



## “Things are much too bad for pessimism”

Dee Hack

July 2014

### No Room at the Roundtable on Urban Drilling

**No SAGE meeting in July.**

**Lethbridge Sustainable Living Association** is organizing **AppleFest! 2014** for August 23rd from 9 a.m. to 6 p.m. at the Galt Gardens.

Earthship home being built north of Coaldale. For more information contact the **Lethbridge Sustainable Living Association**.

During the recent proposal by Goldenkey to drill three exploratory wells in West Lethbridge, over ten thousand signatures in opposition were sent to the Government of Alberta. In addition, hundreds of letters were sent to the energy regulator and the Government of Alberta articulating the many concerns around drilling and fracking wells inside a municipality.

The response from the Government of Alberta was to initiate a Roundtable for ‘Energy Development in and near Urban Areas.’ Jessica Ernst spoke in Lethbridge and identified the ‘roundtable’ as a diversionary tactic to delay decision making and take control of the terms of reference for the discussions.

On Tuesday, June 24th a roundtable meeting was held in Lethbridge. The Kainai Lethbridge Earth Watch, who have actively voiced their concerns about urban drilling and the practice of hydraulic fracturing, approached the government requesting a seat at the table. The group was informed that there would be no invitation for KLEW, though there was an insinuation that an environmental group had been invited. Upon Further inquiry as to the participants who were invited, KLEW was told that this information was not to be released.

KLEW organized a peaceful protest at the Coast Hotel, where the meeting was being held, and invited other environmental groups - the request was

to have a voice for the environment at the roundtable. The direct action was supported by the Council of Canadians, No Drilling Lethbridge, SAGE, and others.

If you are interested in expressing your concerns about urban drilling, the Government of Alberta has a survey until July 15th at [https://extranet.gov.ab.ca/opinion\\_test/s?s=17502](https://extranet.gov.ab.ca/opinion_test/s?s=17502).

SAGE has drafted some responses (at the end of this newsletter). If you have any other comments that you would like added, please send them to SAGE before July 15th. We welcome your input. (And, of course, you can complete the survey yourself).

### Tribute to the Oldman River

A tribute to the Oldman River was organized by Rena Woss and Sharon Prenevost, and held along the river on June 8th. A number of people were invited to speak at the event, and voice the importance of water quality and quantity in our region.

As Rena Woss said in her introduction, it was the first time the citizens of Lethbridge have offered appreciation for the water upon which we all depend.

The event, which included drumming, speeches, and poetry, was closed with a ceremony lead by a Piikani elder, Leo Pard, as he asked for forgiveness for sullyng the Oldman River, a gift from the Creator.

(Photo courtesy of Rena Woss)



# Who Speaks for Endangered Species?

(Courtesy of Lorne Fitch, P. Biol., written 2014)

There is a tendency on the part of some (notably industry, some landowners and remarkably our provincial government) to see protection of endangered species as a conspiracy to rob them of privileges and opportunities. It just isn't that simple.

If all of us would step back from the rhetoric and hand-wringing over entitlements, conspiracy theory, perceived economic loss, usurping of provincial rights by federal decree, perception of personal property rights infringement, and the mythical heavy hand of government we might see another perspective.

Wild species are going missing at a rate unparalleled since di-

nosaurs disappeared. The root cause of this, especially with grassland species is we have used up the majority of the space for our purposes, in the form of cultivation, urban development, petroleum extraction, transportation networks and a myriad of smaller but additive game-changing shifts of native habitat to a shadow of what was formerly available.

The intent of species at risk legislation is to rebalance the stakes in favor of imperiled species, giving them a life boat of sorts to reduce the risk of them winking out of existence. Sage grouse are caught in the controversy between those who see diminished population status as a failure to manage and

protect habitat and those who see efforts to stem the tide of possible extirpation as a conflict with exercising free and full economic opportunity.

When we reach the edge of a cliff, as we have with sage grouse, the alternatives disappear. Either we do something to arrest the downward trend in grouse numbers, or we step back and watch them disappear from Alberta after a residency that is approximately 10,000 years long. Species at risk legislation fortunately won't allow us to take the later easy route, no matter how comfortable and economically advantageous it might seem to be.

