities in Great Lakes.
Air Quality Issues	<p>Canada-United States Air Quality Agreement (the Air Quality Accord)</p> <p>Purpose: to guarantee cleaner air by controlling air pollution that flows across the international boundary; applies all along the Canada-US border – not just in the Great Lakes; focuses on acid-rain causing emissions; being expanded to address smog issues.</p> <p>By Whom: signed in 1991 by the Canadian and US federal governments.</p>	International Air Quality Advisory Board	To assist in the implementation of the <i>Air Quality Accord</i> .	Equal number of people from Canada and the US appointed by the two federal governments. Made up entirely of federal, provincial and state employees. Administered by the IJC.	<ul style="list-style-type: none"> ▶ reviewing progress under the Accord; ▶ preparing a progress report every two years.
		International Joint Commission [see above]	See above.	See above.	<ul style="list-style-type: none"> ▶ holds public hearings to receive public input on the reports of the International Air Quality Advisory Board; ▶ synthesizes these comments and submits them to the federal governments; ▶ does not make recommendations.

Appendix 2 (continued)

Agreements & Institutional Government Arrangements

Issue Area	Relevant Agreement and Description	Organization	Purpose	Membership	Activities
Fishery Issues	<p>Convention on Great Lakes Fisheries</p> <p>Purpose: to facilitate coordinated, binational fisheries management.</p> <p>By Whom: signed in 1955 by the Canadian and US federal governments.</p>	Great Lakes Fishery Commission	To oversee the implementation of the <i>Convention on Great Lakes Fisheries</i> .	Four commissioners appointed by the US government and four commissioners appointed by the Canadian government. Most of the appointees are government employees.	<ul style="list-style-type: none"> ▶ primarily to develop and implement programs to control the sea lamprey; ▶ advises on other fishery matters.
Spills	<p>Great Lakes Water Quality Agreement (GLWQA) (Annex 9)</p>	Joint Response Team for the Great Lakes	To provide for clean up of spills of oils and other hazardous materials in the Great Lakes.	Canadian and US Coast Guards and other relevant agencies.	<ul style="list-style-type: none"> ▶ maintains the Canada-United States Joint Marine Pollution Contingency Plan as called for in Annex 9 of the GLWQA; ▶ responds to spills.
Water Quality	<p>Great Lakes Water Quality Agreement (GLWQA)</p> <p>Purpose: to foster binational co-operation in the protection and cleanup of the waters of the Great Lakes basin.</p> <p>By Whom: first signed by Canada and the US in 1972; revised in 1978 and in 1987.</p>	International Joint Commission [see above]	See above.	See above.	Reviews and comments on the implementation of the GLWQA through its Biennial Report on Great Lakes Water Quality.
		Great Lakes Science Advisory Board of the IJC	To provide advice to the IJC on scientific issues and to point towards emerging issues that should be addressed.	Members of academic institutions, government research organizations, and others with scientific expertise are appointed by the IJC.	Issues a report every two years with its findings and recommendations for action—used as input to the IJC's Biennial Report on Great Lakes Water Quality.
		Great Lakes Water Quality Board of the IJC	To be the principle advisor to the IJC on progress under the GLWQA.	All members are employees of the federal, state and provincial governments in the Great Lakes basin.	Issues a report every two years with its findings and recommendations—used as input to the IJC's Biennial Report on Great Lakes Water Quality.
		Council of Great Lakes Research Managers of the IJC	To be the principle advisor to the IJC on research programs and research needs.	Members of research agencies around the Great Lakes basin appointed by the IJC.	<ul style="list-style-type: none"> ▶ maintains a Great Lakes Research inventory; ▶ supports research activities; ▶ encourages cooperation among research activities in the basin.
		International Air Quality Advisory Board [see above]	See above.	See above.	Assists the IJC in addressing progress under Annex 15 of the GLWQA on deposition into the Great Lakes of airborne toxic substances.
		Integrated Atmospheric Deposition Network (IADN) Steering Committee	As required by Annex 15 of the GLWQA, to monitor atmospheric deposition into the Great Lakes.	Equal number of people from Canada and the US appointed by the federal governments.	Oversees set up of network of monitoring stations throughout the Great Lakes and compiles monitoring data.

