



June 13, 2008

ALBERTA WILDERNESS ASSOCIATION

"Defending Wild Alberta through Awareness and Action"

Amanda Black
Fort Hills Application Coordinator
ERCB Fort McMurray Branch
2nd Floor, 9915 Franklin Ave.
Fort McMurray, Alberta T9H 2K4

Re: Application No. 1520897, Fort Hills Oil Sands Project – Amendment to Approvals

Dear Ms. Black,

Thank you for your June 11, 2008 letter. In response to Alberta Wilderness Association (AWA)'s letter of June 11, 2008 regarding this Application, you requested details of our relationship to the proposed development and how the decision of the ERCB may directly and adversely affect AWA. You also noted that objections must be confined to the Amendment Application as referenced in the Notice for Objection, so below I will very briefly make this link clearer.

Alberta Wilderness Association, founded in 1965, is a province-wide conservation group with 7,000 members and supporters in Alberta and around the world. In carrying out our mandate, "to defend Wild Alberta through awareness and action," we speak for those who cannot speak for themselves – the wildlife, rivers, and ecosystems of our province. We focus on protecting areas of special ecological significance in Alberta. McClelland Lake watershed is one such place.

AWA has had a long-standing interest in the Fort Hills and McClelland Lake Wetland Complex area covered by the Application. In 1994 the Northeast Wild Alberta Coalition, of which Alberta Wilderness Association was a member, met to discuss potential new protected areas in northeast Alberta (NEWAC was a Fort-McMurray-based coalition of environmental, recreational, and wildlife user groups and individuals). The Fort Hills area was identified as a top priority area in need of protection. NEWAC concluded that the most appropriate protection would be a combination of Provincial Park designation in the south west Fort Hills area, and Ecological Reserve designation for McClelland Lake, the patterned fens and the sinkhole lakes.

Since that time, AWA's commitment to securing protection for this ecological treasure has not wavered. AWA publicized and lauded the 1996 Fort McMurray-Athabasca Oil Sands Subregional Integrated Resource Plan (IRP) Guidelines prohibiting oil sands surface-mining and in situ techniques within McClelland Lake wetlands, and protested the flawed process that accompanied the removal of this protection in 2002.

AWA's long-term interest in the McClelland watershed was recognized by ERCB's predecessor, the EUB. Represented by AWA member Dr. Richard Thomas, AWA testified in the EUB hearings on True North Energy's application from July 2-10, 2002. Dr. Thomas presented, posed questions to True North Energy's panel, and provided closing arguments.

AWA members are concerned about the future of this area. Some, including Dr. Richard Thomas and Dr. Diana Horton, have conducted research on site. Canoe trips on the Lake by AWA members have been profiled in our *Wild Lands Advocate* magazine, and in August 2008 AWA will lead a three day canoe and hiking trip to McClelland Lake and Wetland Complex.

For any given development, the EUB's mandate is to "give consideration of whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment" (*Energy Resources Conservation Act*, 1993). AWA believes that, while the EUB has done a formidable job in recent years in representing the economic interest, it has not given due regard to the environment. As in the 2002 True North EUB hearings, inclusion of AWA's decades-long environmental interest and expertise relating to McClelland Wetlands assists the ERCB in fulfilling its legislated mandate.

ERCB *Guidelines for Energy Cost Claims* (June 2001) suggest that the Board "determines local intervener status on a case-by-case basis, considering a number of factors, including... any other factors that the Board considers to be relevant with regard to the particular project." AWA respectfully maintains that the Board has the discretion to determine "directly affected" status beyond a narrow financial or property-owning definition.

Regarding the link between our Objection and the Amendment Application: the main request of the Amendment Application is to consolidate overburden and tailings facilities to an out-of-pit tailings area (OPTA) south of the initial approved location of the tailings facility. However, what is saved in the footprint by moving the OPTA will eventually be mined, according to the Application. Therefore, our comments concern the authorized destruction of the McClelland Lake Wetlands Complex inherent in approving the Amendment Application.

Thank you for considering our concerns.

Sincerely,
ALBERTA WILDERNESS ASSOCIATION



Carolyn Campbell
Conservation Specialist