



A Rapidly Changing Arctic

Sarah Powell

June 20, 2014

CBA 2014 Aboriginal Law Conference, Iqaluit, Nunavut



DAVIES



A Rapidly Changing Arctic

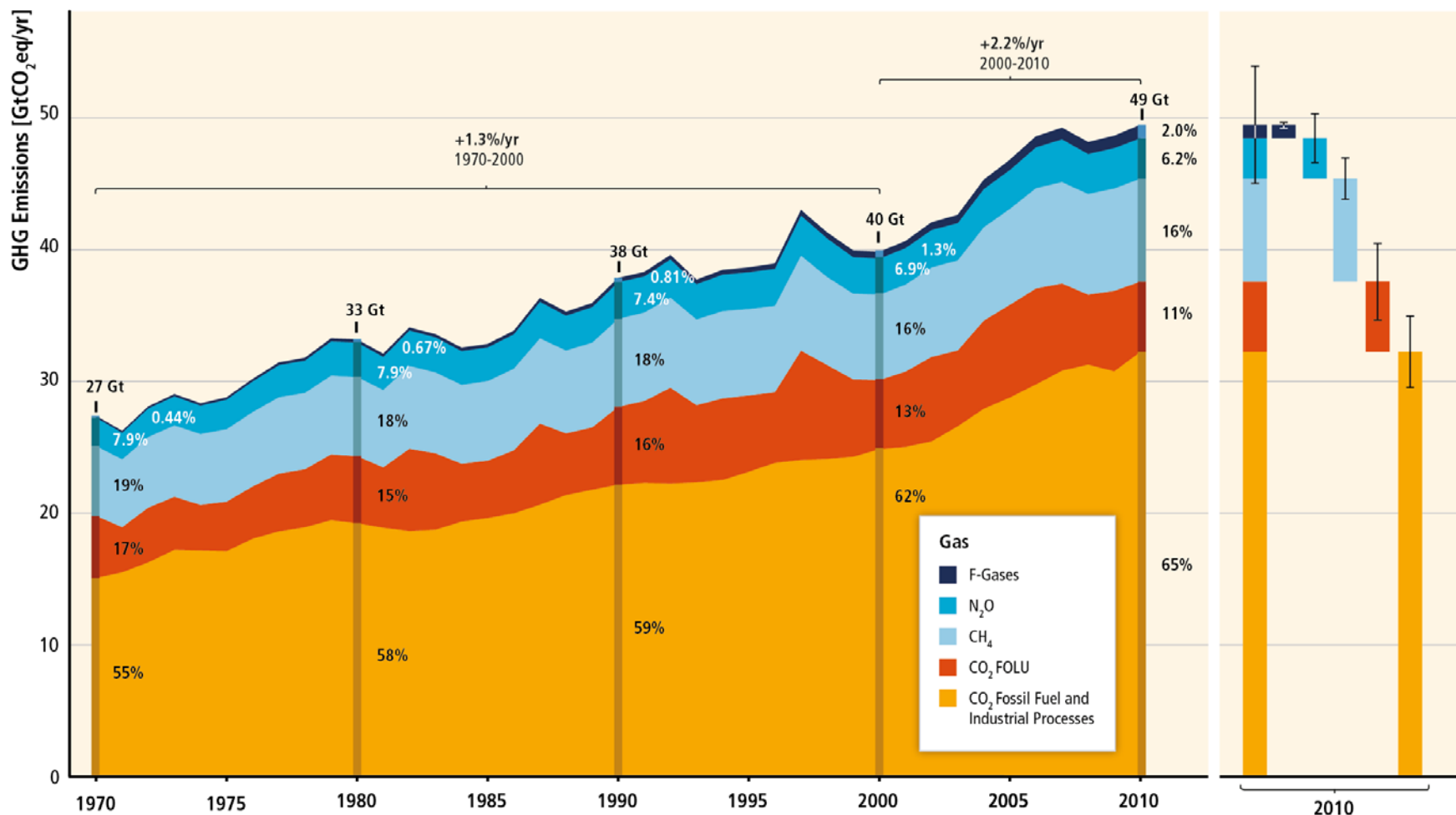
Sarah Powell, Davies Ward Phillips & Vineberg LLP

