

**HEADWAITER OR HEADMASTER:
EXAMING THE RELATIONSHIP BETWEEN OTTAWA AND THE PROVINCES
ON CLIMATE CHANGE**

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“Canada is back my friends, and we’re here to help”, proclaimed Prime Minister Justin Trudeau at the 2015 United Nations Framework Convention on Climate Change (UNFCCC) Conference of the Parties (COP) in Paris. Trudeau has attempted to bring Canada back into the international fold on climate change after the previous federal government pulled out of the Kyoto Protocol, the UNFCCC agreement which committed participating countries to greenhouse gas (GHG) reduction goals. In Paris, Trudeau joined world leaders in committing to a new agreement which would keep global temperature increases well under 2 degrees Celsius, with an aspirational goal of 1.5 degrees of warming. Canada’s role in negotiating the agreement garnered accolades at the international level and achieved Trudeau’s goal of re-establishing the country as a global citizen in good standing

Canada is back - but did it ever really go away? A decade under the Harper Conservative government produced limited action on climate change at the federal level. During that time however, provinces did much of the heavy lifting on climate change by developing a range of innovative policies to reduce their GHG emissions. BC adopted a carbon tax while Quebec implemented a cap-and-trade program, which sets a limit on the total number of GHG emissions and allows for trading of credits among participants. Ontario and Manitoba have pursued strategies to reduce coal-burning for electricity and promote renewable energy, and have recently committed to creating their own cap-and-trade systems that can be linked with Quebec’s in a regional market.

The four provinces looked to coordinate their responses through voluntary agreements with each other and US states, such as the Western Climate Initiative (WCI). In addition to cap-and-trade, regional collaboration led provinces to consider policies that were gaining momentum among US states. These included new standards to reduce emissions from vehicles and fuel, as well as a template for organizing government and bureaucratic resources to develop policy (Table 1). Alberta did not participate in the WCI and developed its own regulation for large emitters in the province as an alternative to cap-and-trade. After its historic election in 2015, the provincial New Democratic Party government announced an Alberta carbon tax that would take effect in 2017.

Insert Table 1 about here

With Ottawa looking to re-engage, climate change policy in Canada is at a cross-roads. It is essential to determine what provinces have done on the issue and assess what this means for national policy. This article examines the experience of five provinces that developed innovative policy solutions to reduce their GHG emissions (BC, Manitoba, Ontario, Quebec and Alberta) and their efforts to coordinate their responses. The analysis examines provincial motivations for taking action, the policies they established and the factors which shaped their responses. The purpose is to assess what provinces have achieved, examine how their efforts can be built upon and consider what the relationship between the provincial and federal levels of government should be moving forward.

The article contributes to the Canadian climate change policy literature by focusing at the provincial level, which has received less attention than the federal level. An analytical framework is developed (Figure 1, p.20) to explore the role of policy transfer, the cross-jurisdiction flow of policy information and learning, on provincial policy development. The framework also considers the effect of local factors, which are important drivers of provincial

responses and shape the lessons they learn from abroad. Interviews were conducted with provincial climate change policy makers, and a handful of policy officials in US states, between Fall 2013 and Summer 2014. The interviews are supported by detailed review of policy documents and media reports.

The research finds that even though local economic and energy profiles have created differences in provincial responses, voluntary collaboration and learning has led to coordination on some policy instruments. These include, reporting regulations, carbon pricing and vehicle emission standards. A national strategy should be flexible enough to respect provincial responses while building on existing areas of collaboration, rather than imposing a one-size-fits-all solution. In short, Ottawa's role should be closer to that of a headwaiter to the provinces - the phrase former Prime Minister Pierre Trudeau famously used to chastise Progressive Conservative leader Joe Clark almost four decades ago - as opposed to a headmaster.

THE PROVINCIAL RESPONSE TO CLIMATE CHANGE

Provinces have typically been viewed as a roadblock to addressing climate change in Canada, because they have stymied consensus on a national policy. Regional differences within Canada mean that provinces face unique economic and energy realities and a single national approach will have different impacts on each. Canada's federal system gives expression to the differences that exist across regions and grants provinces an important role in setting national policy. Canadian federalism provides shared responsibility between Ottawa and provincial governments on environmental issues. Provinces have ownership of their natural resources; however, the federal government has responsibility for promoting the national economy and trade and representing Canada in international forums.

Previous attempts by the federal government to create a national climate change plan have met with opposition from the provinces. Alberta vehemently rejected ratification of the Kyoto protocol by Jean Chretien and the federal Liberals in 2002 because of the potential impact on its oil and gas industry. This was punctuated when, during a Canadian trade mission in Moscow, Alberta Premier Ralph Klein surprised Chretien with a letter claiming that the provinces did not support the agreement. In 2007, Ontario and Quebec panned the Conservative's alternative to Kyoto, called *Turning the Corner*. The central Canadian provinces argued that the plan favoured Alberta, which would have to account for fewer of its rapidly growing emissions, and did not recognize the actions they had already taken. After returning from the 2015 Paris conference, Trudeau was introduced to the hard reality of Canadian climate change politics when Saskatchewan Premier Brad Wall voiced his objection to a national price on carbon.

Given the history of national policy, it is not surprising that provincial involvement is viewed as a hurdle that must be overcome if climate change is to be addressed. However, the failure of national policy, and the absence of strong federal involvement between *Turning the Corner* and Trudeau's re-engagement, left provinces to experiment with a range of innovative approaches that suited their own needs. Climate change policy moved forward at the provincial level, rather than remaining mired in the gridlock that set in during national discussions. By engaging in voluntary collaboration, provinces took it upon themselves to bridge their regional interests. Provincial leadership and collaboration has defined Canadian climate change policy

over the last ten years and their experience can provide valuable information and lessons for policy development moving forward.

Quebec

Quebec has a history of international engagement on climate change. The province has been engaged in the UNFCCC negotiations on global warming since they began at the 1992 Earth Summit in Rio de Janeiro. In 2005 Montreal hosted COP11, the first time the annual meetings had been held in North America. Quebec's involvement in international and regional institutions is partly a result of the strong environmental consciousness that exists in the province. As one member of an environmental advocacy group operating in the province stated:

“Quebec society has been fairly progressive on the environment and there has been a society-wide response to pressing environmental issues. So the government had the political space to move forward [on climate change]. Once you get up to the higher levels of government you do not necessarily see as many barriers as you would in other jurisdictions because of the political space that exists”.

