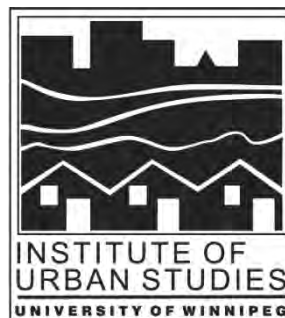
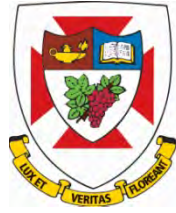
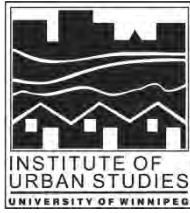


**Statement: The Institute of Urban Studies, The
University of Winnipeg, to Winnipeg City
Council, February 19, 1975**

**by Don Epstein
1975**

The Institute of Urban Studies





THE UNIVERSITY OF
WINNIPEG

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**STATEMENT: THE INSTITUTE OF URBAN STUDIES, THE UNIVERSITY OF WINNIPEG, TO
WINNIPEG CITY COUNCIL, FEBRUARY 19, 1975**

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The Institute of Urban Studies is an independent research arm of the University of Winnipeg. Since 1969, the IUS has been both an academic and an applied research centre, committed to examining urban development issues in a broad, non-partisan manner. The Institute examines inner city, environmental, Aboriginal and community development issues. In addition to its ongoing involvement in research, IUS brings in visiting scholars, hosts workshops, seminars and conferences, and acts in partnership with other organizations in the community to effect positive change.

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Section 653 - Environmental Impact Study
Don Epstein, February 1975.

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STATEMENT: The Institute of Urban Studies
The University of Winnipeg

TO: WINNIPEG CITY COUNCIL, February 19, 1975.

Much has and no doubt will be said this evening defending Section 653. It is not our intention to restate the many powerful arguments favoring its retention and indeed its strengthening.

The Institute of Urban Studies has and continues to review and assess the operation of the Unicity system. We have commented over the years and have spoken in various cities across Canada and abroad about Winnipeg's innovative system and its promise. Of the several important features of the City of Winnipeg Act, probably the most noted and admired by observers around the country is Section 653, the Environmental Impact Statement provision, together with the Resident Advisory Group system. Many citizens and officials in Canada's cities wish they had those instruments for participation and protection. Presently, these particular aspects of the City of Winnipeg/^{Act} are being more thoroughly examined to determine their performance and potential as part of the civic structure.

Our preliminary investigations clearly indicate that Section 653 can be one of the most/^{progressive most} enforceable and potentially the most powerful citizen rights provision in any municipal statute in all of Canada. One can only hope that it is not for these reasons that the Board of Commissioners and Executive Policy Committee

wish to see its repeal.

Needless to say, the City's execution of this innovative instrument in the few years of its existence has not been up to the required standard. But just as amalgamation of police and fire services, just as the settling in of the new unified administration, just as the reorganization and procedures of Council all required time to meet the challenge, so too does the Environmental Impact requirement. Indeed, clear and detailed guidelines for preparation of environmental impact statements were approved by Council barely four months ago.

On several occasions Council has defended itself against criticism by requesting more time to prove itself - and in the last election you received three more years. Surely, Council would be less than charitable if it did not accord its own Administration and its own Commissioners the time and assistance necessary to meet the City's obligations under Section 653 of the Act.

The Executive Policy Committee and the Board have declared Section 653 to be "practically impossible...to operate under..." This is an unfortunate overstatement, a clear misunderstanding and a recognition that help is very much needed.

First, if one were to assess for example the application of

environmental impact under the National Environmental Protection Act in the United States, which applies to all public works of the American Federal Government, one would see that it is indeed workable and useful at a scale of government far larger and more complex than that of Winnipeg.¹

The Executive Policy Committee and the Board also neglect the fact that an even stronger, more exacting requirement than Winnipeg's is being executed successfully in most states and municipalities in the United States. Indeed, the Commissioner on Environment in 1974 concluded:

"An extensive review of literature on the subjects of the philosophy and methodology of such Environmental Impact Reviews has provided practical criteria by which to incorporate an effective and efficient Review Process into the existing administrative and political structure of the City of Winnipeg!"²

Far from impossible, then, the impact study is feasible and within the existing and improving state of the art. This is not to say that such studies are easy, fast or cheap. This is to say, however, that impact studies require commitment and competence. This is also to say that City Council must surely honour its own approval only four months ago of the Environment Commissioner's detailed Guidelines for the Preparation of Environmental Impact Reviews.