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GHG Emissions Accelerate

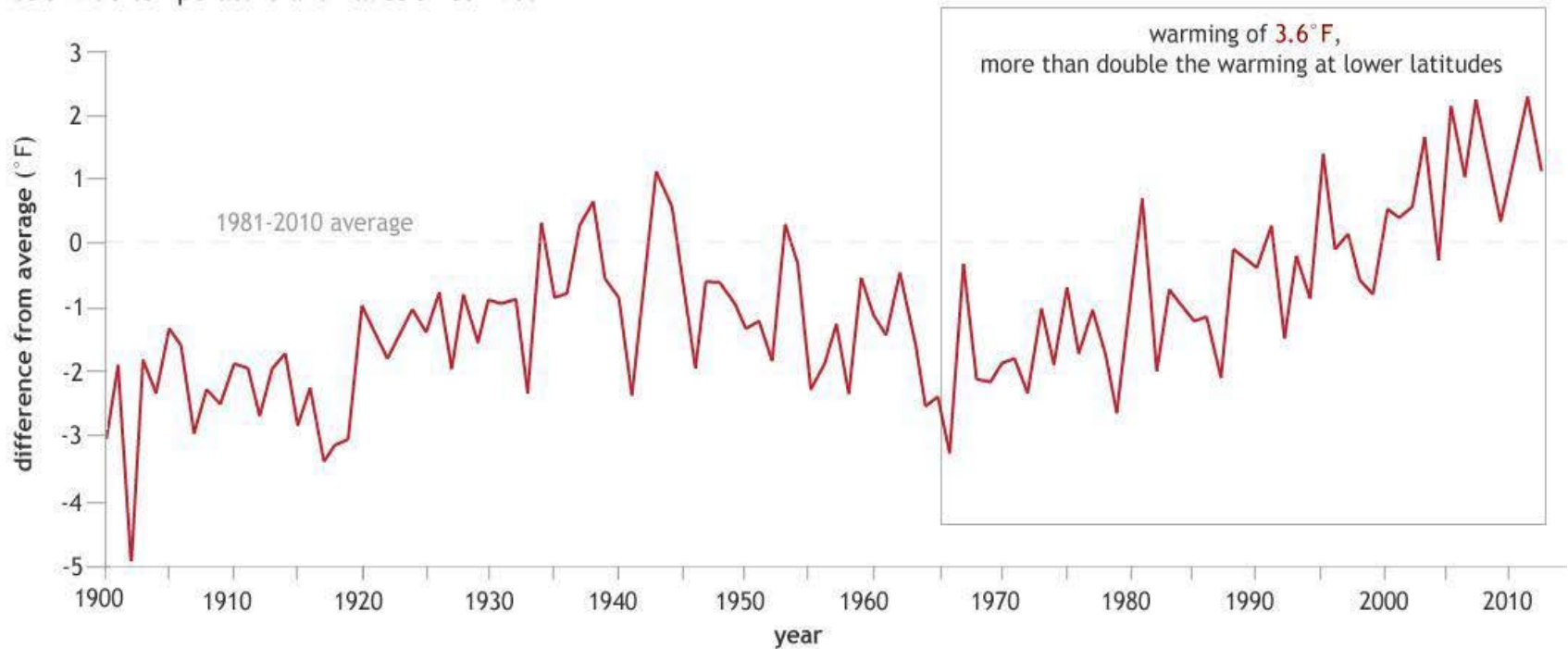
Total Annual Anthropogenic GHG Emissions by Groups of Gases 1970-2010