Like most issues in Quebec which involve intergovernmental relations, climate change is characterized by the province's unique status in Canadian federation. This includes continued struggles with the federal government over constitutional jurisdiction, regional interests and the desire for more autonomy. Quebec was eager to participate in international forums and collaborate with other jurisdictions because it provided an opportunity to distinguish itself from the federal government on the international stage and helped put its interests in national debates forward.¹ Finally, as a hydro-producing province Quebec was well-positioned to act on climate change as provincial emissions were already low and export opportunities could expand as demand for low-emitting sources of energy increased across North America.

Within months of the federal Conservative's election in 2006, Jean Charest's Liberal government served notice that Quebec would not follow Ottawa's new path on climate change. The provincial government released its own plan to achieve its share of Canada's Kyoto targets, set at 6 per cent below 1990s level by 2012, and called on the federal government to provide funding for the rest (Ministry of Sustainable Development, Environment & Parks, 2008). The centre-piece of Quebec's climate change strategy was the country's first levy on fossil fuels, a small tax designed to generate revenue for a Green Fund to finance the government's climate change activities.

Quebec participated in the WCI, which was headed by California. At its height the regional initiative included Washington, Oregon, Arizona, New Mexico, Montana, Utah, BC, Manitoba and Ontario. WCI set a regional target for GHG emissions and developed a set of guidelines to help member jurisdictions establish cap-and-trade programs that could be linked in a common trading market. Under a cap-and-trade program a limit is set on the total number of GHGs that can be emitted. Emission allocations are then distributed to those covered under the system, typically large industrial emitters, through an auction or government allotment. Participants who reduce their GHG emissions beyond their allotment can trade credits to others that are having more difficulty reaching their goals. The purpose is to lower emissions at the least cost to the economy; creating a regional market increases its effectiveness by expanding the options participants have to reduce their emissions.

With the downturn in the North American economy in the late 2000s, all US states except California pulled out of WCI's carbon trading process. Ontario, BC and Manitoba were also not ready to move forward on schedule. Movement on climate change at the federal level in the US and Canada also stalled. Even with US President Barack Obama calling for action on climate change, Congress was unable to pass enabling legislation for cap-and-trade. In Canada, the Harper government rejected the policy as a job-killing tax on everything (Goguen 2010). Quebec, however, forged ahead and was the only jurisdiction to join California in the market, operating a trial period in 2012 and linking with the state's system in 2014.

Quebec also announced that it would adopt standards to limit the GHG emissions coming from vehicles, similar to those developed in California. Under the federal Clean Air Act in the US (42 U.S.C. 7543[b], 1970), California can be granted a waiver to establish emission standards that are more stringent than the federal government, and other states can match that standard if they chose. California adopted a regulation for GHG emissions in 2002 which was challenged by the auto-manufacturing industry in court. The US administration, under George W. Bush, refused to grant the waiver. Supporting the California standards provided another opportunity for Quebec to demonstrate its leadership on climate change. Eventually enough states and provinces supported the policy that, upon coming to office in 2009, President Obama granted the waiver to California and adopted similar national standards.

Differences between Quebec and Ottawa's approaches to climate change have created fractured relations between the two levels of government. International events became a venue to trade barbs and cast shame among provincial and federal officials. For the 2009 COP in Copenhagen, Quebec unveiled provincial targets of a 20 per cent reduction in 1990 GHG levels by 2020. Similarly, leading up the Paris conference, the province announced new targets of a 37.5 per cent reduction by 2030. These targets were in line with those of the European Union, which has had one of the most ambitious climate change agendas among developing countries. In Copenhagen, Charest issued a sharp rebuke to Ottawa, which had committed to more modest goals, for being a laggard on climate change. He cautioned that without targets that conformed to international norms, Canadian exports could face sanctions or penalties from other countries (Nadeau, 2009). Charest followed that up at a speech in India, stating: "the only federal plan is to align with the United States, however I never in my life thought that aligning our policies with the United States was good enough for Canada" (Ibbitson & Seguin, 2010).

The Trudeau government's attempt to bring Canada back in line with the international community has brought its position on climate change closer to that of the Quebec. The relationship between the two governments has improved and the rhetoric has toned down; however, these are only first steps in reconciling their approaches to climate change. The political context and history of the relationship between the province and Ottawa means that national policy will remain a thorny issue and the province will continue to push for a greater role in deciding how it moves forward on climate change.

Ontario

Like Quebec, Ontario was dissatisfied with the federal government's response to climate change and looked to build support for an alternative approach that would meet Canada's international commitments and better reflect the province's interests. The province was in a strong position to address climate change because it was already in the process of shutting down

its coal-fired electricity plants. In addition to improving local air quality, the coal phase-out dramatically reduced the province's GHG emissions. Transitioning to low-carbon sources of energy was viewed as way to create *green jobs* in communities across the province. As the largest province in Canadian federation, Ontario also felt an obligation to fill the void left when the Harper government rejected Kyoto. One policy maker who spent over two decades working on air quality and climate change issues in the province asserted that Ontario cares about what happens nationally and sees itself as a dealmaker in Canadian federation.

In 2007, Ontario announced GHG emission targets of a 6% reduction from 1990 levels by 2014, 15% by 2020 and 80% by 2050. The new targets, set by the provincial Liberal government, were similar to Canada's Kyoto commitment, creating a clear distinction with the federal Conservative government's approach. The province committed to working with Quebec and California on carbon trading. Ontario Premier Dalton McGuinty held joint cabinet meetings with Charest on climate change and hosted Schwarzenegger as he toured North America in 2007 promoting his climate change agenda. Ontario was less enthused about California's vehicle standards, however, because of the negative effects it could have on the provincial auto-manufacturing industry.

At the 2007 Council of the Federation (COF), the annual meeting of Canadian premiers, McGuinty proposed an interprovincial climate change plan to his counterparts. This included an absolute cap on the country's GHG emissions and a system to trade carbon credits across jurisdictions ("Public wants action", 2007). McGuinty's proposal provided an alternative to the federal *Turning the Corner* plan which relied on intensity targets. Intensity goals limit the number of GHGs as a portion of Gross Domestic Product, rather than setting a firm cap. The federal plan had been criticized by environmental groups and experts who argued that it would see no reduction in actual emissions and was designed to allow the expansion of the oil and gas industry in Alberta (Pembina Institute, 2007).

