 Corporate Services Department Legislative Services Division	
Date & Time Received:	March 03, 2025 11:00 am
Original To:	CIP
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Notes/Comments:	

From: Durham Kiclei <kiclei.durhamregion@gmail.com>
Sent: March 3, 2025 8:22 AM
To: Clerks <Clerks@durham.ca>
Subject: Request for Municipal Re-evaluation of Climate Action Plans and FCM-ICLEI Partners for Climate Protection Program Participation

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Dear Chair and Regional Council Members,

I am writing to you as a concerned resident of The Region of Durham to formally request that Council pause and critically reevaluate our municipality's participation in the FCM-ICLEI Partners for Climate Protection (PCP) Program and the implementation of associated Climate Action Plans.

A recently released report titled *"Ontario Municipalities: Re-evaluation of Climate Action Plans and FCM ICLEI Partners for Climate Protection Program Participation"* raises several significant concerns regarding the financial, administrative, and legal implications of these programs. It highlights how these initiatives often impose considerable costs on municipalities without delivering proportional local benefits.

It is important to note that participation in the PCP program and the adoption of net-zero policies are not legally mandated at the municipal level by either the federal or provincial government. Municipalities have full autonomy to decide whether these initiatives align with local priorities, financial capacities, and community needs.

Key Concerns Raised in the Report:

Ontario is Already a Net Carbon Sink:

- Ontario's forests, wetlands, and agricultural lands naturally absorb more CO₂ than the province emits. This raises questions about the necessity of costly net-zero policies when local environmental stewardship efforts could be prioritized instead.

Significant Financial and Legal Liabilities:

- The report outlines that while municipalities bear full financial and legal responsibility for implementation failures, ICLEI and its funding partners, including the Federation of Canadian Municipalities (FCM), disclaim all liability.
- Cost estimates for full PCP implementation can range from \$8.2 million to over \$200 million, which could be better directed toward local priorities such as housing, infrastructure, and public safety.

Transparency and Accountability Issues:

- Many municipalities have entered into these programs without comprehensive financial audits or extensive public consultation.
- The report recommends ensuring transparency by conducting audits and disclosing all climate-related expenditures to residents.

Data Collection and Privacy Concerns:

- Participation in the PCP program requires extensive data collection at both municipal and community levels, raising potential privacy and security risks for residents and local businesses.
- This data is often shared with third-party organizations such as ICLEI for corporate marketing and profit, with limited municipal oversight.

Focus on Practical Local Solutions Instead:

- The report suggests redirecting funds toward pressing municipal issues such as:
 - Housing availability and affordability
 - Energy security and economic development
 - Infrastructure improvements and public safety
 - Pollution prevention and environmental stewardship

Recommendations for Council Consideration:

1. **Pause and Reevaluate Participation:** Conduct a full review of our Climate Action Plan and PCP membership to ensure alignment with local priorities and financial capacities.
2. **Improve Transparency:** Disclose all program-related expenditures and engage in public consultations to gather resident input.
3. **Withdraw from the PCP Program:** End participation in externally driven climate programs that do not directly benefit our community.

4. Prioritize Local Needs: Redirect resources toward housing, energy, public safety, and economic development initiatives that provide tangible benefits to our residents.

As stewards of our municipality, it is essential that Council exercises its authority under the Ontario Municipal Act, 2001, which requires elected officials to represent the public interest, ensure transparency, and make informed, independent decisions.

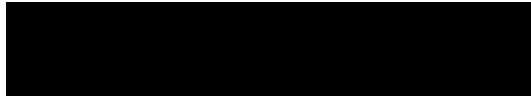
The full report is available for your review here: *Ontario Municipalities: Re-evaluation of Climate Action Plans and FCM-ICLEI Partners for Climate Protection Program Participation*

I urge you to carefully review the findings and recommendations outlined in the report and consider taking immediate action to realign municipal efforts with the real needs of our community.

Thank you for your time and dedication to our municipality's well-being. I look forward to your response and hope for a transparent discussion on this matter.

