

Honourable Danielle Smith
Premier of Alberta

Honourable Nathan Neudorf,
Minister of Affordability and Utilities

Honourable Rebecca Schulz
Minister of Environment and Protected Areas

Sent via E-mail: premier@gov.ab.ca, au.minister@gov.ab.ca, epa.minister@gov.ab.ca

Re: Renewed path forward for renewable energy

Dear Premier Smith, Minister Schulz, and Minister Neudorf,

CPAWS Northern and Southern Alberta Chapters are writing to you today to express our concern regarding Alberta's inconsistent approach to managing the environmental impacts of energy and other industrial development on public lands.

The most recently released map produced by the government of Alberta features a 35km wide buffer zone east of the Rocky Mountain National Park and other sensitive areas such as the Bighorn Backcountry PLUZ, Kananaskis Improvement District, UNESCO World Heritage Sites, and other pristine viewsapes where renewables energy projects will no longer be allowed.

CPAWS Northern and Southern Alberta agree that buffer zones surrounding parks and protected areas are an important tool for improving the ecological integrity of protected areas and, more generally, for contributing to halting and reversing biodiversity loss. The identified buffer zone for renewable energy development encompasses many ecologically sensitive areas, and clearly overlaps with critical habitat for species at risk including native Bull Trout, Westslope Cutthroat trout, Woodland Caribou, Bighorn Sheep, Mountain Goat, Grizzly Bear, Whitebark Pine, and Limber Pine (*Alberta Wildlife Act*, 2000; *Species at Risk Act*, 2002)^{1,2}. Many of the areas within

¹ Alberta Wildlife Act: Government of Alberta. (2000). *Wildlife Act*, RSA 2000, c W-10.

² Environment and Climate Change Canada. (2002). *Species at Risk Act*, S.C. 2002, c. 29.

the identified buffer zone are headwaters regions, where the intactness of the landscape is an important factor for water quality and quantity³.

Despite these new regulations, expansion of Alberta's industrial footprint — which has clear and detrimental impacts on the health and functioning of our ecosystems — will continue to move forward within these same buffer zones. All development planning and approvals should focus on avoiding key habitats and environments known to be impacted by energy, and other types of developments such as native habitats, migratory flyways, species at risk habitats, headwaters, and wetlands.

We support fair, consistent, and equivalent treatment of all land uses, including the renewable and non-renewable energy sectors, mining, forestry, agricultural and urban development. We are asking that the same scrutiny of potential environmental and social impact of renewable energy be applied to all other land uses across the province.

For example, within the 35km defined buffer there are several other intensive land use issues that should also be addressed for their undue harm to Alberta's environmental, recreational, and scenic values.

Coal:

There are multiple examples of the inconsistencies in development management approach highlighted by the renewable's restrictions:

- The entire region surrounding Crescent Falls Provincial Park in the Bighorn Backcountry. This provincial park has recently undergone a multimillion-dollar upgrade, would be considered a pristine view scape by anyone, and is within the 35 km buffer for renewable energy development. Behind the waterfall, the best view in the park, lies dozens of coal leases. The coal leases surrounding this provincial park should be cancelled.
- The Grassy Mountain Coal Project, which falls within the 35 km buffer, was rejected by the Alberta Energy Regulator (AER) in June 2021. The project poses significant adverse environmental effects on surface water quality, threatened westslope cutthroat trout, and habitat, which outweigh the low to moderate positive projected economic impacts of the project. Despite these risks, and the direction provided by Ministerial Order 002/2022,

³ Government of Alberta. (2018). *South Saskatchewan Regional Plan 2014-2024 (Amended May 2018)*. Retrieved from: <https://open.alberta.ca/dataset/13ccde6d-34c9-45e4-8c67-6a251225ad33/resource/e643d015-3e53-4950-99e6-beb49c71b368/download/south-saskatchewan-regional-plan-2014-2024-may-2018.pdf>

pausing all new coal exploration and development across the Eastern Slopes, the AER has accepted a new application for exploration, deep drilling, and water withdrawal. Grassy Mountain does not meet the definition of an advanced project and new exploration applications should not be accepted by the AER.

- Mine 14, a new coal mine near Grande Cache, and within the recommended buffer zone, has been permitted to move forward with its development.
- Vista Coalspur near Hinton, and on the boundary of the 35 km renewable energy boundary, has been permitted by the province to begin the development of an underground test mine, representing a change to their initial mining plans and elevating the mine's negative impact on native Athabasca rainbow trout populations.

Given the clear science on the negative environmental and health impacts of coal mining, and the concerns articulated by Albertans, a new direction on coal is needed that includes clear legislative and regulatory action to permanently resolve these concerns and provide an alternate, and responsible, direction for the province. This policy should include these three key pillars as per the “A Coal Policy for Alberta – 2022 and Beyond”⁴:

- No new coal exploration and no new coal mines;
- Assess the adequacy of the current mine financial security program; and
- Ensure timely and effective remediation of lands disturbed by coal exploration and mining activities.