McGuinty's overtures at the national level were unsuccessful as the oil and gas producing provinces were not supportive of the plan. But back in Ontario, McGuinty and the Liberals were elected to a second majority in the fall of 2007. With a new mandate, the government established the Climate Change Secretariat (CCS) in the cabinet office to oversee implementation of the government's climate change agenda. The CCS was intended to raise the profile of climate change among government departments, provide overall coordination and management to the file and track the GHG reductions they produced. The move was lauded by environmental groups who demanded Ontario follow the example of BC and California which had used a similar administrative approach to develop their ambitious legislative and policy agendas on climate change (Gillespie, 2008).

Ontario's plans for cap-and-trade hit a speed bump in 2010 when progress across North America slowed. In April 2011, the Ontario Environment Minister John Wilkinson admitted that the province would not move ahead with Quebec and California, whose systems were scheduled to start operation in 2012 (McCarthy, 2011). With concerns in the province about policies that could increase costs at a time when business and industry were still recovering from the provincial recession of the late 2000s, the Liberals shifted from a position of leadership on carbon trading to a wait-and-see approach.

In 2009 the province passed *The Green Energy Act* which would promote economic development and support the shift to renewable energy sources in the province. The main component of the plan was a feed-in tariff which offered long-term, fixed-price contracts to renewable energy producers to provide security on their investments and encourage development. The green energy strategy ended up hurting the government in the polls. Electricity prices rose and local communities complained about a lack of consultation on the location of projects like wind farms. The government faced a scandal after cancelling plans for two natural gas plants, a decision which was widely believed to be based on partisan political calculations rather than the public interest.

The party was reduced to minority status in 2011 and the following year McGuinty resigned as premier. Despite the criticism and controversy within the province, Ontario gained international attention as the only jurisdiction in North America to eliminate coal use for electricity and for producing the largest GHG reduction from a single action on the continent (Harris, Beck and Gerasimchuk, 2015). More recently, after the Liberals were returned to government with a surprise majority under Kathleen Wynne in 2014, the government has re-committed to joining WCI's cap-and-trade program. Wynne has developed a close relationship with Prime Minister Trudeau and Ontario has been a proponent of bringing the provinces together around a national plan, once again demonstrating its desire to be a leader within Canada.

British Columbia

In the early 2000s, BC Premier Gordon Campbell and his Liberal government joined with Premier Klein in Alberta to reject the federal government's participation in the Kyoto agreement. But in the mid-2000s, in what has now become lore in BC government circles, the premier reversed course and became determined to make BC a climate change leader.

Campbell was inspired by the example of Schwarzenegger, a right-leaning, business-friendly Republican governor who used aggressive action on climate change to appeal to moderate voters and environmental groups (Mazmanian, Jurewitz, Nelson, 2008). As one individual who worked on climate change in BC for over two decades described:

“In the Campbell period, the focus was pretty much entirely on the US, California in particular, but also the western states in WCI. At that time there wasn't a whole lot of productivity in the other provinces, BC politicians were very focused on what California was doing. Any time you took something to them they would say ‘what's California doing’. They didn't say ‘what's Ontario doing’, they just didn't care to the same extent about what the rest of the provinces were doing. So they tied themselves pretty strongly to the western states, California, Washington and Oregon. There were still discussions or conversations that went on with the provinces, but the focus was definitely towards the US and California.”

Several BC initiatives announced by the government were inspired by California policies. BC established climate change targets in legislation, committed to adopting the California standards for vehicle and fuel emissions and explored regional carbon trading through WCI. Campbell established a cabinet committee on climate change and a dedicated bureaucratic unit, the Climate Action Secretariat (CAS), in the premier's office to support the file, following a template set by the Schwarzenegger administration.

While California's fingerprints were all over BC's climate change policy framework, the province adopted a broadly-based, revenue neutral carbon tax, which was not borrowed from the state. The idea for a carbon tax came from the provincial Ministry of Finance, which proposed it to the cabinet committee on climate action (Harrison, 2012a) and was developed through a relatively secretive process by the premier, the finance minister and members of the CAS. The premier did float the idea in a number of public forums and received support from environmental groups and, surprisingly, little opposition from business (Harrison, 2012a). The tax was a unique BC product in several respects, including its revenue neutrality, money generated by the tax would be offset by cuts to personal and business taxes, and the decision to start with a low price and provide a schedule of increases over time.

Campbell resigned as premier in 2010, as the Liberals had dropped in the polls after an unpopular decision to bring in a harmonized sales tax. The following year, Christy Clark was elected as the new leader of the Liberal party and became BC premier. Clark's government was committed to the development of a liquefied natural gas industry in the province; the desire to be out in front on climate change with jurisdictions like California quickly disappeared. BC gave no indication it would participate in a regional carbon market and opted to freeze the carbon tax at 2012 levels. Clark openly mused that the province's GHG targets may have to change to accommodate plans for the development of the LNG industry (Hunter, 2012).

As one of the only jurisdictions in North America to institute a carbon tax, BC has maintained its reputation as a climate change leader. In 2015, the government convened a Climate Leadership Team which provided recommendations for renewing the provincial climate change strategy. These included re-instituting scheduled increases in the carbon tax. However under Clark, questions have been raised about whether the province has been doing enough to warrant its reputation (Britten, 2016). A critical question for the province will be how it receives and engages with the federal government's plans under Trudeau. BC politicians have a history of resistance to federal interventions on climate change. However, the province has been out in front of its Canadian counterparts on carbon pricing for many years and would likely welcome a national policy which would level the playing field across country.

Manitoba

Manitoba was one of only two provinces, along with Quebec, to support the Kyoto Accord. With large hydroelectricity resources in the north, the province was in favour of new climate change policies in Canada and North America which could increase demand for low-emitting sources of power across the continent. Manitoba has consistently pushed the federal government to support an east-west power grid that would increase transmission capacity between the provinces and allow Manitoba Hydro, the provincial crown corporation responsible for electricity, to export power to its neighbours (Manitoba Legislative Assembly, 2004).