There is precious little wiggle

## Interesting Links:

Smart Policies Deliver Economic, Health and Climate Benefits

[www.worldbank.org/](http://www.worldbank.org/)

Endogenous growth, convexity of damages and climate risk: how Nordhaus' frameworks supports deep cuts in carbon emissions

[www.lse.ac.uk/](http://www.lse.ac.uk/)

Eco Tipping Points

[www.ecotippingpoints.org/](http://www.ecotippingpoints.org/)

Arts and Climate Change

<http://artistsandclimatechange.com/>



**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](mailto:sage-communications@sage-environment.org)**

room left after years of government foot-dragging amid the race to exploit natural resources. The tired old refrains of mitigation, more research and enhanced land use guidelines are an attempt to drag the debate on longer, without actually doing anything helpful for grouse recovery. Einstein's quote, "We can't solve problems by using the same kind of thinking we used when we created them" resonates strongly.

It is an often repeated theme with many of Alberta's similarly imperiled wild species including westslope cutthroat trout, bull trout, caribou and a longer list of species not yet imperiled but queuing up for that line. An example would be antelope, another species iconic of prairie Alberta that finds itself in an increasingly fragmented and diminished grassland world.

The dilemma of sage grouse is a classic failure to plan, the timidity of resource management, the inability to see and respond to critical thresholds and the intransigence of all of us to act responsibly, quickly and decisively before a species fades into oblivion.

All of us, governments, industry, academia, conservationists, landowners and the public have a duty to ensure sage grouse (and others) are allowed to sur-

vive and recover. The debate isn't about whether they should be saved but rather how to save them and how quickly we need to act. Two essentials for any wild species are place and space. In the case of sage grouse, they and their habitats are intertwined, interconnected and incapable of being separated.

Lyndon B. Johnson, America's 36<sup>th</sup> president and a campaigner for civil rights, social issues and the environment once declared:

"If future generations are to remember us with gratitude rather than contempt then we must leave them with something more than the miracle of technology. We must leave them a glimpse of the world as it was in the beginning."

If we took the perspective we are building our province and our communities to last forever, instead of just to the next election, or next mortgage payment, or to the next resource revenue check, our take on endangered species would be remarkably different I think. We need to face the hard question; are we stewards of the land and all of its resources or, are we trapped in a spiral of instant gratification and gluttony with no sense of responsibility to future generations?

If we can protect some places and spaces for sage grouse and

allow recovery of populations to more robust levels, the intended effects will benefit other species. It may well be that our own species will need these places with natural expressions of biodiversity and ecosystem services.

It shouldn't be just the Canadian government speaking for endangered species; it should be all of us. As fellow travelers on a finite planet it is our obligation to keep, as the ecologist Aldo Leopold admonished us, "all the pieces".

Dr. Seuss provides some essential advice in *The Lorax* that we might apply to endangered species:

"Unless someone like you cares a whole awful lot, nothing's going to get better. It's not."

Who speaks for endangered species? We all should!

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*Lorne Fitch is a Professional Biologist, a retired Fish and Wildlife Biologist and an Adjunct Professor with the University of Calgary*

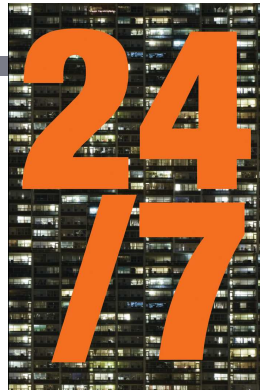
## 24/7 (2013)

The latest book by Jonathan Crary, titled *24/7*, is a wide-ranging and somewhat radical critique of contemporary society. Crary juxtaposes a lot of ideas and images around the metaphor of sleep to form this critique - and it is this freewheeling of ideas that is both the book's strength and its weakness.

