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Government Disregards Own Guidelines to Fast-Track Policy Review Changes Would Allow Oilsands Mining in Sensitive Wetland

Environmental public interest groups charge that in order to allow open pit oilsands mining in a sensitive wetlands ecosystem the Government of Alberta is ignoring its own process guidelines and rushing through an amendment to existing policy.

TrueNorth Energy is seeking approval this year for a new oilsands plant that would mine an estimated 1 billion barrels of oilsands from beneath the McClelland Lake Wetland Complex, destroying more than half of a rare wetland called a patterned fen. Located north of Fort McMurray near the epicenter of the rapidly industrializing oilsands region, the McClelland Lake Wetland Complex has been protected by provincial policy since 1996. If approved, TrueNorth's Project will begin affecting the wetland in approximately 2010.

Environmentalists say that a review of the 1996 policy, called an Integrated Resource Plan (IRP) is being rushed, with limited public consultation, in order to ram through an amendment that will allow mining in the McClelland Fens.

"The Government advertised their first public information session 4 working days before it occurred with a single ad that did not include the time, date, or location of the event," observed Jillian Tambllyn of the Alberta Wilderness Association. "They don't seem to want to make it easy to attend."

"Alberta Environment published their Plan Amendment Guidelines for an Approved Integrated Resource Plan in 1991," said Myles Kitagawa of the Toxics Watch Society. "It sets out a reasonable and responsible process for changing an IRP. The Government should follow it."

The Guidelines set out a 10-step process that includes a six-week public review period and a 12-department government review. "The Government could also convene an independent experts panel to offer advice," Kitagawa added, "an option that they chose not to follow. Instead they are circulating a 2-page survey asking people to rate the importance of protecting wetlands versus contributing to economic growth. This is a cynical and manipulative way of positioning the issue."

"The decision to amend the IRP must be well-informed, transparent, and offer reasonable opportunities for public input," said Gail MacCrimmon of the Pembina Institute. "The Government should be letting the public know how they will be making their decision and then reporting the reasons for their decision once it has been made."

The groups added that a multi-stakeholder organization, called the Cumulative Effects Management Association (CEMA), is currently examining the cumulative impacts of development on ecosystems in the oilsands area. When available in the next couple of years, this work will inform any changes to the IRP policy.

"There is no need to rush this decision", said MacCrimmon. "The 'more-oil-is-better' policy black-box should not be the sole criteria for mining this wetland. While there is no shortage of extractable oilsands in northern Alberta, the availability of sensitive ecosystems such as the McClelland Fen is limited." The public has 23 days to respond.

For more information contact:

Gail MacCrimmon, Pembina Institute
Office: 403-269-3344 ext 116

Jillian Tamblyn, Alberta Wilderness Association
Office: 780-542-6272

Myles Kitagawa, Toxics Watch Society
Office: 780-413-6930

For more information please see the backgrounder for this news release.

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Email: awa@shaw.ca

Website: AlbertaWilderness.ca



Alberta Wilderness Association
Box 6398, Station D, Calgary, AB T2P 2E1
Phone: (403) 283-2025 Fax:(403) 270-2743
Toll free: 1-866-313-0713

Backgrounder
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McClelland Lake Wetland Complex Integrated Resource Management Plan

TrueNorth Fort Hills Oil Sands Project and Alberta Oil Sands Development

TrueNorth is proposing to build the fourth open-pit oil sands mine in the Fort McMurray area of NE Alberta. Suncor and Syncrude each operate existing plants that have a combined production of nearly half a million barrels of synthetic crude bitumen per day. The Shell Muskeg River Mine is currently under construction.

In addition to approved open pit mining, three steam assisted, gravity drainage projects have already been approved.

McClelland Lake Wetland Complex

The McClelland Lake Wetland Complex includes McClelland Lake and the adjacent wetlands. McClelland Lake's wetlands are valuable in that they include patterned fens; a peat forming wetland characterized by ridges and pools in a distinctive, fish-scale pattern that develops over the course of thousands of years. Fens provide groundwater recharging, surface water filtration, and provide habitat for a diverse community of plant and animal species. Less than 1% of Alberta's land base is covered by patterned fens.

In particular, the McClelland Lake Wetland Complex contains:

- a high abundance and diversity of bryophyte species (mosses)
- ten species of rare bryophytes
- a diversity of habitats due to presence of mature trees
- staging habitat for waterfowl
- habitat for a number of listed species of wildlife

Integrated Resource Plans (IRPs)

Integrated Resource Plans are the product of extensive consultation programs with government departments, municipal authorities, public interest groups and the general public. They are approved by Cabinet and are intended to achieve the orderly, economic and efficient development of natural resources while conserving land and natural resources to meet environmental and recreational needs.

Creating an IRP takes years of work and negotiation. Changing an IRP is supposed to occur with full public disclosure to, and consultation with the public as an essential part of the modification process. This consultation is supposed to be conducted by the proponent but also include a review by 12 government departments. According to the 1991 Plan Amendment Guidelines, the amendment process includes a 6-week public review process with advertisements to obtain public feedback and, if there is sufficient interest, a meeting to bring together the various interests may be convened.

The validity of a decision to change the Fort McMurray Athabasca IRP depends on the quality of consultation, fairness of the process, and the scope of knowledge that informs the decision. The original IRP was the result of considerable review and public input. Over the 25-year history of IRP's these plans have had minor "housekeeping" changes and there

have been examples where an entire plan has been updated, for example the Eastern Slopes Policy. However, this would be the first example where an IRP could be significantly amended as a result of a proponent's request to overturn policy.

If we are going to change public policy it should be on the basis of due process, not on the basis of two-page response cards and written submissions that the public has limited time to prepare. For the review of this IRP to be credible, government must provide:

- Due notice: Reasonably timed, informative notice of public meetings
- Access to information: Sufficient, publicly available information to understand the ecological consequences of any change to the IRP.
- Access to decision makers: The opportunity for the public to question government representatives on the information available and the consequences of the decision
- Open and transparent decision-making process. Published criteria on how the decision-maker will weigh the public's input and a report on how it was used.

Furthermore, the government must base its decision using credible, scientifically-based research assessing the ecological uniqueness of the McClelland Fens and not just the potential economic value of the mineral resources beneath it.