



Fragile Inheritance Natural History
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Dear Environmental Assessment Review:

We're an artist/biologist team who are frequently asked by citizens' groups to fend off ecologically inappropriate "developments" in their backyards. This periodically exposes us to environmental assessments drawn up by the proponents of these projects, which has us to compose the following definition of this class of documents:

environmental assessment (administrative high-jink): a winter survey of summer-active biota, usually authored by a biostitute. "Striking *prima facie* errors populate this assessment. 'Ash' and 'poplar' are genera: not species. Cattails are absent, and almost all of the houses are permanent residences rather than cottages... It's curious that anyone conducting an 'environmental assessment' would have missed this rambling stand of the giant invasive grass, haplotype 'm' *Phragmites australis*, the 'Grass that ate New Jersey'... Stronger language than 'good' has been used of this marsh: 'a previously unreported Provincially Significant vegetation type in Ontario.' The fact that 'no rare species were discovered' by the assessors suggests a cursory survey... [since] the Provincially Rare Quillwort *Isoetes riparia* at this site 'constitutes the largest known population in Canada and likely the largest in North America.'" -- Willola Wanderer.

In reviewing these assessments, we find that, considered as manuscripts, all of them are doubtfully publishable even if they were to be massively revised, because of fundamental flaws in field methodology and the failure to consider important elements of the environment, to project the biological communities that would be present if the project goes into operation, to search online biological atlases, to search the existing scientific literature, to google the internet, or to visit museum collections for information about the biology of the site. One fundamental conflict in the proponent-led EA process is the way protection of Species at Risk is often the only official argument against a proposal: by definition these species are rare, and in many cases this makes them easy to not-find for an observer with an incentive not to find them.

There is a fundamental problem intrinsic in having the proponent undertake the EA themselves. While this conflict of interest is clear from the basic principles of human self-interest, it may be clearer to us as herpetologists, where so much skill, experience,

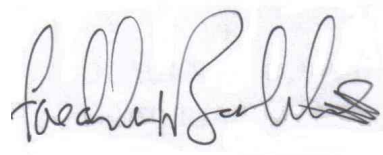
consultation, and luck is required gather the basic data of which species occur in an area, and so much study is required to anticipate how they might react to a disturbance. Canada's legislative and legal systems embody centuries of experience in the ways they correct for human weakness and self-interest, but many more recent bureaucratic structures neglect to anticipate these motivations (or have been corrupted by them in their inception or implementation).

In the case of EAs, having the proponent prepare them is like leaving the prosecution of a trial to the defense attorney, having a government's budget prepared by the Opposition, or letting students' theses be reviewed only by their supervisors. The consultants who prepare most EAs are supposed to be professionally impartial, but we see from the production of biased EAs, and by the refusal of professional consultants to review EAs for community groups, that they expect to be influenced by the interests of those who are paying for their work, or for whom they may work in the future.

It's obvious, then, that both the scientific and legal traditions call for impartial environmental assessments of proposed projects. The only way to avoid huge conflicts of interest would be for the ministries concerned, after the initial Terms of Reference are accepted, to assess how big a job each EA will be, invoice the proponents for the cost, themselves contract-out the EA to impartial investigators, and then circulate the resulting drafts to interested, expert, and indigenous parties for peer-review. Only peer-review by a disinterested editorial entity makes a document scientific. The cost of doing an adequate EA might well daunt a lot of proposals, which would spare communities the struggle against them.

The current environmental assessment review process is an opportunity to go beyond replicating what we've done in the past, introduce improvements that will usher in the next generation of environmental assessment in Canada, and ensure that Canada won't be degraded by inappropriate projects undertaken for the short-term commercial or political advantage of a few individuals.

Respectfully,



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