As a small jurisdiction, Manitoba does not carry the same weight in national policy discussions as provinces like Quebec, Ontario or Alberta. The province frequently looks to engage likeminded jurisdictions to increase its influence in national policy debates and "punch above its weight" (Thomas, 2008). On climate change, Manitoba began working with subnational trailblazers like California, British Columbia and Quebec through the WCI. The province also signed regional agreements on renewable energy and climate change with Midwestern states, an important market for provincial energy exports.

The climate change partnerships that Manitoba collected throughout Canada and the US not only allowed the provincial government to promote its interest abroad, but also helped its efforts to take action at home. In 2007 the province hosted a climate summit with Manitoba Premier Gary Doer, BC Premier Gordon Campbell and Arizona Governor Janet Napolitano as the keynote speakers. The goal of the three day conference was to kick off development of a climate action plan for Manitoba. The cornerstone of the province's climate change strategy was *The Climate Change and Emissions Reduction Act, 2008* which created a legislative commitment to meet the province's share of Canada's Kyoto targets.

The government committed to ending coal burning at Manitoba Hydro's Brandon Generating station, the last remaining coal facility in the province, except in emergency situations. A carbon tax of \$10 per tonne was established for any facility using more than one tonne of coal annually. Reducing coal use in the province was a straightforward and cost-effective way to achieve emission reductions in the province but represented a small enough portion of total generation capacity that it could easily be replaced by other sources. A senior public servant in Manitoba suggested that the move solidified Manitoba Hydro's reputation as a provider of low-carbon electricity. The utility could boast to its clients in the US it had virtually eliminated large-scale coal burning in its operations.

Manitoba adopted a wait-and-see approach on the California initiatives that it was pursuing along with Quebec, Ontario and BC. *The Climate Change and Emissions Reduction Act* established a Vehicle Standards Advisory Board (VSAB) to investigate whether Manitoba should adopt California vehicle emissions standards. Manitoba had already supported the standards through the WCI but decided to engage in further study rather than following BC and Quebec, which were moving forward with legislation. Manitoba reiterated its commitment to cap-and-trade but also moved slowly compared to BC, Quebec and Ontario who began consulting with industry and putting foundational legislation in place shortly after joining WCI.

To manage the province's climate change agenda a deputy minister green initiative committee (DMGIC) was established while the climate change unit in the provincial energy and environment department led on the file. The cross-government committee was set up to provide overall management to the file and ensure commitments were met. But the committee met infrequently, approximately every two months, and as a policy maker with intimate knowledge of the meetings indicated, it eventually just "fizzled out". There was difficulty ensuring attendance of all members; deputy ministers often appointed assistant deputies or directors to attend in their stead.

The failure of climate change policy at the national level in the late 2000s dampened enthusiasm for action in Manitoba. The province had always expected it would be part of a larger Canadian system and was not prepared to go it alone without federal support. In addition, as the details of the WCI cap-and-trade program took form it became clear Manitoba would not receive credit for exporting hydroelectricity to other jurisdictions but would be required to pay for natural gas imports, which occurred in drought years when Manitoba Hydro's output was low. A climate change expert in the province suggested this was a strong contributing factor in Manitoba's decision to defer on cap-and-trade as it shifted the government's view of regional carbon trading from an economic opportunity to a potential liability. With few facilities that would fall under a cap-and-trade system, Manitoba had to weigh the costs of participating in a carbon market with the impact it would have on provincial and Canadian emissions.

Manitoba faced challenges living up to the ambitious climate change targets it set. At the end of 2010, the provincial Auditor General released a report which indicated that the government was unlikely to meet its targets. A year later the government formally confirmed the targets would not be met and promised to develop an updated action plan (Prystrupa, 2011). The new plan was released in 2015 leading up to the Paris conference and set out more modest targets. Included in the plan was a renewed commitment to participate in cap-and-trade with Ontario, Quebec and California. Manitoba's leadership on climate change has been tied to a federal response and provincial policy will be determined by developments at the national level as much as the local level. The federal government's re-engagement under Trudeau is likely a welcome development that will push climate change policy forward in the province.

Alberta

Alberta's contribution to Canadian greenhouse gas emissions, over one third (Environment and Climate Change Canada, 2016), and the high GHG-intensity of production in the oil sands, has placed the province front and centre in national climate change discussions. Alberta policy makers frequently referred to being in the "bull's eye" or suggested that Alberta was where "the rubber hits the road" on climate change in Canada. Alberta began developing its own climate change policies in 2002, as part of the fall-out from Chretien's announcement that Canada would ratify the Kyoto agreement. The province wanted to maintain control over the development of its energy resources and believed the federal government's plans would result in wealth leaving the province and place its oil and gas industry at a competitive disadvantage (Houle, 2009).

Alberta's approach to climate change resulted in a Specified Gas Emitters Regulation (SGER) in 2007 which required large facilities to reduce the GHG emission intensity of their operations by 12 per cent. Facilities could meet their requirements in four ways: reducing GHG emissions from their operations; purchasing credits from other participants; purchasing made-in-Alberta offsets, emission reductions from projects outside the system; or paying into a technology fund which would invest in GHG emission reduction projects and technologies. One government official, who played an important role in developing the system, described the Alberta government's thinking at the time:

"We weren't sure what was going to happen nationally or internationally so we thought why don't we get experience with implementing some policies, see how the economy responds, see how the system responds to that, and then over time, make adjustments. We don't have to hit a homerun right out of the box. We don't have to implement something that might meet a bunch of resistance. Framing the issue as an effort to be more efficient with resources was easier to sell to politicians and the public."

Despite being the first jurisdiction in North America to regulate the oil and gas sector and one of the first in Canada to place a price on carbon, the oil sands continued to draw the ire of environmental groups in North America. Outside the province, climate change policies which could place local industry at a disadvantage began to emerge. The policy that raised the most concern in Alberta was the low-carbon fuel standard (LCFS). The California-inspired policy required fuel suppliers to reduce the overall emissions from their product by 10 per cent. Fuel derived from the oil sands was assigned a higher GHG intensity value than other forms of oil. This would increase the burden Alberta companies faced in reducing their emissions and would

make them less attractive to fuel suppliers. California is not a major market for Alberta oil products but the concern from the provincial government and industry was that the policy would spread to other states and, in a worst case scenario, be adopted nationally by the US government. Alberta government officials fanned out across the US, meeting with state and federal representatives, in an effort to improve the perception of the province south of the border and prevent the policy's spread.