Crary establishes his theme of time by comparing the historical time of modernism with the post-historical time of contemporary society. He says that historical time is the "empty, homogenous time of modernity, the metric or calendar time of nations, of finance or industry, from which individual hopes or projects were excluded" - in other words, historical time is a time premised on 'progress.' Crary says that what is new in contemporary society is "the sweeping abandonment of the pretense that time is coupled to any long-term undertakings, even to fantasies of 'progress' or development. An illuminated 24/7 world without shadows is the final capitalist mirage of post-history, of an exorcism of the otherness that is the motor of historical change" (p.9).

To unpack that a bit, Crary contrasts the historical time of human progress and community, with the individual time of a perpetual, self-involved present. Time is rolled up into "facilitating the perpetuation of the same banal exercise of non-stop consumption, social isolation, and political powerlessness" (p.40), which he suggests is manifested in capitalism.

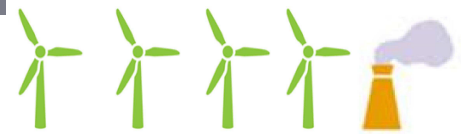
Thus, the title *24/7*: "Now the accelerated tempo of apparent change deletes any sense of an extended time frame that is shared collectively, which might sustain even a nebulous anticipation of a future distinct from contemporary reality. *24/7* is shaped around individual goals of competitiveness, advancement, acquisitiveness, personal security, and comfort at the expense of others. The future is so close at hand that it is imaginable only by its continuity with the striving for



individual gain or survival in the shallowest of presents" (p.41). Crary describes the efforts in contemporary society to extend this immersion into the self to encompass the whole day - that is, to eliminate sleep. He cites current research on birds that stay awake for many days without sleep as they migrate. The research outcome would be to isolate the mechanism that allows these birds to perform over extended periods of time so that it could be used to allow humans the same ability. Crary argues that this is the logic of capitalism that views sleep as the last barrier to perpetual work and constant consumption.

The author then leaps to technologies that allow the work day to become indistinguishable from recreation. Along with the extension of the work day, Crary sees the extension of public surveillance as a form of 'synchronization' or 'seriality', which involves a loss of subjective identity and singularity. He cites Gilles Deleuze on the emergence of 'societies of control', in which "the institutional regulation of individual and social life proceeded in ways that were continuous and unbounded, and which effectively operated 24/7. He argued that, in disciplinary society, forms of coercion and surveillance occurred within specific sites - the school, the workplace, and the family home - but when occupying the spaces between these sites one was relatively unmonitored. It is possible to identify these various intervals and unregulated spaces as assorted components of everyday life. But a control society, according to Deleuze, was characterized by the disappearance of gaps, of open spaces and times" (p.71).

The loss of subjective identity correlates with the loss of community, Crary argues. And it is this dissociation that allows for current tendencies for people to believe that they exist outside of a world of other people and an environment. He says: "the belief that one can subsist independently of environmental catastrophe is paralleled by fantasies of individual survival or prosperity amid the destruction of civil



society and the elimination of institutions that retain any semblance of social protection or mutual support, whether public education, social services, or healthcare for those most in need" (p.101).

The impacts of digital communications are not ignored by Crary, as he posits that they foster narcissism and distort community. "If networks are not in the service of already existing relationships forged out of shared experience and proximity, they will always reproduce and reinforce the separations, the opacity, the dissimulations, and the self-interestedness inherent in their use. Any social turbulence whose primary sources are in the use of social media will inevitably be historically ephemeral and inconsequential" (p.121).

*24/7* ends with a paean to sleep: "Located somewhere on the border between the social and the natural, sleep ensures the presence in the world of the phasic and cyclical patterns essential to life and incompatible with capitalism. Sleep's anomalous persistence has to be understood in relation to the ongoing destruction of the processes that sustain existence on the planet. Because capitalism cannot limit itself, the notion of preservation or conservation is a systemic impossibility. Against this background, the restorative inertness of sleep counters the deathliness of all the accumulation, financialization, and waste that have devastated anything once held in common." Crary proposes that there should be only one dream, superseding all others: "it is of a shared world whose fate is not terminal, a world without billionaires, which has a future other than barbarism or the post-human, and in which history can take on other forms than reified nightmares of catastrophe" (p.128).