Appendix 2 (continued)

Agreements & Institutional Government Arrangements

Issue Area	Relevant Agreement and Description	Organization	Purpose	Membership	Activities
Water Quality (cont'd)		Great Lakes International Surveillance Plan (GLISP) Coordinating Committee	To gather data on conditions in the Great Lakes as required by Annex 11 of the GLWQA.	Equal number of members from Canada and the US.	Sets up monitoring network on nutrients and toxics in the open lake waters, in open lake sediments, and in open lake fish.
		Binational Executive Committee	To coordinate the work plans of the federal, provincial and state governments to ensure the implementation of the GLWQA.	Senior level representatives of Canadian and US federal, state and provincial agencies. Tribes and First Nations are affiliate members.	Required by the GLWQA to meet at least two times a year.
	Niagara River Toxics Management Plan	Niagara River Toxics Committee	To coordinate the implementation of the <i>Niagara River Toxics Management Plan</i> .	Representatives of the four signing parties.	Coordinates activities and reports on progress.
	<i>Purpose:</i> to reduce the loadings of toxics to the Niagara River by 50% in comparison with 1987. <i>By Whom:</i> Canada, the US, New York State, and Ontario.				
	Great Lakes Binational Toxics Strategy (BTS)	BTS Integration Group	To organize stakeholder meetings and to address cross-cutting issues.	Chaired by Environment Canada and US Environmental Protection Agency. Members include people from all levels of government and from other stakeholders such as industry and environmental groups.	Work has focused on: ▶ air pollution sources outside of the Great Lakes basin; ▶ contaminated sediments and incineration issues; ▶ the organization of stakeholder meetings.
	<i>Purpose:</i> to develop and implement a collaborative process for working towards the goal of the virtual elimination of certain targeted persistent toxic substances as called for in the GLWQA. <i>By Whom:</i> signed in 1997 by the Canadian and US federal governments.	BTS Substance Workgroups (mercury, hexachlorobenzene/benzo(a)pyrene, PCBs, dioxins/furans, Octachlorostyrene, alkyllead, and pesticides)	To identify ways to achieve the goals of the BTS.	Range of stakeholders including government, industry and environmental groups.	▶ identifies sources of substances; ▶ identifies opportunities for reduction; ▶ encourages reduction activities.
	Binational Program to Restore and Protect the Lake Superior Basin	Binational Lake Superior Task Force	To provide overall policy coordination for the Binational Program.	Senior agency representatives from the governments that signed the Binational Program agreement.	Meets periodically to receive reports from the Superior Work Group and to provide direction.
	<i>Purpose:</i> to conduct a zero discharge demonstration program and to restore and protect the Lake Superior ecosystem. <i>By Whom:</i> signed in 1991 by the Canadian and US federal governments and by Michigan, Minnesota, Wisconsin and by Ontario.	Lake Superior Work Group	To provide hands-on coordination of the work under the Binational program.	Technical experts from the various government agencies that manage Lake Superior water resources. Tribes are also part of this group.	Develops and implements the program and writes documents.

Appendix 2 (continued)

Agreements & Institutional Government Arrangements

Issue Area	Relevant Agreement and Description	Organization	Purpose	Membership	Activities
Water Flows and Levels	<i>Boundary Water Treaty</i> (See above)	International Joint Commission [see above]	See above.	See above.	Rule upon applications affecting the levels and flows of the boundary waters and regulate the operation of these projects.
	Great Lakes Charter <i>Purpose:</i> to ensure provincial and state cooperation in conserving the levels and flows of the Great Lakes and their tributary and connecting waters, and cooperation in deciding on proposals for diversions of water from the Great Lakes basin and on major consumptive uses of water within the Great Lakes basin. <i>By Whom:</i> signed in 1985 by the eight Great Lakes States and Ontario and Québec.	Water Resources Management Committee	To implement the <i>Great Lakes Charter</i> .	Government agency water managers appointed by the State and Provincial governments.	Develop and implement system for gathering water use data in the basin and to release regular reports on water use.
		International Coordinating Committee on Great Lakes Basin Hydraulic and Hydrologic Data	Sets up methodologies for data collection on physical characteristics of the Great Lakes basin and compiles information on water levels and flows.	Members appointed by governments; made up of government employees.	Monthly releases data on flows and levels of each of the Great Lakes.
		<ul style="list-style-type: none"> ▶ International Lake Superior Board of Control ▶ International Niagara Board of Control ▶ International St. Lawrence River Board of Control 	To assist the IJC on making decisions on amount of flow of water to be allowed at the St. Mary's River, Niagara Falls, and Cornwall-Massena control structures.	Equal members from US and Canada, appointed by the IJC.	Develops and implements control orders.