Industry's opposition to the LCFS proved to be influential as few jurisdictions ended up adopting the standards. However, Alberta's reputation on climate change soon became salient again, this time in debates about the construction of pipelines. President Obama repeatedly deferred and eventually rejected TransCanada Corporation's proposed Keystone XL pipeline, which would carry oil from Alberta to the Gulf of Mexico. Kinder Morgan's TransMountain and Enbridge's North Gateway pipelines, both of which would run to the west coast, have met with opposition from politicians, environmental groups and aboriginal communities in BC. TransCanada's Energy East pipeline, which would travel from Alberta to New Brunswick, has faced similar objections in Quebec. These pipelines are fundamental to the future of Alberta's oil and gas industry as they would open up new off-shore markets. However, they have become rallying points for opponents of the oil sands, including climate change advocates, putting their future in jeopardy.

One climate change policy official in the Alberta government suggested that a shift began to occur after the government compared the negative attention it received for its record on climate change to the accolades garnered by the WCI provinces. Social license became a buzz word in Alberta describing the need to acquire and maintain the support of civil society and governments, in North America and beyond, to market and export product from the oil sands. The NDP came to power in Alberta in 2015 and were determined to set a new course on climate change. By announcing a carbon tax, capping annual emissions from the oil sands and promising to phase-out coal-fired electricity, the new government has attempted to change the conversation about Alberta and climate change. In terms of national climate change policy, Alberta is positioned to become a hero among provinces rather than the villain. Whether these new initiatives translate into a more favourable reputation for the provinces or increase its prospects for getting pipelines constructed remains to be seen.

STUDYING PROVINCIAL REPOSES TO CLIMATE CHANGE: POLICY TRANSFER AND DOMESTIC FACTORS

The Canadian climate change policy literature has focused on the federal government's inability to develop national policy and meet its international commitments (Harrison 2007; Bernstein, Brune, Duff and Green 2008; Broadhead 2001; Smith 1998). Several studies have addressed provincial responses, identifying a variety of factors which influenced them. These include regional economic and energy profiles (Harrison 2012b, 2013; Houle and McDonald 2012; MacDonald 2011); political circumstances, such as leadership and party politics (Harrison 2012a) and public support (Lachapelle, Rabe and Borick 2012); and relations with the federal government (Houle 2009). But understanding the domestic factors shaping policy development is not sufficient to explain provincial responses given the extent to which they engaged in cross-jurisdictional collaboration with each other and US states. This article uses an analytical

framework (Figure 1) that merges local factors with insights from the literature on policy transfer to explain provincial climate change policies and fill a gap in the Canadian climate change literature.

Insert Figure 1 about here

Policy transfer represents “the process by which knowledge about policies, administrative arrangements, institutions and ideas in one political system (past or present) is used in the development of policies, administrative arrangements, institutions and ideas in another political system” (Dolowitz and Marsh 2000: 4). The concept was developed to explain the increasing cross-pollination of policy ideas among states at the international level caused by globalization and developments in information and communication technologies (Evans 2009). However, the study of inter-jurisdictional transfer of policy began in the US federal system (Walker 1969) where state governments were hailed as the laboratories of democracy for producing innovative policies that could be replicated by their neighbours.ⁱⁱ

Although there are fewer Canadian provinces than US states, policy experimentation and cross-provincial emulation is an important aspect of policy making in Canada (Atkinson, et al. 2013). For example, in 2016, Canada and the US announced an agreement to reduce methane emissions in both countries. The new standards were similar to those announced a few months earlier by the provincial government in Alberta. In response to the Canada-US announcement, Alberta Premier Rachel Notely said: “We are very proud to have been able to play the leadership role that we are playing on a continental basis” (Canada-U.S. agreement to cut methane emissions 2016).

Policy transfer is often viewed as a technical process where bureaucratic officials look to other jurisdictions for solutions that could be used to address a problem at home (Rose 1993). However, lesson-drawing is also a political activity, where information from other jurisdictions is used by politicians and non-government groups to further their respective interests (Robertson 1991; Bennett 1991a). Transfer can occur on different aspects of policy such as goals, instruments, the content or details of those instruments, administrative institutions, ideas and values (Bennett 1991b; Dolowitz and Marsh 2000; Stone 2004).

The transfer literature explores the different ways policy makers use information from abroad (Dolowitz and Marsh 2000; Evans 2009; Rose 2005). Policy makers can copy a policy in another jurisdiction completely or emulate it by adapting the original initiative to create a new version at home. A hybrid solution could be created by combining policies from several jurisdictions. Policy makers may be inspired to act after seeing a policy in another jurisdiction, even if they ultimately choose a different solution. Finally, policy transfer can occur through different pathways or arrangements (Bennett 1991b). These include one jurisdiction borrowing a policy idea from another, one jurisdiction imposing a policy on another, collaborative agreements where policy makers in two jurisdictions commit to sharing information and efforts among two or more jurisdictions to address a common problem by harmonizing policy.

Learning and emulation are not the only way that jurisdictions can influence each other’s policy development. Working with others can reduce the economic costs and political risks that could otherwise prevent a jurisdiction from moving forward on a policy. In particular the influence of California, which was leading the wave of subnational momentum on climate

change in North America, went beyond providing models for provincial policy developers. Harrison (2012b) notes that California's size, the state's economy is roughly equal to that of Canada, and its leadership on climate change can ameliorate provincial concerns about regulating unilaterally. For example, California helped coordinate the response of subnational jurisdictions through the WCI, which reduced economic risk and even promised efficiencies in decreasing emissions by pooling individual efforts. The state's ability to influence other subnational jurisdictions and North American policy through its size and environmental leadership is frequently referred to as "the California effect" (Vogel 1997: 248).

The policy transfer approach has been criticized for not offering a complete theory of policy change (James and Lodge 2003). Even when exploring the influence of policies developed in other jurisdictions, local circumstances are required to determine why and how a policy is reproduced in another jurisdiction. Concepts like policy assemblages (McCann and Ward 2012), policy mimesis (Massey 2009) and policy translation (Stone 2012) have emerged to better reflect the complexity of the transfer process and capture local variation. These works highlight that local factors should not be ignored in explaining provincial policy development, even when focusing on the impact of cross-jurisdictional collaboration.