The book barely coheres, but Crary is a good writer with some interesting ideas around the dangers of a living in a perpetual present fostered by capitalism.



The following is an email sent from the Public Pastures - Public Interest group. SAGE supported this group in Saskatchewan in their efforts to protect public pastures after the federal government abandoned their responsibility for them. Public pastures offer an effective form of land stewardship and represent important habitat for wildlife.

## **SOUTHERN CONSERVATION LAND MANAGEMENT STRATEGY**

On May 12, 2014 the Government of Saskatchewan announced the Southern Conservation Land Management Strategy with changes that would allow the sale of some Wildlife Habitat Protection Lands. The following includes: an explanation of the situation, government documents, media coverage and comments from the Legislature by the Government and Opposition.

The Wildlife Habitat Protection Act (WHPA) was passed in 1984 to protect wildlife habitat and ecological lands on leased Crown agriculture lands totaling some 3.4 million acres. <http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/W13-2.pdf>

It is considered to be the most significant piece of Saskatchewan Environment legislation with regard to biodiversity. <http://econet.ca/issues/biodiversity/habitatprotectact.html>  
In the 1980s, decisions concerning what should be protected by WHPA were based on ground surveys and air photos. The current availability of satellite photos with more detail provided an opportunity to update decisions concerning what was WHPA land. In addition there is pressure from the producers who have been leasing the land to be able to purchase the land.

Four years ago the Saskatchewan Party determined that it wanted to sell WHPA lands. A concerted outcry by naturalists and hunters, led by the Saskatchewan Wildlife Federation and Nature Saskatchewan, resulted in the government putting its plans on hold. Amendments to WHPA and the Conservation Easements Act (CEA) had been passed in the Legislature but were not put into effect in 2010.

Over the last 4 years the Saskatchewan Government has been consulting with the Saskatchewan Wildlife Federation, Nature Saskatchewan and the Saskatchewan Stock Growers Association concerning the WHPA lands. <http://environment.gov.sk.ca/Default.aspx?DN=ece4c1b-8819-492d-8ecd-acae5d281079>

As a result of these negotiations, a modified plan was developed, which was released on May 12, 2014. <https://www.saskatchewan.ca/government/news-and-media/2014/may/12/land-management-strategy> On this day the amendments to the WHPA and Conservation Easements Act from 2010 were finally proclaimed and new Wildlife Habitat and Ecological Lands Designation Regulations came into effect. Amendments to the CEA include: a new Crown conservation easement designation and new compliance tools, including stop-work orders, equipment seizures, and injunctions. Maximum fines were increased from \$2,000 to \$100,000 for individuals and from \$50,000 to \$500,000 for corporations. Additional fines may be charged for continuing offences.

Most attention has been focused on the government's intentions to sell what it has defined as low biodiversity WHPA lands.

The Province has determined that about 47% of the WHPA lands are of high biodiversity value and will not be sold. Another 38% of WHPA lands have important ecological value and may be sold with a Crown Conservation Easement that would prevent development or alteration of the natural landscape.

## **SOUTHERN CONSERVATION LAND MANAGEMENT STRATEGY (Cont'd)**

The government has been determined that around 15% of the WHPA lands are of low ecological value and could be sold. These low value lands, if sold, would be replaced by vacant Crown land with higher biodiversity value.

The Province has agreed that the disposal of Crown land will be an open and transparent process with representatives from the Saskatchewan Wildlife Federation, Nature Saskatchewan, Ducks Unlimited Canada and Nature Conservancy of Canada being invited to view recent satellite imagery and provide input on the decision to allow the low value WHPA land to be sold. The conservation organizations will also provide input in the selection of vacant Crown lands to be added to WHPA. A Southern Crown Land Conservation Committee will be set up.

PPPI is cautiously optimistic that the inclusive and transparent process will ensure that important ecological value on WHPA lands will be protected from development. However the involvement of other environmental organizations and other stakeholders would provide additional input.