Note: Only binational organizations are included in this Appendix.

Appendix 3

Glossary of Selected Terms¹

Area of Concern: An area identified by the International Joint Commission where failure to achieve objectives of the *Great Lakes Water Quality Agreement* has resulted in impairment of one or more 14 beneficial uses.

Binational: An institution or activity in which representatives of two countries serve the joint interests rather than the interests of the separate nations.

Community Foundations: Community Foundations receive and administer endowment and other funds from private sources and manage them under community control for charitable purposes primarily focused on local needs.

Company or Corporate Foundation: These foundations are private foundations under the tax law. They receive funding from a profit making company or corporation.

Contaminated Sediments: Particles of matter on the bottoms of water bodies that contain toxic contaminants.

Ecosystem: The system of relationships between living organisms and the place, or environment, that they inhabit, including humans.

Environment: Air, land or water; plant and animal life including humans; and the social, economic, cultural, physical, biological, and other conditions that may act on an organism or community to influence its development or existence.

Diversion: Transfer of water from one watershed to another.

Foundation: A foundation is a non-governmental non-profit organization, with funds and programs managed by its own trustees or directors, established to aid social, educational, charitable, religious or other activities serving the common welfare, primarily through the making of grants.

Great Lakes Basin Ecosystem: The ecosystem within the drainage basin of the Great Lakes and the St. Lawrence River, upstream from the international boundary between Canada and the US.

Great Lakes Water Quality Agreement (GLWQA): The GLWQA, first signed on April 14, 1972, is an executive arrangement under the *1909 Boundary Waters Treaty* between Canada and the US. The Treaty created a peaceable system for resolving problems and avoiding disputes for

any of the waterways that cross the Canada-US border. The binational agency, International Joint Commission of Canada and the US are responsible for implementing the GLWQA.²

International Joint Commission (IJC): See Appendix 2.

Lakewide Management Plan (LAMP): LAMPs are developed by the governments for each of the Great Lakes to reduce loadings of critical pollutants and restore beneficial uses.

Non-Government Organization (NGO): A person or an institution that is not an official part of a government.

Operating Foundation: An operating foundation is a fund or endowment designated by law as a private foundation, the primary purpose of which is to operate research, social welfare or other programs determined by its governing body. Some funds may be made externally, but the number is generally small relative to the funds for the foundation's own program.

Persistent Organic Pollutants (POPs): POPs are synthetic chemicals with unique and harmful characteristics. They are long-lived and, because of their affinity for body fat, build up to very high levels in the environment and the food chain. They are highly toxic to wildlife and humans. Some POPs are pesticides, while other are industrial chemicals or unintended by-products of industrial processes and incineration.

