



"Its never too late to do nothing."
Allen Ginsberg

September 2011

Alberta Expands Coal-Fired Electricity Capacity

Next SAGE meeting Thursday, October 6th at 7 p.m., Fish & Game Hut.

Great Canadian Shoreline Cleanup starting at the Helen Schuler Nature Centre on September 17th from 2 - 4 p.m. Contact Shannon at shannon@oldmanbasin.org

Don't forget to vote for the Oldman Watershed Council for a [\\$50,000 grant](#).

In an effort to avoid new regulations for coal-fired electricity, Maxim Power Corp. has asked the Alberta Utilities Commission to rush an application for a new 500 MW coal-fired plant to be located east of Edmonton. By beating the July 30th deadline, the plant will qualify as an 'existing plant' under the new federal legislation.

The additional greenhouse gas emissions will all but nullify the promised reductions from \$2

billion of carbon sequestration and storage (CSS) projects planned in the province.

Pembina Institute has suggested that to meet provincial and federal GHG emission targets, conservation and smart investment in renewable energy sources would have been more effective. The additional generation capacity is designed to satisfy tar sands expansion.

For more information

and a campaign objecting to this development and the cynical manipulation new federal regulations visit the [David Suzuki Foundation](#).

Environment Canada's publication on [emission trends](#) shows that the country's GHG emissions will rise another 10% by 2020, missing the target of a 15% reduction - a shortfall of 178 Mt of CO_{2e}. Clearly, this is not ameliorated by intensifying coal-fired generation of electricity to expand tar sands production.

Water Policy in Western Canada

The Canada West Foundation has published the [Wave of the Future](#) highlighting the viewpoints of 50 experts in the region, including SAGE's Cheryl Bradley.

Some common themes include the need to plan for uncertain climate

change impacts to water quality and quantity; the need for data; concerns over jurisdictional fragmentation; the importance of raising public awareness of water issues and to dispel the myth of water abundance; and the need for

better decision-making frameworks that include environmental valuation.

The discussion around valuing natural capital to maintain minimum ecosystem flows and preserve wetlands is in-

formative and notes the "imperative that policymakers do not disconnect economic prosperity from sustainability". Water is not just a commodity, but a social, cultural and environmental good and part of our collective commons.

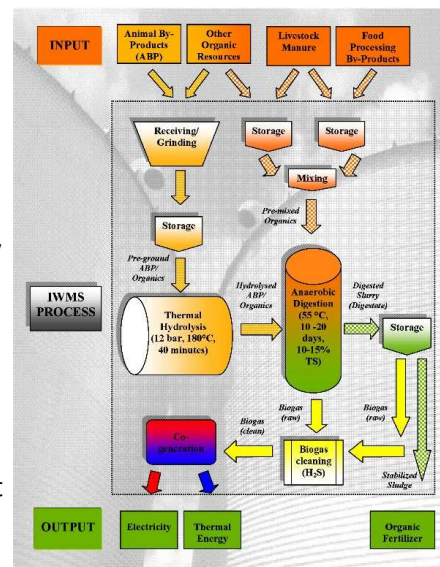
Lethbridge Biogas Plant

Lethbridge Biogas LP will be constructing a 2.85 MW cogeneration plant fueled by organic byproducts from livestock operations, meat and food processors, restaurants and institution. The organics are naturally decomposed

to produce a nutrient-rich fertilizer, as well as methane which can be burned to generate power.

The plant will offset as much as 45,000 tonnes of CO_{2eq} each year, while producing enough electricity to power 2500 homes.

The waste-to-energy biogas plant



Green Gateway to London Road

Lethbridge City Council unanimously approved a development on the corner of 6th Avenue and 13th Street South.

The Westwood family, in partnership with the Lethbridge Housing Authority, have proposed a multi-family complex of small homes on both the northeast corner and north of London Road Market to provide a variety of affordable rentals. The current building on the northeast corner will

be replaced by a commercial business building, and the London Road Market will be refurbished. The homes on the southwest corner will be integrated into an office building complex. This ambitious plan will progress over the next five years.

This project is a good example of redevelopment that balances the characteristics of historic neighbourhoods with important considerations like increasing residential densi-

will be constructed in the County of Lethbridge Rave Industrial Park (east of 43rd Avenue North), and it is anticipated that it will be in operation by January 2013 after ten years of planning. The company operates 5 similar plants in Canada, and over 200 in Europe.

ty, improving walkability, reducing construction waste, and improving home performance.

The residential project has a target of LEED Platinum, which would make it a landmark development in

Canada. It also illustrates that there is a viable business case for building for the environment. As such, it could become a model for building and residential development in Lethbridge in the future.

Some Interesting Events & Online Sources:

Water Matters

Drilling Below the Surface

<http://www.water-matters.org/enews/archive/2011-08.html>

Government of Alberta

New Grant Benefits Land Conservation in Alberta

<http://www.alberta.ca/acn/>

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

The Rights of Nature (2011) & Wild Law (2011, 2nd ed.)