Source: IPCC 2014

Arctic Warming Faster

Arctic-wide temperature anomalies since 1900

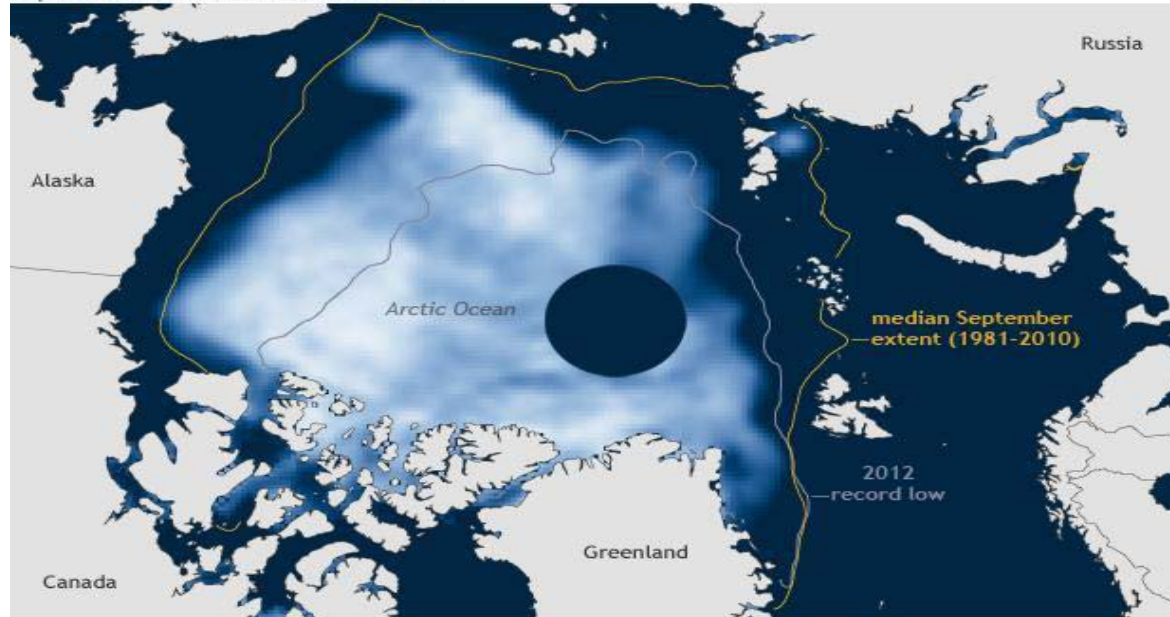


A New, Warmer, Greener Arctic

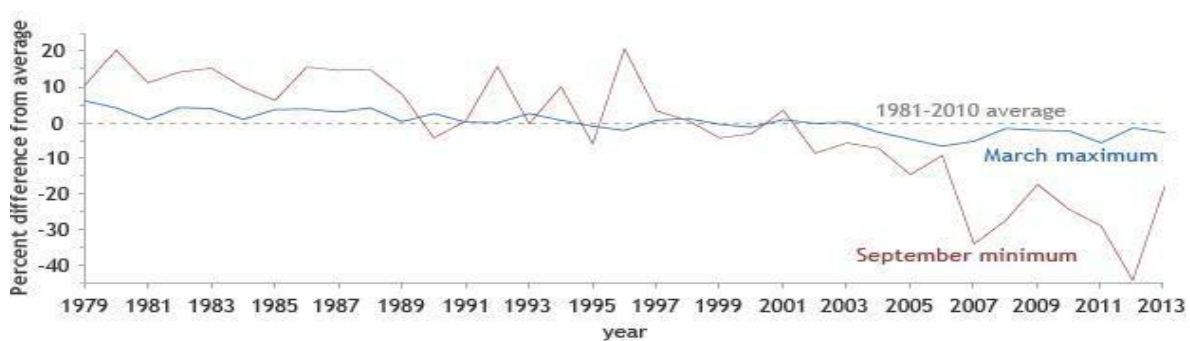
Category	Examples
Snow and Ice Rivers and Lakes Floods and Drought	<ul style="list-style-type: none">• Decreasing Arctic sea ice cover in summer• Reduction in ice volume in Arctic glaciers• Decreasing snow cover extent across Arctic• Widespread permafrost degradation• Disappearance of thermokarst lakes due to permafrost degradation in low Arctic
Terrestrial Ecosystems	<ul style="list-style-type: none">• Increased shrub cover in tundra• Advance of Arctic tree line in latitude and altitude• Changed breeding area and population size of subarctic birds• Loss of snowbed ecosystems and tussock tundra
Coastal Erosion and Marine Ecosystems	<ul style="list-style-type: none">• Increased coastal erosion• Negative effects on non-migratory species