Sincerely,

Jeanette Miller
Blackstock, ON



Ontario Municipalities: Reevaluation of Climate Action Plans and ICLEI Partners for Climate Protection Program Participation (Version 2)

Date: January. 9, 2025

To: Ontario Municipal Council's

Subject: Concerns Regarding the Climate Action Plan's and ICLEI's Partners for Climate Protection Program and Framework

Introduction

The Ontario Municipal Act and Council Authority Under Section 224 of the Ontario Municipal Act, 2001[1], councillors, as elected officials, are responsible for:

- “Representing the public and considering the well-being and interests of the municipality.”
- “Developing and evaluating the policies and programs of the municipality.”
- “Ensuring accountability and transparency of the operations of the municipality.”

These legal duties confirm that decision-making authority rests solely with council, not staff or consultants.

Councillors' Declaration of Office further reinforces this authority, requiring them to:

- “Truly, faithfully and impartially exercise this office to the best of my knowledge and ability.” [1]

This sworn commitment obligates councillors to uphold the law, act in the best interests of residents, and make independent, informed decisions.

While staff and consultants may advise, their role is not to decide. The council alone holds the final authority to approve, modify, or reject programs like the ICLEI Partners for Climate Protection (PCP) and associated Climate Action Plans.

Given this mandate, council must carefully evaluate whether such programs align with local priorities or impose unnecessary costs and external controls.

Legal Context: International, Federal, and Provincial Requirements

1. The Paris Agreement

- The Paris Agreement [2] is an international treaty that commits countries, not municipalities, to Nationally Determined Contributions (NDCs) for greenhouse gas reductions.
- Participation in programs like ICLEI's PCP is voluntary, and Ontario municipalities are under no legal obligation to implement net-zero policies aligned with the agreement.

2. Federal Legislation—The Canadian Net-Zero Emissions Accountability Act

- The Canadian Net-Zero Emissions Accountability Act [3] commits Canada to achieving net-zero GHG emissions by 2050 but imposes no mandatory requirements on municipalities.
- Municipalities remain free to determine their own priorities and approaches without legal enforcement under this federal act.

3. Ontario's Climate Policy History

- Ontario repealed its Climate Change Mitigation and Low-Carbon Economy Act, 2016[8], which established a cap-and-trade system aimed at reducing greenhouse gas emissions.
- Since then, Ontario has not enacted any binding legislation mandating municipalities to adopt net-zero targets or milestone-based frameworks like those promoted by ICLEI.
- Local governments maintain full autonomy to design policies that align with local needs, finances, and priorities.

Liability Waivers and What They Mean for Municipalities

Although ICLEI, the Federation of Canadian Municipalities (FCM), and the Government of Canada fund and administer programs such as PCP, these organizations have explicitly disclaimed liability for the outcomes or impacts of municipal participation [5].

Key Disclaimer (PCP Webpage):

- “This project was carried out with assistance from the Green Municipal Fund[6], a Fund financed by the Government of Canada and administered by the Federation of Canadian Municipalities, and from ICLEI – Local Governments for Sustainability (Management) Inc. Notwithstanding this support, the views expressed are the personal views of the authors, and ICLEI Canada, the Federation of Canadian Municipalities, and the Government of Canada accept no responsibility for them.”

What Does This Mean for Ontario Municipalities?

1. **Voluntary Adoption:** Programs modeled after PCP milestones are voluntary, and municipalities can opt in or out without facing legal penalties.
2. **No External Accountability:** ICLEI, FCM, and the Government of Canada have waived responsibility for any financial losses, policy failures, or legal disputes arising from participation.
3. **Local Risk:** Municipalities bear full legal and financial accountability for any cost overruns, compliance challenges, or policy impacts associated with their climate plans.
4. **Financial Uncertainty:** While programs may include grant funding, municipalities must cover long-term costs for implementation, monitoring, and reporting—often millions of dollars—without guarantees of success or protection from liability.

Practical Example: Cost and Risk Projections

Participation in the PCP program is often marketed as a low-cost initiative; however, significant hidden costs exist [7]. These financial demands disproportionately burden rural and smaller municipalities with recurring expenses tied to externally driven objectives.