A PPPI representative has stated that it is good that the land is being judged on its ecological value. However, PPPI continues to support the retention of Crown lands under public ownership, comparing selling Crown land to selling family heirlooms.

In the provincial Legislature, the NDP stated its concern that the amendments to The Conservation Easements Act will "... allow for easements which are supposed to be in perpetuity to be minimized or eliminated at the minister's discretion."

The Saskatchewan Environmental Society is concerned that the province is shedding the responsibility of caring for the public good of ecologically-sensitive lands onto farmers and ranchers who have a business to run. The view was expressed that strengthening the Conservation Easements Act won't mean very much without evaluation and monitoring and working with the landowner. There is also concern about the validity of the assessment of some lands as having low ecological value.

Biologists are interested in looking at the Crown Land Ecological Assessment Tool (CLEAT), the computer program used by the government to categorize lands based on their ecological value and risk of development – how thorough is the assessment and how does the satellite imagery relate to what is really occurring on the ground.

Queries have also arisen concerning the situation where an environmental group rejects the sale of a piece of land – would this be accepted? Should there be an independent body of ecologists who can review the decision and give their opinion on whether the land should be retained or sold with an easement?

The Federation of Saskatchewan Indian Nations has stated in a media release that the process for reviewing WHPA lands disregards duty to consult and accommodate First Nations interests, disregards treaty and constitutional rights, and doesn't address Treaty Land Entitlement Agreements. FSIN has also stated that because of these legal commitments and agreements, First Nations should be given the opportunity to purchase these lands on a priority basis. FSIN has been expressing concern about the processes for the sale of Crown and WHPA lands since 2008. Sales to private owners may mean that First Nations people may no longer be able to exercise their inherent Aboriginal and Treaty rights to hunt, fish, trap and gather on these lands.

## Roundtable for Energy Development in and near Urban Areas

Government Questionnaire ([https://extranet.gov.ab.ca/opinio\\_test//s?s=17502](https://extranet.gov.ab.ca/opinio_test//s?s=17502))

1. What are your perspectives on energy development in or near urban areas? For your reference, a list of perspectives that government has already heard is available in Facts and Findings from Previous Stakeholder Engagement fact sheet.
2. What principles should be considered when energy development occurs in or near urban areas?
3. There are many different perspectives on this subject. How could the Government of Alberta balance the economic, environmental, and social outcomes of different perspectives when considering energy developments in or near urban areas across the province?
4. What specific actions can be taken by the Government of Alberta, the Alberta Energy Regulator, municipalities, and/or energy companies to improve the current policy and regulatory approach?

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Re: Fact Sheet (provided with the questionnaire)

1. There seems to be an error on the graph showing the 0.38% as the larger pie.
2. Key Facts, point 2 should be substantiated. (This is an ideological assertion, not a 'fact')
3. Key Facts, point 3: what is the threshold of 'safety'. Stats show Oil and Gas as the second most dangerous occupation in the province after construction.

Further to safety:

Directive 83 from the Alberta Government makes reference to potential risks from hydraulic fracturing in Issues 2.1, 3.1, 4.1, 5.1, and 6.1.

Paragraph 2(1)(a) of the Canadian Environmental Protection Act states:

2. (1) In the administration of this Act, the Government of Canada shall, having regard to the Constitution and laws of Canada and subject to subsection (1.1), (a) exercise its powers in a manner that protects the environment and human health, applies the precautionary principle that, where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost effective measures to prevent environmental degradation, and promotes and reinforces enforceable pollution prevention approaches;

It is specious to assert that the process is safe in a Fact Sheet, when establishing this is the intent of the Roundtable. If this is the position of the Government of Alberta and/or industry, please state it as such.



### Regarding this process:

It is a positive sign that this discussion may be expanded beyond the interests of municipal governments and municipal associations, though the Roundtable has a clear lack of voice for the environment. It is difficult to understand, considering the large and articulate objection to urban drilling in Lethbridge, that a representative could not be invited to these discussions. It has been said that these roundtables represent a cynical diversion tactic by the government to reduce public attention to this important issue over the long term, and to control the terms of reference in an effort to avoid a broader context for discussion.

