

DELEGATION
2017 MAY 01

April 13, 2017

Office of the City Clerk
Burnaby City Hall
4949 Canada Way
Burnaby, BC, V5G 1M2

This is a request to appear as a delegation before Burnaby Council meeting on April 24, 2017.

This request is a follow-up to a letter sent to you on 25 January 25, 2017 by 50 BC based community groups about holding fossil fuel companies responsible for climate change, "Climate Law in our Hands Initiative."

I, Elsie Dean, will be the spokesperson and will introduce a spokesperson from West Coast Environmental Law, the initiators of *Climate Law in Our Hands*, to provide expert details.

Thank you for considering our request,


Elsie Dean

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Copied to:
City Manager
Dir. Engineering

OPEN LETTER TO BC LOCAL GOVERNMENTS
ATTN: Mayor & Council, all BC local governments
January 25, 2017

Dear Sirs/Mesdames:

Re: We must hold fossil fuel companies responsible for climate change

Wildfires. Drought. Flooding. Rising sea levels. Climate change is already reshaping and impacting BC communities in profound and frightening ways. As unchecked fossil fuel pollution continues to push global temperatures ever higher, we are frightened for our communities, for communities around the world, and for the world we leave our children. These impacts are still more challenging for vulnerable groups - the poor, Indigenous people, women and children - who are often unable to respond to unexpected weather or other climate impacts.

But there is hope. If the fossil fuel companies - whose products are the major drivers of climate change - had to pay even a fraction of the associated climate costs, they would not be able to out-compete renewables and would pivot towards sustainable alternatives without delay. BC communities can play a key role in demanding accountability from the fossil fuel industry for the harm that they are causing our communities, and challenge the myth that the fossil fuel economy can continue business as usual despite the destruction it is causing to our atmosphere.

The fossil fuel industry is keen to avoid a conversation about its responsibility for climate change. Just 90 entities - primarily fossil fuel companies - have caused almost 2/3 of human caused greenhouse gas emissions, and just three - Chevron, Exxon Mobil and Saudi Aramco - are responsible for almost 10%¹. Like the tobacco industry before it, Big Oil relies on the perception that individual consumers are responsible for climate change while pocketing billions of dollars in profits from products that they know are disastrous for our atmosphere and communities around the world.²

BC and Canadian taxpayers will end up paying the costs of climate change in many different ways. But unless our communities demand that fossil fuel companies pay their fair share of these costs, this industry will continue pushing products that the world cannot afford to burn.

1. Heede, R. "Tracing anthropogenic carbon dioxide and methane emissions to fossil fuel and cement producers, 1854-2010" *Climatic Change* (2014) 122: 229. doi:10.1007/s10584-013-0786-y. See also <http://www.climateaccountability.org/> for emissions figures through to 2013.

2. <https://www.smokeandfumes.org/>; <https://insdeclimate.org/content/Exxon-The-Road-Not-Taken>.

SECTION 2 COUNCIL CORRESPONDENCE (2017.02.16)
Environment Committee (2017.03.14)
City Manager
Deputy City Manager
Dir. Engineering



BC's local governments are well placed to play a global leadership role by demanding accountability. We can come together to start a new global conversation about the moral and legal responsibility of the fossil fuel industry for its role in fueling climate change.

We – as BC-based community groups – support the Climate Law in our Hands Initiative and are asking you to:

1. DEMAND FOSSIL FUEL ACCOUNTABILITY

It has been rare for anyone to even ask the fossil fuel industry to take responsibility for its role in causing the global crisis – and the local climate impacts like floods, wildfires and droughts. This avoidance of responsibility ends in BC – when you, and other local governments across the province, write to the world's fossil fuel companies asking them to take their fair share of responsibility for climate change.