We urge the Government of Alberta to conduct extensive public consultation and government-to-government consultation with Indigenous communities to move forward and adopt and implement a new, modern coal policy for the province.

The ecological damage wrought by coal mines is not limited to the large, open-pit mines scarring our landscape and viewsapes. In fact, before mines enter the approvals stage of a project's lifespan, companies can preemptively construct roads and drill-sites to prospect for coal deposits. When the Government of Alberta rescinded the 1976 Coal Policy in 2020, multiple coal companies were approved to construct over 700 drill-sites and more than 250 kilometers of new roads in the Rocky Mountains. While new exploration has been paused, these exploration scars remain on our landscape - a giant industrial footprint that continues to damage lands and waters in Alberta. The longer these features go without being reclaimed, the more impact they will have. Companies must be directed to immediately reclaim the damage done by exploration activities.

⁴ *A Coal Policy for Alberta - 2022 and beyond: A policy written by Albertans, for Albertans, reflecting extensive public input to the Coal Policy Committee.* (2022) Retrieved from <https://www.acoalpolicyforalberta.com/>

Forest Harvest:

- Clearcut forest harvest within the eastern slopes represents a significant threat to the pristine viewscapes of Alberta's eastern slopes within the identified 35 km buffer zone. Several specific areas also present an immediate threat to the critical habitat of species at risk. Given the importance of the identified renewables no-go area and visual impact assessment areas for water availability, species at risk, and recreation, it would be prudent to apply the restrictions in this area to forestry. Specifically, clearcut forestry should not be permitted in the identified zones, and other forms of low-impact harvest techniques should be explored instead while prioritizing ecosystem and species at risk values.
 - This includes planned harvest in the areas east of Kakwa Provincial Park, and the Willmore Wilderness Area which overlap with the Red Rock Prairie, Narraway, and A La Peche Caribou herds and native trout habitat. Forest harvest in these areas destroy critical habitat and is an immediate threat to the survival and recovery of these caribou herds.
 - Wilderness areas in Kananaskis Country are threatened by forest harvest. These areas include critical habitat for threatened bull trout and westslope cutthroat trout, key watersheds for headwaters protection, and recreation opportunities that Albertans pay to access through the Kananaskis Pass zone.
- The Livingstone-Porcupine regions of southern Alberta are some of the most biodiverse and scenic places in Alberta. Despite this, long promised cumulative impacts assessments have not been completed and forest harvest continues to fragment this landscape.

Non-Renewable Energy Development:

- Petroleum and natural gas production in Alberta's eastern slopes has caused habitat destruction through the construction of access roads, well pads, and pipelines. In the northeastern slopes of the Rocky Mountains these habitat disturbances prevent caribou survival and recovery. Additionally, much of Alberta's conventional oil and gas sector has unfunded reclamation liabilities of \$60-120 billion⁵.
- In the last decade, the use of hydraulic fracturing (fracking) for petroleum and natural gas development has increased dramatically, with hydrocarbon production from hydraulically fractured wells having increased by 608% between 2013 and 2022⁶. There is overlap between low permeability and shale oil and gas resources that require fracking, and the 35 km renewable energy development buffer.
- The rise in hydraulic fracturing raises concerns regarding the environmental, economic, and social impacts of this rapid increase in energy development within Alberta's eastern slopes. These concerns are amplified due to the rapid increase in water usage during a period of relative water scarcity in the province.
- Oil Sands and other industrial leases are still present within 35km of Wood Buffalo National Park

Alberta is in a climate and biodiversity crisis. The incoherent approach to regulation of a single land use - renewable energy, and one with a positive impact on climate – without consideration of other industrial land uses will hinder our ability to diversify our energy economy, while doing little to meaningfully protect nature, or address climate change. We encourage the province to commit to completing land-use planning that considers the impacts of all land-uses and protects our most significant natural areas. CPAWS Northern and Southern Alberta chapters again ask the province to address issues of industrial development through the completion of the land use planning process that began in 2008.

⁵ Yewchuk, D., Fluker, S., & Olszynski, M. (2023). A Made-in-Alberta Failure: Unfunded Oil and Gas Closure Liability. *University of Calgary School of Public Policy*, 16(1).
<https://doi.org/10.11575/sppp.v16i1.77468>

⁶ Alberta Energy Regulator. (2023, December). Protecting what Matters: Hydraulic Fracturing. Retrieved from: <https://www.aer.ca/protecting-what-matters/holding-industry-accountable/industry-performance/water-use-performance/hydraulic-fracturing-water-use##summary>

5 out of 7 of Alberta's land-use planning regions do not have completed land-use plans. The North Saskatchewan regional planning process commenced in 2014 and appears to be stalled. The South Saskatchewan regional plan does not provide adequate direction on where renewable energy development should be prioritized and failed to contribute to the effective protection of habitats, in particular native grasslands. Ten years after its publication, promises made in this plan, such as the Human Spatial Footprint project, which is key to measuring and setting limits on cumulative disturbance, have not been completed.

Sincerely,



Katie Morrison

Executive Director, CPAWS Southern Alberta



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