



**“Fall down seven times,
stand up eight.”**

Japanese Proverb

October 2015

At Long Last ... Castle Preservation

SAGE Meeting every third Wednesday - October 14th at 7 p.m. Lethbridge Public Library

SACPA World Food Security: What are the issues.

October 15th at noon. Country Kitchen Catering

Eat, Think, Vote election event at the Lethbridge Soup Kitchen, October 5th 5:30 p.m. RSVP campaign.foodsecurecanada.org/

Avaaz organization organizing a **climate mobilization** event for November 29th. Visit greensense.ca for more. Also, check out the crowd funding effort supporting **Jessica Emst** at the Supreme Court.

“Commercial forestry in the Castle Special Management Area has been stopped and the process to designate the entire area under Parks’ legislation is underway,” notes the Alberta Government website.

Covering nearly 104,000 hectares, the Castle area is an ecologically-diverse region prized for biodiversity, as the headwaters for the Oldman River, and as a critical link in the wildlife corridor stretching from Yellowstone Park to the Yukon. It is also a culturally significant region for First Nations.

Shannon Phillips, MLA West Lethbridge and Minister of Environment and Parks states: “Protecting the Castle is critical-

ly important for the biodiversity and water quality of this entire region. Under Parks’ legislation, and with the input of all Albertans, we will permanently protect this special place for future generations to enjoy as we transition the land to support good local jobs in tourism and recreation.”

The province has initiated consultations with landowners, park users, and First Nations in the process of designating the Castle under the *Provincial Parks Act*. It is expected that there will be two designations for the region - a provincial park, and a ‘wildland provincial park’, which provides additional protection.

In addition to the discontinuation of logging by Spray Lakes Sawmills, future surface rights will be denied for oil & gas activities in the park, and all surface mining activities will be terminated. There are also discussions on limiting off-road activities that accelerates erosion, harming stream habitat.

Many people in the region, including current and past members of SAGE, have been advocating for protection of the Castle for many decades. The preservation of a healthy Castle region is fundamental for the environmental and economic sustainability of southern Alberta. This decision is most welcome.

Alberta Climate Leadership Discussions

The Government of Alberta has initiated discussions around climate leadership in the province. The publication, *Climate Leadership: Discussion Document*, provides a good summary of Alberta’s emission profile which isolates the contribu-

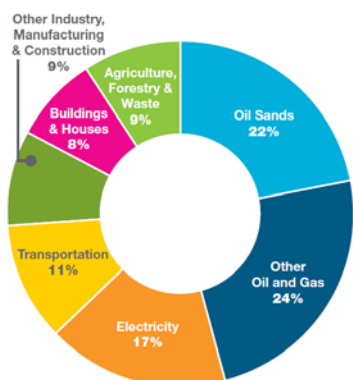
tion to greenhouse emissions by sector.

Alberta emits roughly 275 megatonnes of greenhouse gases each year - 66 megatonnes per capita (2nd highest in the country and amongst the highest emissions in the world).

As shown, almost half of Alberta’s emissions are related to the oil & gas sector. The next largest sector is electricity generation which relies heavily on coal-fired plants that provide base loading for the Alberta grid. Emission reductions will not only focus on these sectors, but will include emissions from agricultural sectors, and the performance of our homes, businesses and our daily lives.

The report states: “In the absence of strong climate change policies, Alberta’s energy production has increasingly come under the microscope, drawing domestic and international criticism. Alberta’s resources have become a symbol of the challenge of climate change” and that credible climate change policy will help secure Alberta’s future and a prosperous economy in the global marketplace.

The Government of Alberta has engaged the assistance of a Climate Change Advisory Panel of scientists, environmental economists and industry representatives, and invites public feedback through their website at <http://alberta.ca/climate-leadership.cfm>



Slick Water: Fracking and one insider's stand against the world's most powerful industry.



Andrew Nikiforuk, author of *Tar Sands* and *The Energy of Slaves*, was recently speaking in Lethbridge at the Southern Alberta Council on Public Affairs (SACPA) about his new book, *Slick Water*.

The book tells the story of Jessica Ernst's battle for justice after her groundwater was contaminated by the fracturing (fracking) of a nearby shallow gas well. The well water became slick to the touch and began to fizz methane - so much methane, that her water could be ignited.

Slick Water describes the process by which Jessica Ernst sought accountability from Encana and support from the Energy Resources Conservation Board (ERCB). When it was clear that she was not going to sign a non-disclosure agreement for some level of reparation, industry, the energy regulator, and the provincial government began to conspire against her. It is a shocking story.

Jessica Ernst's courageous fight became an emblem to other regions facing the incursion of intensive hydrofracking, and she was invited to speak in community halls around the world. The industry approach was the same everywhere: damaged groundwater, air pollution, costly wear on roads and community infrastructure followed by industry denial, regulator collusion and, as a last resort, coercing non-disclosure agreements with victims.