Estimated Costs for PCP Participation and Implementation

Milestone/Initiative	Estimated Cost Range*
Baseline Emissions Inventory	\$10,000–\$50,000
Emissions Reduction Targets	\$5,000–\$25,000
Local Action Plan Development	\$20,000–100,000
Implement Action Plan	\$50,000–1,000,000+
Monitor and Report Results	\$10,000–50,000 annually
Municipal Fleet Upgrades	\$500,000–5,000,000+
EV Charging Stations	\$100,000–1,000,000+
Smart City Technology	\$500,000–5,000,000+
Circular Economy Initiatives	\$1,000,000–10,000,000+
15-Minute City Model	\$5,000,000–50,000,000+
Active Transportation Networks	\$1,000,000–20,000,000+
Urban Densification	\$5,000,000–100,000,000+

Total Cost Range:

- **Modest Implementation:** \$7.2 million
- **Comprehensive Implementation:** \$192 million+

These conservative estimates underscore the financial burden imposed by PCP participation and Climate Action Plan implementation. A thorough cost analysis of the program and plan expenditures to date and anticipated future costs is essential.

Comparison of PCP Reporting vs. Ontario Energy Report

The PCP program’s reporting requirements under Milestone 5 are significantly more demanding than those of existing provincial frameworks like the Ontario Energy Report.

Aspect	PCP Milestone 1 and 5	Ontario Energy Report
Scope	All energy use and waste across sectors, including corporate and community-wide	Municipal buildings only
Frequency	Annual/Biannual	Every five years
Cost	\$10,000–50,000 annually	Minimal costs due to narrow scope
Administrative Burden	High: Broad scope requires extensive data collection and reporting	Low: Limited to municipal properties
Policy Implications	Reinforces ongoing adherence to net-zero goals across all sectors	Focused on energy efficiency in municipal buildings
Data	Given to ICLEI and suppliers*	Given to Province planners
Purpose	Adoption of “green” technology*	Power grid planning

*We have sent an open letter to ICLEI to confirm that they receive the data and to understand their relationship with suppliers. They have not responded [8].

Ontario's CO₂ Emissions and Carbon Sequestration Capacity

Ontario's CO₂ Emissions and Carbon Sequestration Capacity

Provincial Emissions Ontario has a population of approximately 14.5 million residents. Using Canada's average per capita emissions of 14.2 tonnes of CO₂ per year, Ontario's gross emissions are calculated as follows:

- 14.5 million residents × 14.2 tonnes of CO₂ per resident per year = **205.9 million tonnes of CO₂ annually**[1]

Thus, Ontario's gross annual CO₂ emissions are approximately **205.9 million tonnes**.

Ontario's Carbon Sequestration Capacity Net-zero programs often overlook preexisting carbon sinks, failing to account for natural ecosystems that already absorb large amounts of carbon dioxide. These programs treat all areas equally, ignoring the significant contributions of forests, wetlands, peatlands, managed forests, and agricultural lands to carbon sequestration.

Ontario's ecosystems serve as powerful carbon sinks, absorbing significantly more CO₂ than the population emits. Hectares by category and their estimated absorption rates are as follows:

- **Forests** – Cover approximately **43.2 million hectares** (excluding managed forests), absorbing an estimated **7.7 tonnes of CO₂ per hectare annually**, for a total of **332.6 million tonnes** of CO₂ absorbed annually[4].
- **Managed Forests** – Cover approximately **27.8 million hectares**, absorbing an estimated **11 tonnes of CO₂ per hectare annually**, for a total of **305.8 million tonnes** of CO₂ absorbed annually[4].
- **Wetlands** – Cover approximately **96,014 hectares**, absorbing an estimated **1.85 tonnes of CO₂ per hectare annually**, for a total of **177,626 tonnes** of CO₂ absorbed annually[11].
- **Farmlands (Agricultural Soils)** – Cover approximately **36 million hectares**, absorbing an estimated **3.1 tonnes of CO₂ per hectare annually**, for a total of **111.6 million tonnes** of CO₂ absorbed annually[10].
- **Peatlands** – The Hudson Bay Lowlands alone cover approximately **26 million hectares**, absorbing an estimated **5.5 tonnes of CO₂ per hectare annually**, for a total of **143 million tonnes** of CO₂ absorbed annually[4].

Net CO₂ Balance:

- **205.9 million tonnes** (emissions) – **893.2 million tonnes** (sequestered) = **-687.3 million tonnes annually**

Ontario is a significant net carbon sink, absorbing approximately **687.3 million tonnes more CO₂** than it emits annually.