ASSESSING THE PROVINCIAL RESPONSE TO CLIMATE CHANGE: COLLABORATION AND POLICY COORDINATION

Provinces displayed a variety of motivations for taking action on climate change. In Quebec, public support and the province's history of engagement in international forums led the province to take action and maintain a connection to the UNFCCC process. Ontario acted on climate change because it was looking to fill the void left at the federal level while hoping to influence national and continental policy. In BC, Campbell's leadership and a close relationship with California spurred the province's climate change agenda forward. As a small, hydro-producing jurisdiction, Manitoba was attracted to the economic prospects of a low-carbon economy in North America and looked to work with others to increase the weight of its actions. The importance of the oil and gas sector to Alberta's economy meant that the province was cool towards collaboration, which could tie its hands in policy development and hurt industry's competitiveness. The province preferred to develop its own approach which balances competitiveness concerns with the need to maintain social licence for oil and gas production and distribution.

The momentum that emerged among subnational governments in North America also motivated provinces to take action on climate change and led the WCI provinces to work together. This feeling of momentum is also referred to as policy band-wagoning, where every new jurisdiction that adopts a policy increases the chances that another jurisdiction will follow (Ikenberry, 1990). Policy-band-wagoning led provinces to compete with each other in developing policy. Interview subjects from a variety of backgrounds in every province indicated there was a strong desire to be first on new policies as well as a fear of being left behind. One long time government official that had been involved in climate change for over fifteen years described provincial action as a game of "leapfrog" where one province moved forward on climate change, which spurred others to go as far or a little bit further.

For most provinces, collaboration decreased concerns about the economic costs of taking action and helped create domestic political support. This was the dominant motivation for participating in regional arrangements as opposed to the desire to learn or emulate policy. Collaboration helped address concerns that new policies would place the local economy at a competitive disadvantage by confirming that other jurisdictions were planning similar measures. Interview subjects often cited the need to establish a “level economic playing field” with competing jurisdictions. In speaking with policy makers in a variety of roles, it became clear there was a reticence among politicians and other leaders to “go it alone” on climate change and engaging with others provided a sense of “strength in numbers”. As one policy maker who held roles both inside and outside government acknowledged: “collaboration created positive feedback and allowed politicians to pat each other on the back on climate change, one of the thorniest, nastiest, non-rewarding issues out there.”

The findings of the study confirm the presence of a California effect. The state played an important role in provincial policy responses by reducing their perception of economic risk and creating the feeling that they were “part of something bigger”. As one high level policy maker in BC explained:

“When we did things in concert with California we suddenly became significant. California is larger than Canada in terms of its economy and in terms of its population. So when they talk about air emissions from the automobile industry for example, if BC says we want to have different air standards nobody in the automobile industry cares; if California says that, the industry cares.”

All provinces supported California’s vehicle emission standard, rather than developing their own. One policy maker who had a hand in developing Quebec’s cap-and-trade system noted that, because of California’s size, the decision of many US states and provinces to pull out of regional carbon trading was not a deal-breaker for the province.

The leadership of Arnold Schwarzenegger was crucial in building subnational momentum on climate change. Policy makers in each of the four WCI provinces acknowledged that the involvement of “the Governator” played an important role in bringing provinces and states together. Although respondents were cautious not to paint a picture of political opportunism, it is telling that many provincial plans and policies were announced as Schwarzenegger toured Canada in 2007.

The band-wagon effect on climate change slowed after the global financial crisis in the late-2000s and the economic downturn in North America that followed. It became difficult for provinces to move their climate change agendas forward as public attention turned to the economy and the fear of policies that could increase costs or raise competitiveness concerns became prevalent. One policy maker noted: “The political focus went to more basic issues, controlling spending and job creation to help with revenues” while another suggested that the global financial crisis and the downturn “blew climate change out of the water” as a priority for government.

Widespread pull back from collaborative initiatives affected policy development in all provinces, although to different extents. Interview subject in all provinces indicated that once other provinces and states began to move away from their commitments, it became more difficult

to implement their own agenda. For example, Ontario and Manitoba delayed their participation in cap-and-trade after the US states pulled out of WCI and national policies failed. A provincial public servant who had worked extensively with other provinces and states on climate change recounted a joke that provinces were “leading alone together” because everyone claimed to be a leader but felt that they should not move further unless other jurisdictions matched their efforts.

What policies were established? Categorizing provincial responses

Houle and MacDonald (2012) suggest that how the issue of climate change has been framed in different provinces could determine the policies they pursued. “Prime time” jurisdictions perceive climate change as an environmental threat and are likely to adopt stringent regulations to control emissions. “Opportunistic” jurisdictions are looking for economic advantages and typically pursue market-based financial instruments. “Hostile” or “indifferent” jurisdictions view climate change as an economic threat and pursue voluntary measure or no actions at all.

Insert Figure 2 about here

WCI provinces have been viewed as opportunistic, seeking economic benefits while acting on climate change, while Alberta has been seen as hostile to the issue (Harrison 2013; Winfield & MacDonald, 2012). But Ontario, Quebec, Manitoba and BC have had different experiences with carbon pricing policies. Quebec and BC were early adopters of carbon pricing policies while Ontario and Manitoba have been more cautious tying their participation to national or regional policies. As such, Quebec and BC can be viewed as “committed actors”, who were prepared to take action on their own. Ontario and Manitoba are “conditional actors”, who took action with the expectation that broader policies were imminent.

Alberta provides a dilemma for categorization: it viewed many climate change policies as an economic threat, but was one of the first provinces put a price on carbon through its SGER system and more recently expanded this by announcing a broadly-based carbon tax. Alberta’s climate change policy has been driven by the need to ensure the competitiveness of its oil and gas sector while maintaining public support for the industry. Thus, the province is better classified as a “reluctant actor” whose climate change policy is determined by external pressures as much as domestic factors.

The influence of collaboration on provincial responses

There is no disputing that provinces have carried the load on climate change policy in Canada over the last decade. The concern with provincial leadership is that it has led to a patchwork of policies across the country. The lack of a uniform national policy has been bemoaned by environmental groups, who hope for a strong pan-Canadian standard that will ensure there are no laggards (Raynold and Smith 2010). Industry also wants to see consistent regulations in Canada to improve the efficiency of their operations across provinces (Lister 2008). What has been the effect of cooperation on provincial policy responses? To what extent did it lead to coordination among the policies they adopted and can it overcome the traditional region divisions that have made national climate change policy in Canada so difficult?

