

## CELA FINAL REPORT – OLIVIA PARKER

This summer, I was graciously sponsored by the Asper Centre through the Yaremko Fellowship program to work with the Canadian Environmental Law Association (CELA) in Toronto. Founded in 1970, CELA is a legal aid clinic with a focus on providing access to environmental justice for low-income Ontario residents. Some of CELA's notable casework includes their representation of citizens in Walkerton during the 2000 drinking water tragedy, and ongoing litigation on behalf of the citizens of Elliot Lake who are demanding that the Canadian Nuclear Safety Commission order a mining company to clean up uranium waste which was used as backfill in their homes. Throughout my summer at CELA, I finalized an Environmental Action Guide which was created in partnership with the Asper Centre, and conducted research into several pressing environmental law topics.

### *Ontario Climate Change Vulnerability Assessments*

As of 2018, all Ontario public health units are required to identify populations in their areas that are particularly vulnerable to the effects of climate change and develop a long-term strategy to reduce these effects in their communities. Currently, 17 of the 29 public health units have completed an assessment. As a fellow at CELA, I reviewed the contents of these assessments to create a report detailing the communities that have been identified as vulnerable across Ontario to guide policy recommendations. All the health units that have completed assessments identified children, the elderly, and those of low socioeconomic status as particularly vulnerable to the impacts of climate change. Many reports have identified additional vulnerable communities, including those who are chronically ill, Indigenous peoples, and newcomers to Canada. CELA hopes to use the results of these assessments to propose policy recommendations that will support the most vulnerable communities in Ontario as the effects of climate change worsen.

### *Environmental Justice Law Reform Recommendations*

Through early June, I researched United States environmental justice legislation at a state level to compose a memorandum on law reform initiatives that could be proposed in Ontario. I found legislation from four states which address cumulative impacts of proposed facilities. These statutes require developers to conduct a cumulative impact assessment when a new facility is proposed in an area with a particularly vulnerable population, considering the impacts of the facility itself and heightened risk factors already in the area.

### *Environmental Justice for Migrant Workers*

I also worked on proposing strategies to improve access to environmental justice for Canadian migrant farm workers. Many workers are exposed to extreme heat and harmful pesticides both during and outside of working hours, as there is no upper temperature limit

in employer-provided housing. I researched both statutes and calls to action by advocacy groups in the United States and Europe pertaining to agricultural worker protection and used them to propose recommendations for migrant worker protection laws in Canada. Suggestions for law reform include right-to-know laws regarding hazards for workers handling pesticides and an upper temperature limit for employer-provided housing.

#### *ODSP/OW Discretionary Funding for Cooling Devices*

Early in the summer, CELA partnered with the Canadian Association of Physicians to release a poster explaining the process by which Ontario Disability Support Program (ODSP) and Ontario Works (OW) recipients can apply for funding for AC units. Funding for these units is offered on a discretionary basis, and typically requires the applicant to submit a doctor's note indicating that they require a cooling device for medical reasons. Throughout the summer, we received several calls from ODSP/OW recipients across Ontario explaining that their funding requests had been denied, even though they had submitted a doctor's note. I was tasked with contacting various ODSP/OW offices to determine how each municipality chooses to allocate funding to support potential future law reform efforts.

#### *Environmental Action Guide*

The Guide is 5 chapters long and is intended to be an accessible guide for activists to use the Canadian legal system to further environmental justice causes. It covers the Environmental Bill of Rights, nuisance law, the Charter of Rights and Freedoms, Indigenous rights, and law reform as tools that can be used to promote environmental justice in Canada. During my work term, I edited the language of the Guide to be more user-friendly, and completed final edits to prepare it for publication.

I am immensely grateful to the David Asper Centre and CELA for selecting me for this opportunity. Throughout my work term at CELA, I improved my legal research and writing skills and learned about many contemporary issues in the field of environmental law. I would highly recommend this experience to other students, and I am eager to continue to pursue work opportunities in environmental and constitutional law.

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