Arctic Sea Ice Decline

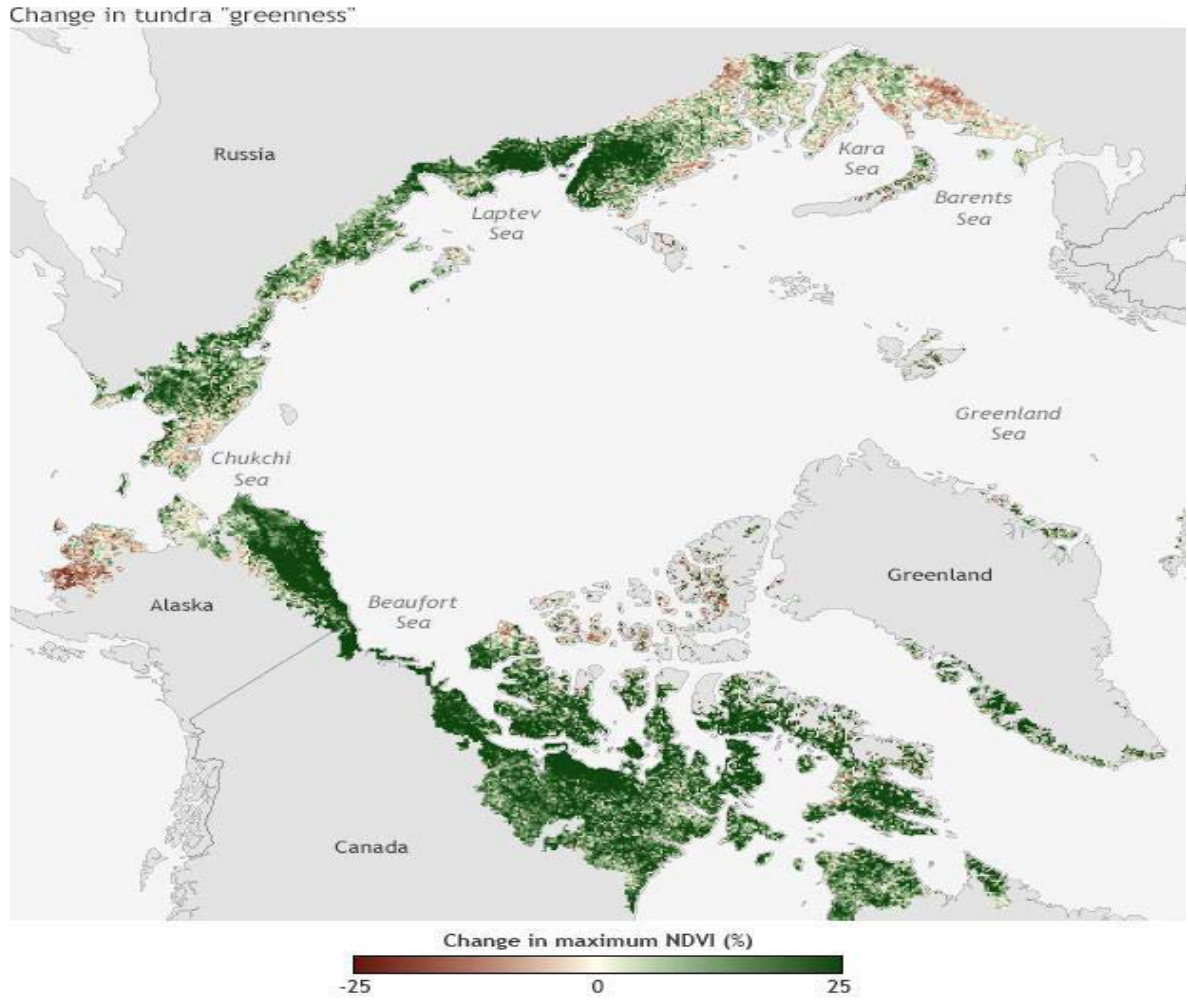
September 2013 sea ice concentration



Arctic sea ice extents since 1979



"Greener" Tundra



Source: NOAA 2013 Arctic Report Card

Canada's Carbon Policy

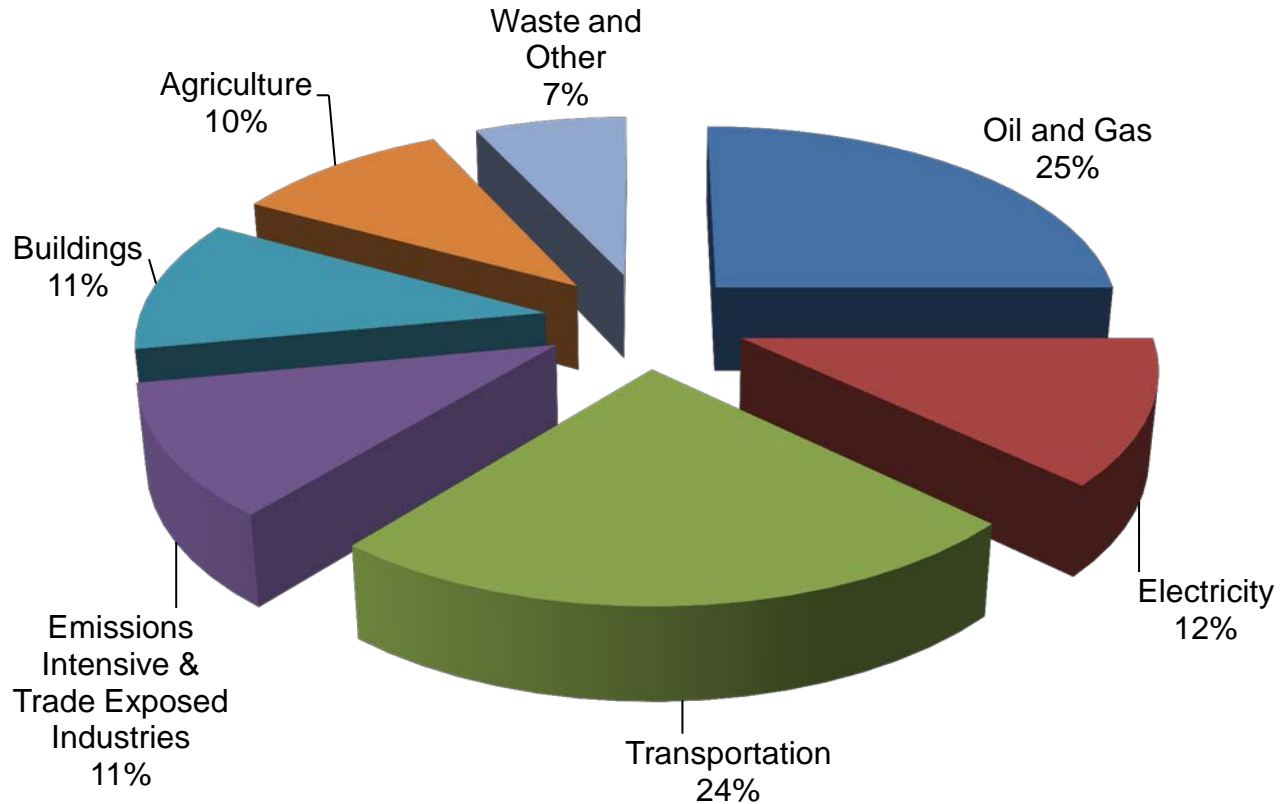
"Global emissions of greenhouse gases are resulting in rapid changes in the climate and physical environment of the Arctic... Arctic inhabitants are highly sensitive to climate change, and are among the first to experience its impacts... This is why Arctic Council States remain firmly committed to work alongside other countries under the UNFCCC to reach – as a matter of urgency – an ambitious, inclusive, durable and flexible protocol, other legal instrument or an agreed outcome with legal force under the Convention, applicable to all Parties by 2015 which will meet the long term goal aimed at reducing greenhouse gas emissions...."

Environment Minister Aglukkaq, *Chair of the Arctic Council*, Statement To UNFCCC COP XIX, November 20, 2013

"Canada recognizes the importance of climate change and, as an arctic nation, is particularly affected by its impacts. To respond to this global challenge, Canada is implementing a comprehensive climate change plan, both domestically and internationally."