(Book Review)



During a recent presentation in Lethbridge, Maude Barlow suggested reading *The Rights of Nature* published by the [Council of Canadians](#), and *Wild Law: A Manifesto for Earth Justice* by Cormac Cullinan.

Both books explore the idea that the earth has inherent and inalienable rights to exist and evolve independent of human valuation.

The Rights of Nature is a collection of short expressions from a number of thinkers, activists and politicians on the concepts outlined in the *Universal Declaration of the Rights of Mother Nature* as adopted in Cochabamba, Bolivia on Earth Day 2010. This declaration makes the earth the center of existence and acknowledges the right to life, the right to continue its vital cycles, the right to maintaining its identity and integrity, the right to evolve, and the right to be free from contamination, pollution and toxic or radioactive waste (p.13).

Contributors to this book focus on both theory and current examples of the challenges and successes in affecting this change in worldview. Maude Barlow challenges false solutions of a green economy that do not address the commodification of nature. She argues that the natural commons must be advanced in both practice

and in law, where nature has legal standing. Vandana Shiva laments the failure of institutional efforts which do not address the 'privatization of the Earth', and reminds us that economy (*Oikos*) needs to return to its Greek meaning: the management of our 'home', the Earth.

The Rights of Nature provides insight on the principles of earth-centered values and rights, the need for creating an effective international framework, and the need to change how the law works. On the latter point, Cormac Cullinan offers insights into the failure of law to protect the rights of nature - a 'fatal delusion' of a 'colonial mindset' in which legal systems 'are designed to enable a specific group to dominate and exploit the wider Earth Community'.

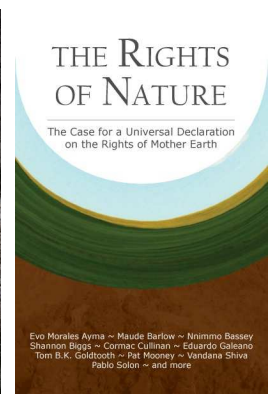
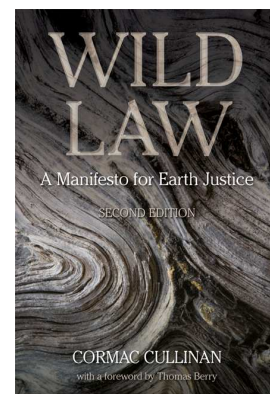
Wild Law is an extended argument for giving nature 'standing' in the legal system with an equal opportunity to have its inherent rights defended. It is an argument against 'resourcism' in which the earth is simply seen as a source of minerals and a sink for wastes.

Cullinan begins by challenging our perceived place in the world and the illusion that human kind is independent of its systems. The argument develops from the current conceit of law, and offers a

discussion on the nature of rights, and the opportunity for what he terms Earth Governance. This concept is reflected in many of the elements of the Cochabamba Protocol with 'a concern for reciprocity and the maintenance of a dynamic equilibrium between all the members of the Earth Community determined by what is best for the system as a whole' (p.117).

Both books offer important insights on our relationship with the environment from the perspective of different cultures, and both challenge the framework of governance through earth values, rights and law. Neither shrink from discussing the urgency of current challenges resulting from our failed relationship with the earth.

What *The Rights of Nature* lacks in sustained argument, it makes up for in richness of perspective. *Wild Law* is also very well written and accessible, though it might appeal more to those with an interest in policy, law and governance models.



Note: this letter was written in support of a complaint from the Milk River on a topic that affects the region - contamination from the operation of feedlots.



A leading voice for a healthy and environmentally sustainable community

Box 383 Lethbridge AB T1J 3E9

11 August 2011

Peter Woloshyn
Chief Executive Officer
Natural Resources Conservation Board
4th Floor, 9940 – 106 St.
Edmonton Alberta T5K 2N2
peter.woloshyn@gov.ab.ca

Dear Mr. Woloshyn:

Environmental impacts of confined feeding operations has been an issue of concern for the Southern Alberta Group for the Environment (SAGE) since the mid 1990s when we first became aware that our region was in the process of developing the highest concentrations of feedlots in North America and that unacceptable levels of contamination of air and water were occurring. In 2002, when NRCB assumed responsibility for regulating confined feeding operations under the *Agricultural Operations Practices Act*, we had high expectations of improvement in prevention and mitigation of environmental contamination. Some gains have been made however there is still need for improvement in regulation of confined feeding operations.

Since 2002, the Auditor General of Alberta has undertaken three audits of NRCB's monitoring of confined feeding operations - in 2004, 2007 and 2011. According to the April 2011 report NRCB has made progress in managing nuisance and odour complaints and in designing and implementing a risk-based compliance program for groundwater. With respect to surface water however, the Auditor General found

"NRCB's system for assessing surface water risks differs from its risk-based compliance program for groundwater. We were unable to find evidence that NRCB's approach will detect significant surface water risks before contamination occurs and have, therefore, made a new recommendation to NRCB for surface water risks."