But Jessica's message was spreading. Nikiforuk writes of her speaking engagements in Ireland: "Industry promoters in Europe promised lots of money from fracking, but like their North American counterparts, they left out critical details. For starters, they failed to mention rapid well depletion rates over a period of three years - 80 percent - that put the industry on a costly and endless drilling treadmill. The spin doctors also glossed over dismal recovery rates of less than 10 percent. Cumulative effects were rarely mentioned. Air pollution from fracking well sites in Wyoming, for example, choked rural populations with ozone pollution worse than that found in Los Angeles. Truck traffic in Texas had destroyed a billion dollars' worth of public roads in the Barnett Shale, while local counties earned a third of that in industry taxes. And in British Columbia, scene of some of the world's largest frack jobs, industry had set off hundreds of small earthquakes in the Horn River Formation" (p.234).

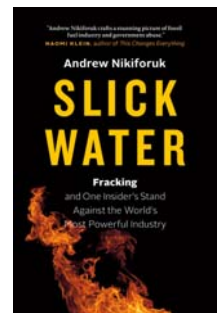
Jessica continued an intense and enduring legal battle with the ERCB. "On September 15, 2014, Alberta's Court of Appeal judges ruled that the ERCB could not be sued. Their densely worded, eleven-page decision announced that the Energy Resources Conservation Board (now the Alberta Energy Regulator) owed **no duty of care to individual landowners harmed by industrial activity**. Further more, the justices added, the immunity clause in the Energy Resources

Conservation Act, Section 43, protected the regulator from any lawsuit or Charter claim, regardless of how the regulator treated individual citizens" (p.275). It seemed that Section 43 provided impenetrable protection for the regulator, even owing 'no duty of care' to the public or the environment.

On November 7, 2014, Jessica Ernst, however, "scored a victory in the courts. ... [the] ruling found that the government couldn't claim immunity from civil action, because the legislation governing environmental protection in Alberta wasn't as comprehensive as the ERCB's Section 43. The legislation did not, for example, apply to actions taken in bad faith. ... On April 30, 2015, the Supreme Court agreed to hear her case [against the ERCB]" (p.301).

These court cases should be heard early next year. The landmark cases could make the regulator and province liable for its oil & gas operations, and will likely create more scope for 'duty of care' in future industry projects.

Nikiforuk shares an even-handed and informative perspective of the industry and how the courage and integrity of one person can make things better for all people and the land. For more information on how you can help Jessica's lawsuit, visit her website at www.ernstversusencana.ca





A leading voice for a healthy and environmentally sustainable community.

Box 383 Lethbridge AB T1J 3E9

September 25, 2015

To: Hon. Shannon Phillips, Minister of Environment and Parks
Government of Alberta

From: Braum Barber
Southern Alberta Group for the Environment

Re: Climate Leadership.

The Southern Alberta Group for the Environment (SAGE) commends the Government of Alberta for its commitment to protect the Castle as an important source for clean water in southern Alberta, water storage for late season streamflow, and as a migration corridor and crucial habitat for wildlife.

This decision also has important impacts for climate leadership in the province of Alberta. Recent publications, like Henderson & Sauchyn's (2007) *Climate Change Impacts on Canada's Prairie Provinces: A summary of our state of knowledge* or, more recently the studies presented in *The New Normal: The Canadian Prairies in a Changing Climate*, suggest that the rate of change in climate will outpace the ability of many species to migrate and/or adapt to new conditions. Sustaining extant ecosystems like the Castle will help in climate adaptation, as well as mitigation with the ongoing sequestration of carbon the Castle region offers. Again, SAGE thanks you for this action.

With respect to climate leadership, we have read the *Climate Leadership: Discussion Document* with interest, and support the expertise the Government has selected to lead this work. It is clear that emissions reductions must be established across all sectors of the economy. SAGE would suggest that emission reductions are also related to lifestyle choices and personal consumption: the document does not attempt to quantify embodied emissions of consumer behaviours, as part of our global contribution to climate change. The survey makes it clear that choices will affect our lifestyles and will have costs – we agree. Perhaps, to make this discussion more palatable, the environmental economists on the advisory group might monetize the benefits of climate action (health, green jobs, food security, etc.).

SAGE has been actively involved in providing feedback on the South Saskatchewan Regional Plan, amendments to the Municipal Governance Act, initiatives of the Clean Air Strategic Alliance (CASA), and other policy development efforts. We suggest that there needs to be more integration of these plans, particularly as they relate to assigning responsibility. We suggest that municipalities be encouraged to continue to develop integrated community sustainability plans, establish sustainability benchmarks, and provide leadership in achieving measurable

goals. This will require more support from the provincial government. SAGE would also suggest that the provincial land-use framework and regional plans be amended to ensure long-term stewardship of natural areas including remaining wetlands and grasslands in the province.

SAGE looks forward to enduring progress in Climate Leadership in Alberta, including efforts not only in reducing fossil fuel emissions, but enacting more robust land stewardship and renewing a dialogue on environmental values that would provide for a healthy and safe future.

Sincerely,



Braum Barber
SAGE

**Don't forget to vote in the Federal Election on October 17th.
Advanced polls available October 9, 10, 11, & 12
And be sure you are registered to vote - to confirm, check online at
<http://www.elections.ca/home.aspx>**



Southern Alberta Group for the Environment (SAGE)

A Leading Voice for a Healthy and Environmentally Sustainable Community.

Visit us at: <http://sage-environment.org/>

If you are interesting in getting involved, contact us at:

sage-communications@sage-environment.org