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1. See statement by Mr. William Lake, Senior Counsel to the Council on Environmental Quality; Mr. Robert A. Purple, Director of Licensing, Atomic Energy Commission, as contained in Report on Workshop on the Philosophy of Environmental Impact Assessments in Canada, Environmental Protection Board.
 2. David Henderson, Commissioner of the Environment, "Guidelines for the Preparation of Environmental Impact Reviews under Section 653 of the City of Winnipeg Act", May 1974.

Second, the Executive Policy Committee and the Board misunderstands the many benefits of the impact study:

Such studies have shown themselves to produce better, more improved plans than was the case before the studies were made.

They have assisted politicians and officials in judging the merits of alternatives, including those never given to them before the studies were prepared.

Politicians have also found them valuable in justifying and defending their decisions to the voters.

Impact studies, while often costly in themselves, tend to save much larger amounts of public money. Ontario's 1973 Green Paper testified to this fact:

"Experience in existing programs has clearly demonstrated that it is more economic to incorporate environmental objectives at the conceptual stage of a project than to provide abatement equipment and restorative efforts as an afterthought."³

Impact studies, by raising the consciousness of decision-makers and administrators to the consequences of proposed projects, have been instrumental in promoting fairer and quicker compensation settlements with those adversely affected. Indeed, they

3. Green Paper on Environmental Assessment, Ontario Ministry of the Environment, September, 1973.

may have even served to reduce the frequency and duration of court actions, rather than stimulating them.

The disciplined analysis and competence required in the preparation of impact studies may also serve to upgrade the performance of municipal staff, yielding spin-off benefits in other areas of civic activity.

There is also another compelling reason, that of more open and responsive decision making. As a senior administrator in the U.S. Government stated, "We have learned that everybody is served better if you adopt an open-book policy."⁴ In giving even more substance to the impact requirements of the law, the U.S. Government has now instituted extensive review procedures inviting the public to discuss and comment on draft impact statements.

Third, the Executive Policy Committee and the Board, by admitting its difficulties in satisfying the requirements of Section 653, is only indicating its need for greater assistance in preparing adequate studies. Suggestions have been made previously to the Executive Policy Committee and the Board by concerned groups that the City make use of skilled Winnipeg citizens in this difficult job. But those suggestions were rejected. Now is the time to reconsider that decision.

4. Op. cit., Workshop Report.

And so, we make two specific suggestions to you this evening.

First, we ask that you table this resolution requesting repeal of Section 653 for one to two years. If, after that time, you agree with the present recommendation of the Board of Commissioners and the Executive Policy Committee, repeal can be proposed within the more appropriate context of the Province's overall review of the Act required by 1977.

Second, we make this offer. During the next year or so, we are prepared to commit the expertise and experience of the University of Winnipeg's Institute of Urban Studies to help in the preparation of environmental impact studies on significant capital works, whether they be municipal, provincial, federal, private or non-profit. We believe that other talented groups and individuals in Winnipeg would also be prepared to assist. Indeed, the administration Task Force and the Environment Commissioner explicitly recommended last year:

"When the expertise required is not available within the administration, provision should be made to engage appropriate consultants."⁵

In return, we would ask the City for some support, staff assistance and cooperation in giving information to aid in such work. In fact, because of the innovative nature of Section 653 and this prime example of public-institutional and private cooperation,

5. Op. cit., Guidelines, p. 11.

there is a good chance that cost sharing funds could be obtained from the Provincial and Federal Governments.

We propose, therefore, that we use the next year or two to fairly test the viability, benefit and potential of environmental impact studies required by Section 653 and the City's own official guidelines for their preparation. This trial period is the very least you can do to be able to judge adequately the merits of the section and of the repeal resolution before Council tonight.

Ours is not an idle offer; nor is it an immodest boast. We recognize our own limitations, just as you and the Board recognize the City's. That is why we offer a collaborative effort, in which all of us can share resources and work toward a common goal of protecting and improving Winnipeg's human environment.

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