This demand can take the form of a detailed invoice for climate costs or a letter simply enquiring as to the company's position on paying a fair share. It can be tailored to reflect the needs and capacity of each community.³

2. WORK TOWARDS A CLASS ACTION LAWSUIT

BC communities can demand accountability from the fossil fuel industry in a variety of ways, but if necessary, we may need local governments to demand accountability through the courts.

Lawyers at West Coast Environmental Law have exhaustively researched how a class action – a joint legal action brought by one or more “representatives” of BC's local governments – could be brought against major fossil fuel companies for their role in causing climate change.

We ask you to consider whether your municipality would be willing to launch a class action as a representative and/or how you might support a case launched by other local governments. BC communities need to come together and get behind this type of legal action. Bringing this case will make it clear that fossil fuel companies cannot avoid a legal conversation about accountability – and if we win, we will set a precedent that could change the world – putting us on a global path that will avoid more dangerous climate change.⁴

³ Sample accountability letters are available online at www.climatelawinourhands.org/demand-accountability.

⁴ See <http://www.climatelawinourhands.org/lx/classaction> or have your lawyers speak with the Climate Law in our Hands team at West Coast Environmental Law for more information on the legal basis for a class action.



Conclusion

Both of these actions, as well as a general public discussion about the role of fossil fuels in our future economy, are most likely to move forward if our communities understand how we are being, and will be, impacted by climate change. We urge you to work with your citizens, climate scientists and other experts in a publicly transparent way to explore what needs to be done to prepare your community for climate change.

Whether we realize it or not, our communities are facing a tidal wave of costs, debt and disaster relief arising from the many effects of climate change. It is time to ask whether we alone are going to bear those expenses, or whether the companies that have made billions of dollars creating this situation also bear some responsibility.

By demanding that those who profit the most from climate change pay their fair share, BC local governments can dramatically reshape the global conversation about climate change and the fossil fuel industry. Community groups around BC will be calling on fossil fuel companies to take responsibility for their role in causing the climate crisis and we hope that you will join us.

Signed by:

West Coast Environmental Law Association	350.org Canada	Canadian Association of Physicians for the Environment
Coalition to Protect East Kamloops	Douglas Channel Watch	Public Health Association of BC
Kelowna Chapter Council of Canadians	BC Yukon Kairos	KAIROS Metro Van
KAIROS BC/Yukon Kootenay Subregion	Pacific Wild	Prince George Public Interest Research Group
Silva Forest Foundation	Sierra Club BC	Climate Change in Focus
Blewett Conservation Society	Dogwood Initiative	We Love This Coast
West Kootenay EcoSociety	Gibson Alliance of Business and Community Society	Comox Valley Global Awareness Network
SFU350	Alliance4Democracy	Earthkeepers: Christians for Climate Justice
UBC Environmental Law Group	Sunshine Coast Conservation Association	Burnaby Residents Opposing Kinder Morgan Expansion-BROKE
Voters Taking Action on Climate Change	Comox Valley Council of Canadians	LeadNow
Wilderness Committee	Parksville Qualicum Beach KAIROS	Fraser Voices Association
The WaterWealth Project	Georgia Strait Alliance	Stand.earth
UBC350	Northwest Institute	Knox United Church
Citizens Against Urban Sprawl Society (CAUSS)	Friends of Wild Salmon Coalition	Association of Whistler Area Residents for the Environment
Atira Women's Resource	Friends of Morice Bulkley	Salmon Coast Field Station Society
MiningWatch Canada	My Sea to Sky	Saanich Inlet Network
The Canadian Youth Climate Coalition	Divest Victoria	
Council of Canadians	Wildsight	
Kitimat Terrace Clean Air Coalition	Greenpeace Canada	
	Burnaby Pipeline Watch	
	Environmental Defense Working Group	

Please direct any reply to this letter, including notice of any resulting agenda items or resolutions, to us c/o West Coast Environmental Law, 200-2006 West 10th Avenue, Vancouver, BC V6J 2B3, Fax: 604-684-1312, Email: agage@wcel.org.