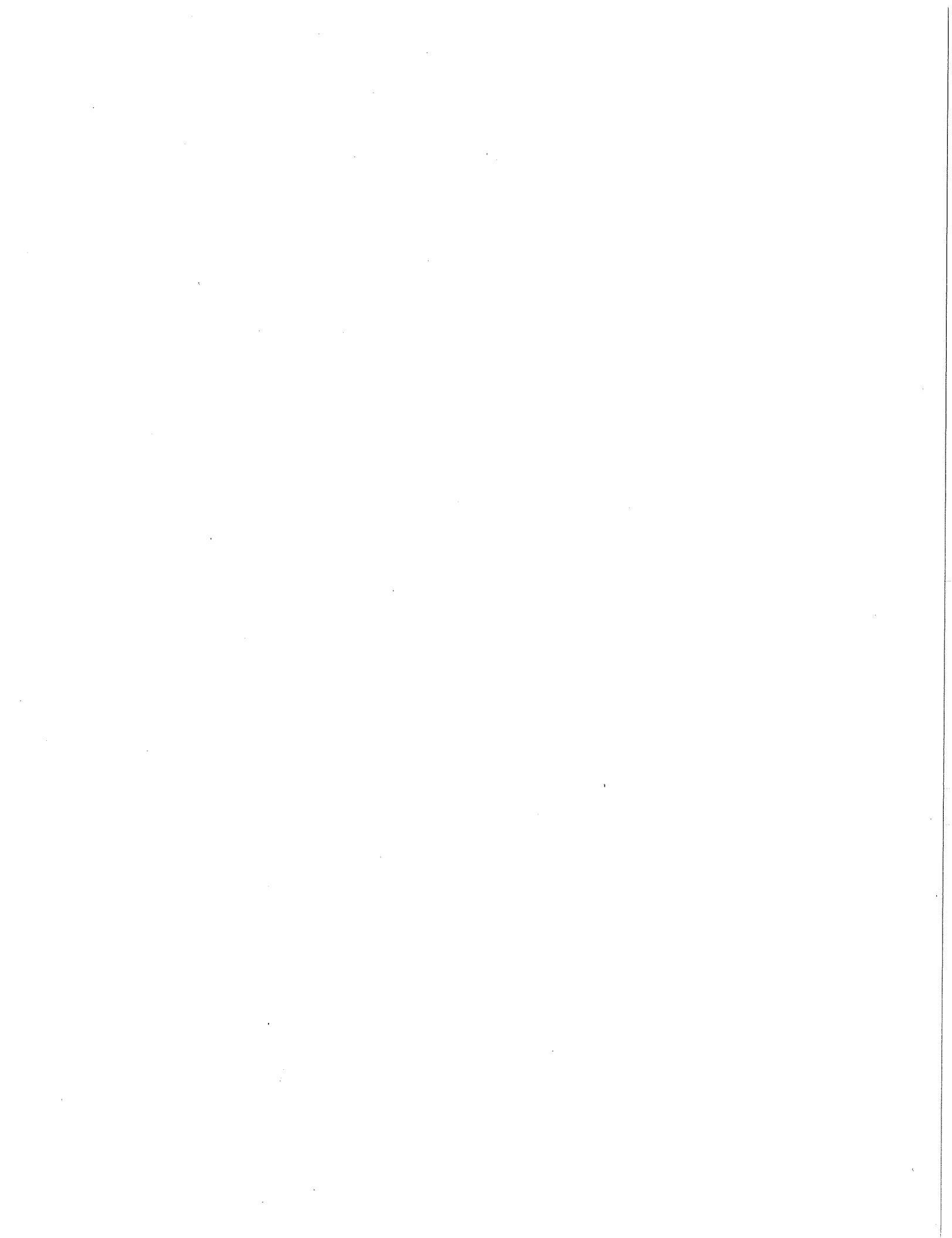
PCBs: Polychlorinated biphenyls are a class of persistent organic chemicals that bioaccumulate.

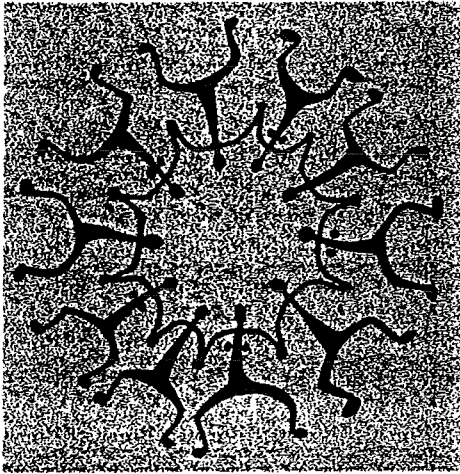
Persistent Bioaccumulative Contaminants. Toxic contaminants that both do not decompose readily and bioaccumulate in living tissues and can affect the well being of living organisms. As defined in the *Great Lakes Water Quality Agreement*, a chemical with a half-life of over eight weeks.

Private Foundation (also called Independent Foundation): It is a fund or endowment designated by law as a private foundation, the primary function of which is the making of grants. Donations can be from an individual, family, or from a profit-making company. Typically, independent foundations have broad charters but, in practice, limit their giving to a few fields of interest.

¹ Many of the terms presented in this glossary are taken from Lee Botts and Paul Muldoon, *The Great Lakes Water Quality Agreement: Its Past Successes and Uncertain Future*, March 1997, 150 pages.

² For further information, see Appendix 2 of this Primer.





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