A situation that reflects this shortcoming is recurring reports of contamination of the North Milk River and adjacent property from a feedlot in SE 12-1-23-W4 that is owned and operated by Remington Land and Cattle Company. This issue of potential surface water contamination was first brought to our attention in 2001, when the feedlot was constructed, and the problem still persists a decade later. During snowmelt and major rainfall events, most recently this spring, runoff from the feedlot and overflow of the catch basin ends up on

the neighbour's fields adjacent to the North Milk River in SW 12-23-W4 or is directed through ditches to the river. Complaints to NRCB and Alberta Environment have not resulted in a long-term remedy to protect surface water quality or the neighbour's right to enjoyment of her property. In addition, some distance downstream of this operation in the Milk River at Writing-On-Stone Provincial Park there have been several advisories in the last decade of high levels of fecal coliform that has prompted a health warning for swimmers to stay out of the water. The contamination is attributed to animal excrement.

The Auditor General's findings suggest this recurring contamination of a public water body by a confined feeding operation is not a unique situation. We are aware of similar unresolved problems in feedlot alley north of Lethbridge within the Battersea and Little Bow watersheds. We are also aware of the shortcomings of the *Agricultural Operations Practices Act* regarding regulation of confined feeding operations that have been grandfathered (i.e. constructed prior to 2002) or are classified as seasonal feeding and bedding sites. We are writing to enquire about what is being done to rectify the specific situation on the North Milk River and the larger problem identified by the Auditor General.

Yours sincerely

Cheryl Bradley
Secretary
cebradley@shaw.ca

Cc Vern Hartwell, Chair, Natural Resources Conservation Board
Hon Mel Knight, Minister, Sustainable Resource Development
Hon. Jack Hayden, Minister, Alberta Agriculture and Rural Development
Hon. Rob Renner, Minister, Alberta Environment
Hon Verlyn Olson, Auditor General
John Ross, Chair, Milk River Watershed Council Canada

Note: see June 2011 SAGE Newsletter for the original inquiry, which was forwarded to the Minister of Energy, Minister of Sustainable Resource Development, and MLA Lethbridge-West.



Office of the Minister
MLA, Calgary-West

JUN 24 2011

AR8187

Mr. Braum Barber
President
Southern Alberta Group for the Environment
Box 383
Lethbridge, Alberta T1J 3Y7

Dear Mr. Barber:

Thank you for your letter regarding concerns about oil and gas exploitation on the Kainai reserve. As Minister of Energy, I am pleased to respond.

The Energy Resources Conservation Board (ERCB) has jurisdiction and authority to regulate and inspect oil and gas development activities on First Nations reserves to the extent that the ERCB approves licenses for those activities and to the extent that the ERCB regulatory activity does not conflict with applicable federal jurisdiction and associated legislation. The ERCB's regular application processes apply and can be found in ERCB *Directive 056: Energy Development Applications and Schedules* and *Directive 065: Resources Applications for Oil and Gas Reservoirs*. Both of these directives are available on the ERCB website at www.ercb.ca. Click on Industry Zone, then Rules, Regulations, Requirements, then Directives.

Alberta Environment regulates water consumption under Alberta's *Water Act* and has stringent licensing requirements related to the use of groundwater. The ERCB and Alberta Environment work together on groundwater issues, for example mapping groundwater in Alberta.

Water is often needed to hydraulically fracture or break open the rock to allow gas or oil to flow. Given that access to sufficient water is important for oil and gas development, the effects of water usage must be effectively managed.

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Mr. Braum Barber
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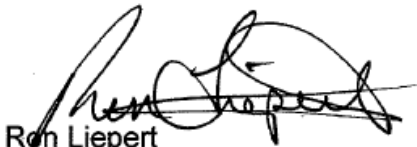
The ERCB regulates well drilling, casing and cementing, shallow fracturing, drilling waste disposal and produced fluid disposal, among other activities. The ERCB continues to evaluate new technologies applied to oil and gas development to understand any new risks and then ensure that regulatory requirements effectively mitigate the risk. For example the ERCB, in cooperation with Alberta Environment, is investigating ways to reduce overall water use, encourage use of saline water from deep formations and promote reusing or recycling hydraulic fracture fluid.

The ERCB's mission is to ensure that the discovery, development and delivery of Alberta's energy resources take place in an orderly, fair and responsible manner. Environmental protection is paramount to the ERCB's mandate.

If you require further information, please contact Jennifer FitzGerald in the ERCB's Regulatory Development Branch at 403-297-4264 or jennifer.fitzgerald@ercb.ca. You may also contact Deborah Eastlick in the ERCB's Stakeholder Engagement Office at 403-297-8788 or deborah.eastlick@ercb.ca.

Thank you again for writing to share your concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Liepert', written over a horizontal line.

Ron Liepert
Minister of Energy

cc: Honourable Mel Knight
Minister of Sustainable Resource Development

Honourable Rob Renner
Minister of Environment

Honourable Greg Weadick, MLA
Lethbridge-West