For example, it is evident that we are reaching limits to resource extraction as corporations begin to target protected land and more densely populated areas – if we are so desperate for oil and gas that we have to exploit land inside urban areas (occupying a tiny fraction of the province, by area), then we should have a different discussion altogether - one that involves a sustainable energy future.

Well stimulation techniques have become more intense (with greater risks to people and the environment) as we begin to exploit tight sands, shale, and coal beds, some at relatively shallow depths – these technological advances and the associated risks should be openly discussed.

Finally, a broader discussion should include the scientific consensus on climate change and a realistic plan for future energy requirements.

### SAGE Position:

Urban drilling should be ceased outright, and some consideration given to prohibiting drilling above certain thresholds of population density throughout the province (i.e., outside of urban areas).

### Comments:

Given that the Roundtable discussion is intended to meet the minimum requirements of municipalities that would allow for urban drilling for oil and gas, SAGE suggests:

That the risks are objectively (and independently) considered, and the costs (including externalized costs to society and the environment) are properly assessed against the gains to Albertans (after incentives and tax reductions/holidays).

Bring these outcomes back into balance with the environment and social needs; the economy can no longer be the sole indicator for the efficacy of development. A blind market mechanism is not an appropriate tool for evaluating environmental values and intergenerational justice.

All fossil energy development plans should be integrated with an achievable and effective greenhouse gas reduction policy.

All fossil energy development should consider water requirements and waste disposal requirements, and consider the better uses for water (as climate disruptions begin to challenge timely water flows and quality).



Legal standing in the decision making should be given to all citizens and environmental groups within the urban boundaries being affected.

Earn greater trust by listening to people (and including an environmental voice in roundtable discussions). Respect expertise that doesn't originate within a corporation. Expand the terms and references of the regulatory approach to consider the cumulative effects of social impacts and environmental damage for oil & gas activities in the province.

Specific concerns that must be addressed:

1. The mitigation of surface disturbances including noise, traffic and dust during drilling, stimulation and production. Current AER regulations should be exceeded considering the potential to affect a large population. Avoidance would be best.
2. The transportation of hazardous materials through urban areas is of concern: including toxic produced water, produced oil, and chemicals used to sweeten the solution gas. This concern includes the storage of hazardous materials on site, which could exacerbate the impact of, say, serious grassfires (of which there have been two in West Lethbridge over the past number of years where Goldenkey was intending to drill and produce).
3. Fugitive emissions of sour gas and chemicals pose a safety threat for downwind residential areas. These emissions may originate from leaky packing on a pump jack, the venting of tanks, potential leaks in piping systems, safety valves on compressor systems, and possibly during the replacement of sweetening chemicals. We understand that producers will monitor industrial activities for H<sub>2</sub>S emissions and that a company must develop an emergency response plan – unfortunately, any emergency response logically follows the occurrence of an emergency, an emergency that may have significant impacts on urban residents. A robust emission monitoring program would be expected, with data made available to the public. Incinerator technologies suitable for high wind applications (as for Lethbridge and area), and designed to adequately incinerate chemicals carried over from separation would also be expected.
4. Risks of contaminating groundwater aquifers and surface water from spills, leaks, and unpredictable communication up the wellbore, via offset wells, or through geological formations induced by the hydraulic fracturing of the formation. Baseline samples of groundwater and air quality would be expected, with a long-term monitoring plan to indicate negative trends due to industrial activity. This would support a population threshold (based on individual water wells) for oil & gas exploitation.
5. And, finally, we are concerned that the reclamation/restoration will be inadequate for the purpose of using the land for residential development, parks and schools. It is understood that there are financial mechanisms for restoration/reclamation of the sites (such as AER Licensee Liability Rating program, and the orphan well fund), however, a commitment would be expected for reclamation to a higher standard. Recommendations, like the *Recovery Strategies for Industrial Development in Native Prairie*, which seem to exceed the AER directives in outcome, might be considered.