Ecosystems Not Yet Included in the Calculation:

- **Grasslands:** Limited data, but contribute modestly to sequestration[9].
- **Urban Green Spaces:** Parks, green roofs, and urban forests remain unquantified[9].
- **Riparian Zones:** Vegetated areas along rivers and lakes need further study.
- **Aquatic Vegetation:** Underwater ecosystems, like lake and river plants, are not yet included.

Including these ecosystems would likely increase Ontario's total CO₂ sequestration capacity further.

Redirecting Resources to Local Priorities

Given Ontario's net-negative carbon status, programs focused on net-zero targets divert resources away from urgent local priorities under municipal jurisdiction that Canadians have identified as requiring immediate attention and relief, including:

- **Affordable Housing** – Addressing rising costs and availability challenges to ensure safe, accessible housing for all residents.
- **Energy Security** – Ensuring affordable, reliable energy to support households, businesses, and community infrastructure.
- **Economic Development** – Promoting job creation and local industry growth to sustain vibrant and resilient communities.
- **Public Safety and Community Programs** – Enhancing emergency preparedness, policing, fire services, and mental health supports.
- **Government Accountability** – Strengthening transparency and fiscal responsibility to restore public trust and confidence in decision-making.

Redirecting resources toward these pressing issues better serves residents and ensures municipal governments address local priorities without imposing costly net-zero policies that fail to reflect Ontario's natural carbon advantage.

Recommendations

1. Pause and Reevaluate the PCP Program and Climate Action:

- Conduct a comprehensive review of the program and climate action plan, including public consultation, to ensure it aligns with local priorities and financial capacities.
- Assess the cost-effectiveness and feasibility of continuing with the data-driven milestone-based framework.

2. Improve Transparency and Accountability:

- Disclose all costs already incurred under the PCP program and Climate Action Plan, including consultation fees, data collection expenses, and projected liabilities.
- Conduct a financial audit of climate-related spending to assess the long-term impact on taxpayers and municipal resources.
- Engage residents and stakeholders in public consultations to restore trust and ensure accountability for policy decisions.

3. Withdraw from the PCP Program and Halt Climate Action Plan Implementation:

- Immediately withdraw from the ICLEI Partners for Climate Protection (PCP) program or similar 5 Milestone frameworks to end participation in externally driven climate action plans that do not reflect Ontario's net-negative carbon status or local priorities.
- Cease development and implementation of the Climate Action Plan to prevent further financial commitments, administrative burdens, and policy constraints tied to net-zero targets.
- Redirect resources toward practical, locally driven initiatives that deliver measurable benefits to residents and the municipality.

4. Prioritize Local Environmental Stewardship and Practical Solutions:

- Focus on protecting natural carbon sinks—forests, wetlands, peatlands and agricultural lands—that already absorb more CO₂ than the province emits, maintaining Ontario's net-negative carbon status.
- Develop cost-effective programs to improve pollution prevention, water quality, and waste management, ensuring local control and economic sustainability. Develop practical, locally driven programs that enhance carbon sequestration without imposing excessive costs or reliance on data collection and “green” technologies.

- Support infrastructure resilience and emergency preparedness to protect against natural disasters and improve community safety.

5. Address Immediate Municipal Priorities:

- **Affordable Housing:** Expand access to safe, affordable housing to meet urgent local needs.
- **Energy Security:** Invest in affordable, reliable energy infrastructure to protect residents and businesses.
- **Economic Development:** Promote local job creation and industry growth to support sustainable economic activity.
- **Public Safety and Community Programs:** Strengthen fire services, policing, and emergency response capabilities to safeguard lives and property.
- **Government Accountability:** Maintain transparency and fiscal responsibility to ensure trust and confidence in decision-making.

6. Advocate for Region-Specific Policies:

- Promote policies that recognize Ontario's net-negative carbon status and focus on practical environmental protection instead of costly net-zero frameworks.
- Work with provincial and federal representatives to secure funding for local infrastructure, housing, and economic development rather than committing to global climate targets that overlook local realities.

Conclusion

Ontario's net-negative carbon balance proves that net-zero frameworks and climate action plans are misaligned with the province's environmental strengths and immediate local needs. We respectfully request the councils to reevaluate climate policies, prioritize transparency, and safeguard the interests of its residents.

Sincerely,

Maggie Braun, KICLEI Canada, info@kiclei.ca

Concerned Residents and Stakeholders

References

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