Provincial collaboration is often met with skepticism. It is frequently asserted that regional interests dominate and provinces only cooperate when they are likely to benefit

economically (Harrison, 2012b; 2013; Winfield & McDonald, 2012). But provincial efforts to coordinate their responses has led to similar policies, or policy convergence (Bennett, 1991b), in areas such as GHG reporting and measurement regulations, carbon pricing and vehicle emission standards. This suggests that voluntary collaboration can overcome local interests under certain conditions, which is significant given the conventional wisdom that regional differences are insurmountable.

Provinces committed to developing common guidelines for measuring and reporting GHG emissions at the COF in 2007 and worked with US states to develop standardized protocols in North America. This regulatory framework represents the basis upon which a cap-and-trade system can be built. Even Alberta, which rejected cap-and-trade, engaged in limited collaboration and information sharing with other jurisdictions on pieces of its SGER system. Based on this work, four of the five provinces included in this study established regulations requiring large emitters to measure and report their emissions to government that went beyond national standards. BC, Ontario and Quebec have even set similar thresholds for reporting at 25,000 tonnes.ⁱⁱⁱ

Convergence on reporting and measurement regulations provides a foundation upon which further policy coordination can be built. The value of this foundation is already visible as, after originally delaying participation, Ontario and Manitoba have recommitted to cap-and-trade. Several factors could explain this decision, leadership changes, recovery from the economic downturn and increased action on climate change at the federal level. However, the existence of foundational GHG reporting regulations and relationships with jurisdictions that are already engaged in carbon trading have paved the way for a seamless entry into cap-and-trade. Ontario and Manitoba will not have to start from scratch when building their systems. Several policy makers familiar with the WCI process suggested that they will be able to learn from the work done by Quebec and California. This cannot be discounted in explaining renewed provincial commitments.

Around the same time Ontario and Manitoba announced that they will participate in regional carbon trading, Alberta announced plans to implement a carbon tax in 2017. While there has been debate about whether the tax is truly revenue neutral (Dobson and Winter, 2015), it bears some resemblance to the one in BC. Despite differences among pricing mechanisms, five provinces representing 90 per cent of the economy, 90 per cent of the population and over 80 per cent of the GHG emissions in Canada have now committed to some form of carbon pricing (Statistics Canada 2015a; Statistics Canada 2015b; Environment and Climate Change Canada, 2016). The spread of these instruments throughout Canada demonstrates that provincial responses are becoming more than just a disparate patchwork of policies

The emergence of harmonized vehicle emissions standards in North America represents a case where subnational collaboration overcame the patchwork problem and catalyzed a national response. Provinces were part of a process of bottom-up policy development as the California policy spread to subnational governments across North America, eventually leading to adoption of similar standards by federal governments in Canada and the US. Vehicle standards, while only one example, provide further proof that subnational collaboration can lead to policy convergence and push policy change on a national and continental scale.

POLICY TRANSFER AS AN EXPLANATION FOR PROVINCIAL RESPONSES

The discussion of policy transfer identified two cross-jurisdictional influences that shape provincial policy responses: learning or emulation and the reduction in economic and political risks that comes with working with others. Comparison of the cases studies reveals that subnational band-wagoning, which reduced the economic and political risks of action, had a larger influence on provincial policy responses than the process of modelling or learning from a policy in another jurisdiction. Indeed, BC was the only province where learning was a determining factor in instrument selection. Campbell was inspired to act (Dolowitz & Marsh, 2000) by Schwarzenegger's leadership and the province followed parts of California's policy template by creating a centralized bureaucratic unit to manage the file and establishing policies like the LCFS and vehicle emission standards.

Policy transfer was valuable in understanding the cross-jurisdictional flows of policy information but was insufficient to explain provincial responses because it largely focuses on learning and has less to say about how working with others can motivate provinces to pursue policies they would otherwise avoid. The transfer approach was limited because it was developed to explain the exchange of policy ideas between autonomous countries at the international level. It does not consider the unique experience of subnational actors, who operate in an economically and politically integrated federal system. In these circumstances, collaboration is driven by the need to reduce the risks of taking action or the desire to influence national policy as much as the desire to learn from other jurisdictions. For example, Ontario and Manitoba were looking to influence national and continental policy responses as much as they were looking to emulate policy models from California. This explains why they delayed their participation in cap-and-trade when broader policies did not emerge.

Understanding provincial responses requires considering local factors. Despite the important role that collaboration played in provincial policy development, it is difficult to determine why a policy was adopted or not without looking at the broader policy making and implementation process (James and Lodge 2003). The analytical framework used for this study provides one example of how this can be done by combining insights from the policy transfer approach with the provincial climate change literature. This "multi-theoretical approach" (Rhodes 1995) combines different conceptual and theoretical insights to create a more fulsome explanation of provincial responses.

CONCLUSION: THE PROVINCES AND THE FEDERAL GOVERNMENT

The obvious solution to a patchwork of provincial policies is for the federal government to move in and force the provinces to harmonize their responses. However, to date there is little evidence that federal interventions, as they have been conducted previously, will facilitate a national consensus on climate change. Provinces have been more successful in coordinating their responses through voluntary collaboration, even though there is still variation in their responses. In a period of renewed federal interest in climate change, what should Ottawa's role be?

The findings of this article suggest that the role of the federal government should be closer to that of a headwaiter than a headmaster. The example of GHG reporting regulations, carbon pricing and vehicle emission standards indicate that, although progress can be slow and

uneven, provincial cooperation has generated coordination and convergence in their responses. The federal government can build on areas of provincial collaboration, rather than impose a uniform solution. Many policy makers interviewed for the study noted that if the federal government allowed provinces to continue on their current path, but played a constructive facilitation role rather than dictating the requirements of national policy, this would help move climate change policy forward in the country.