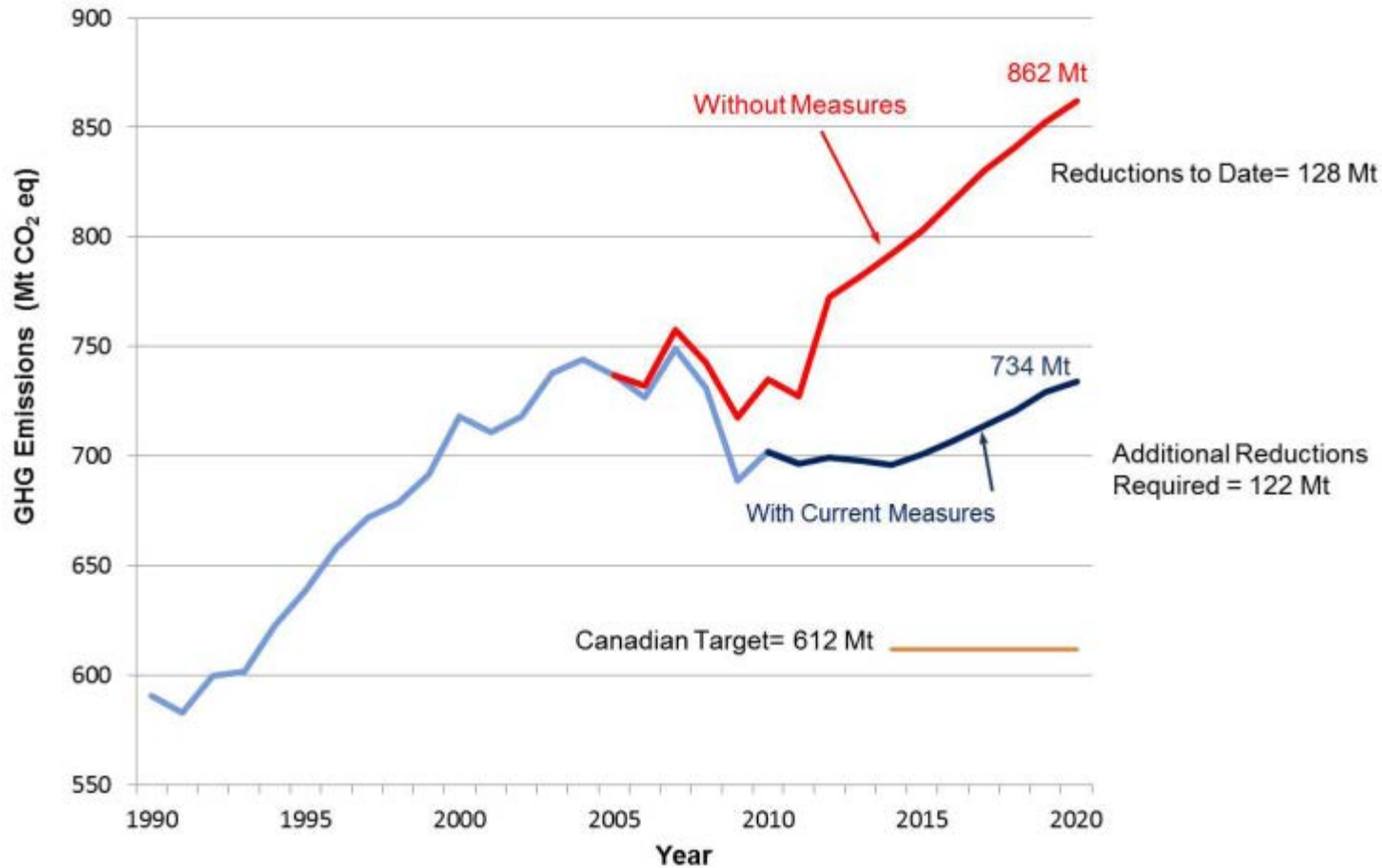
Government of Canada, 2014

Canada's GHG Emissions



Source: Government of Canada 2014

Canada's GHG Emissions Trends



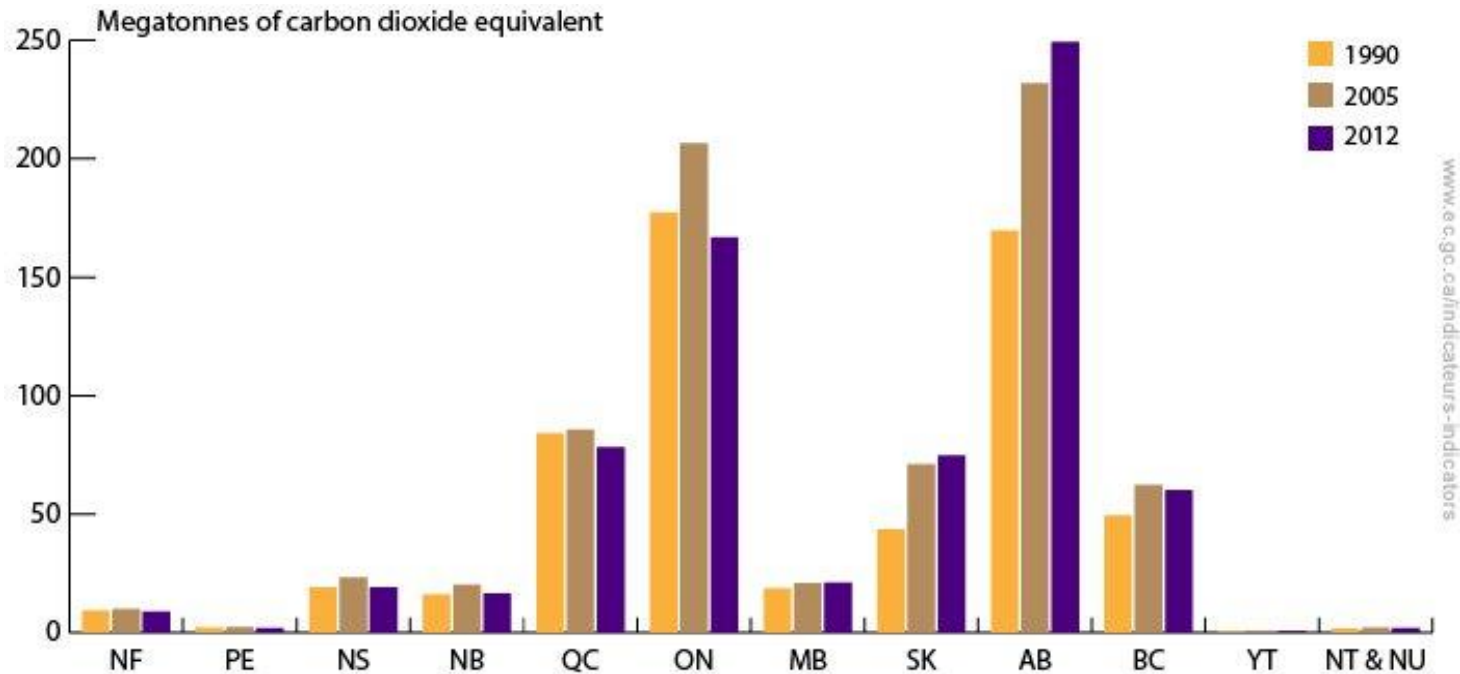
Federal GHG Policy Stalled?

- Sector-by-sector regulatory approach to reduce GHG emissions
- To date, Canada has (i) matched U.S. GHG standards for vehicles and (ii) passed coal regulations to regulate new and "end of useful life" coal plants
- Oil and gas sector regulations under development since 2011; but delayed in December 2012 and again in July 2013
- No federal political will?

"No matter what they say, no country is going to take actions that are going to deliberately destroy jobs and growth in their country. We are just a little more frank about that."

Prime Minister Harper, June 9, 2014

Provincial GHG Emissions



Fragmented Provincial GHG Policy

- Without federal policy, variety of provincial/territorial regulatory GHG actions will attempt to fill growing regulatory gap
- Two key GHG emitters are Ontario and Alberta
- Ontario closed coal plants
- Alberta's Specified Gas Emitters Regulation, which is due for renewal in 2014, will be key regulatory development in 2014/15

"Setting a carbon levy too high may impede future investment and growth in Alberta's key industries. We must consider how to find the right balance of a meaningful carbon price that meets social licence objectives... while ensuring industry remains competitive."

Alberta Environment Minister Campbell, January 27, 2014