The term headwaiter was originally used by Pierre Trudeau to rebuke Joe Clark and the federal Progressive Conservative's for their lack of national vision and for deferring to the provinces on issues that were critical to Canadian unity. However, the governance context in which the provinces and Ottawa operate has fundamentally changed over the last few decades. Broad trends of globalization and economic liberalization have led to decentralization and devolution of state authority across the developed world. In the context of Canadian federalism, provinces have taken an increasingly important role in policy development (Atkinson, et al. 2013). Therefore, Ottawa's role as headwaiter should not be viewed as a failing but rather a constructive contribution to national policymaking in an area of decentralized federalism. Given the failure of federal interventions on climate change over the last twenty years, it is incumbent upon Ottawa to explore new approaches to national climate change policy which give the provinces a central role in policy development and recognize the successes they have had in working together and overcoming regional differences.

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Table 1: Menu of policies adopted in each province

	Targets	Carbon pricing		Coal reduction/ renewable energy strategies	Vehicle emission standards	Low carbon fuel standard	Administrative and organizational approach
		Tax	Cap & trade				
BC	✓	✓		✓	✓	✓	✓
Manitoba	✓	✓	✓	✓	✓		
Alberta	✓	✓		✓	✓		✓
Ontario	✓		✓	✓	✓		✓
Quebec	✓	✓	✓	✓	✓		

Figure 1: An Analytical Framework for Explaining Provincial Climate Change Policies

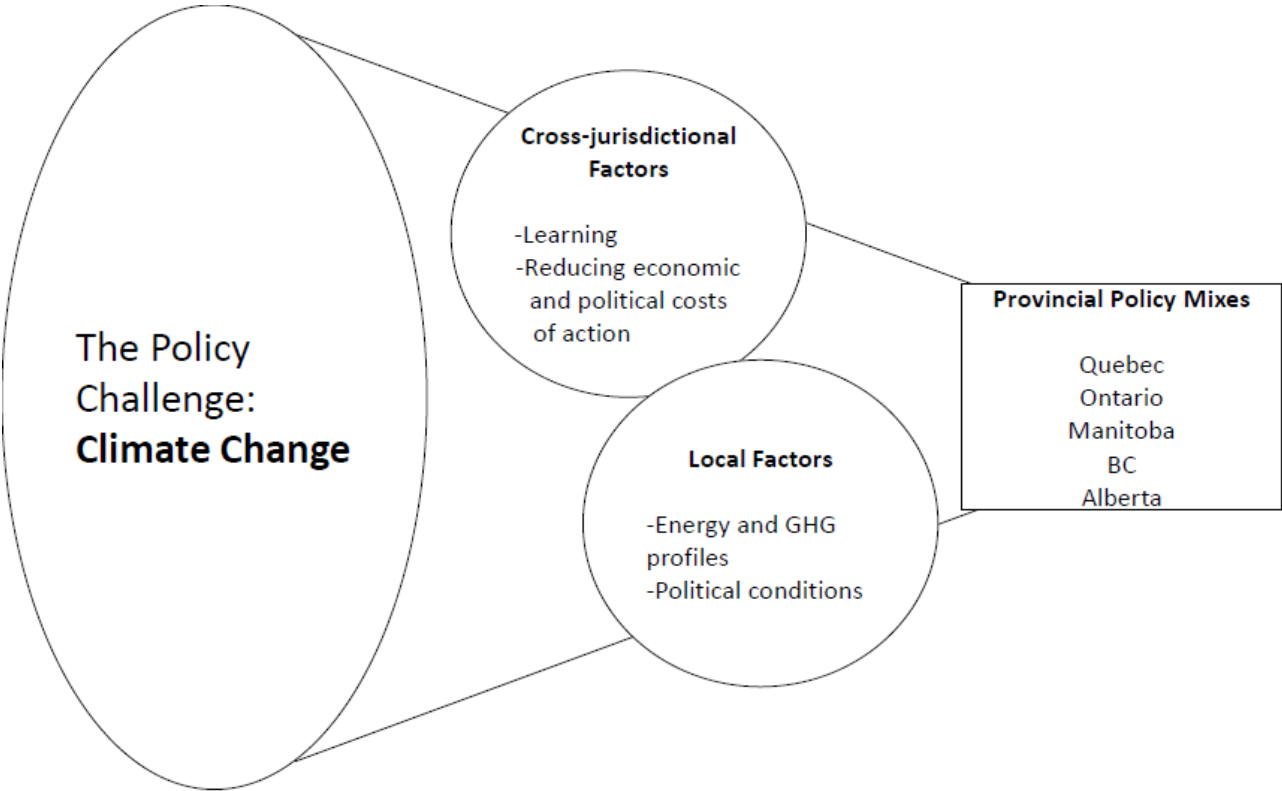


Figure 2: Categories of provincial climate change policy response

Houle and MacDonald Framework			
Label	Frame	Instrument	Provinces
Prime time	Defines climate change as environmental threat	Strong regulations – mandated reductions	None
Opportunistic	Defines climate change as economic opportunity	Financial instruments – cap-and-trade, carbon tax	Quebec BC Ontario Manitoba
Hostile/ Indifferent	Defines climate change as economic threat	Voluntary measures – education, subsidies	Alberta

Adapted Framework				
Label	Frame	Commitment	Instruments	Provinces
Prime time	Defines climate change as environmental threat		Strong regulations – mandated reductions	None
Opportunistic	Defines climate change as economic opportunity	Committed actor	Cap-and-trade, carbon tax	Quebec BC
		Conditional actor	Cap-and-trade, carbon tax if part of a larger system or policy	Ontario Manitoba
Reluctant actor	Acts to protect interests from outside pressures		Intensity regulations and technology fund/carbon tax	Alberta
Hostile/ Indifferent	Defines climate change as economic threat		Voluntary measures – education, subsidies	None

Endnotes

ⁱ Engaging internationally and pursuing direct relations with other countries has been a longstanding strategy in Quebec. For example, French President Charles de Gaulle's inflammatory "Vive le Quebec libre" proclamation while visiting Montreal in 1967.

ⁱⁱ This phrase was first used by US Supreme Court Justice Louis Brandeis in 1932 in *New State Ice Co. v. Liebmann*.

ⁱⁱⁱ B.C. has adopted a threshold of 10,000 tonnes but only requires those over 25,000 tonnes to have their reports verified by a third party. Alberta's threshold is 100,000 tonnes. Manitoba has committed to developing a regulation for GHG reporting which is the first step to participating in cap-and-trade.

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