



Lower Athabasca Regional Advisory Council

Meeting Notes – Meeting #7

Date: September 2-3, 2009

Place/Time Bonnyville, AB.

Next Meeting: October 7-8, 2009
Fort Chipewyan, AB.

Attendees: **Regional Advisory Council Members:**

Melissa Blake, Eric Butterworth, Archie Collins, Lanny Coulson, Howard Ewashko, Hildy Hanson, Heather Kennedy, Peter Koning, Clarence Makowecki, Doug Parrish, Rick Pawluk, Don Pope, Cecilia Quist, Glen Semenchuk, Dave Theriault, Marc Stevenson, Roy Vermillion

Regional Planning Team:

Simon O'Byrne, Terry Koch, Scott Milligan, Diane Simsovic, Jennifer Steber, Toby Schneider, Selena Cole, John Zylstra, Crystal Damer, Justin Ellis, Dave Hervieux, Lisa Sadownik, Preston McEachern, Keith Denman, Lori Adamache

Introduction

The Chair, Heather Kennedy, called the meeting to order, introduced the agenda and requested acceptance of the August meeting minutes.

- The minutes were accepted.
- The date of the Sept. Ministerial Working Group (MWG) is yet to be determined.
- The Deputy Minister Committee (DMC) to meet Sept. 17 on the social indicators.
 - The modeling has already used these indicators.
- South Saskatchewan Regional Plan (SSRP) and Lower Athabasca Regional Plan (LARP) regional planning teams are coordinating the land-use zones to maintain consistency and continuity for all regional plans.
- New Environmentally Significant Areas (ESA) have been determined for the province, based on international, national and provincial criteria.
- It was determined at the end of each section of RAC meetings that a recap will ensue to close the discussion.
- There are three meetings remaining and all of the new information is to be provided to RAC by the end of the October meeting.
- Heather Kennedy (LARP RAC Chair) met with 4Wing District Commander –



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Colonel Wheeler

- Enthusiastic to participate and subsequent meetings to follow.
- RAC is requesting clarification on the NO_x and SO_x regarding the numbers and process.
 - It was noted that numbers will be established but information (i.e. modeling) is still being gathered.
- Public consultation to begin in January.
- Regarding the public consultation, does Cumulative Environmental Management Association (CEMA) hold a role in the implementation process?
 - Advocating Regional Planning Team (RPT) to target Sustainable Ecosystems Working Group (SEWG) through the consultation process.
- Note to information on the SharePoint site, RAC members are sharing the info if the status is set to Final. RPT needs to inform Stantec when submitting information for posting to the SharePoint site as to the status – Draft, Confidential, Final, etc.
- Is there indication of when the plan will be adopted by Cabinet?
 - The “intent” is by spring of 2010 for the plan to be adopted.
- Oil Sands Development Group (OSDG) i.e. industry, has engaged with Alberta Environment (AENV) regarding methodology and determination of the air threshold.

The objectives of the meeting were to discuss:

1. RAC to finalize its recommendations to RPT and MWG on the following:
 - a. Conservation:
 - i. Provide Advice/Direction on each Proposed Conservation Area up to 20 per cent conservation area within the LAR.
 - ii. Direction given on the recommended strategy of how to exceed conserving 20 per cent of the LAR.
2. Focus considerations, recommendations and advice to be made on the following:
 - a. Proposed routing of Transportation Utility Corridors (TUCs) within LAR.
 - b. Impacts and consequences of forecasted population growth within LAR with respect to social considerations.

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- c. Impacts to Aboriginal communities.
- d. Draft Land Use Map.

Presentation: Impacts to Aboriginal Communities – Dennis Bell

- Within the Lower Athabasca Region, 12 First Nations are directly affected.
- In the Powley Case (Sept. 2003), the Supreme Court of Canada affirmed the Métis have constitutionally protected harvesting rights. Following the case, the Province of Alberta negotiated the Interim Métis Harvesting Agreement (IMHA).
- Are the Métis Locals to be consulted independently?
 - Answer to be obtained and provided to RAC members.
- Beaver Lake First Nation: considerable concern and mistrust, unlikely to participate in the LARP consultation process.
- Heart Lake First Nation:
 - Concerns with LUF and have submitted recommendations to Dave Bartesko, LUS (Land Use Secretariat).
 - Advocate Aboriginal Coordinators.
 - Aboriginal representation within LUS.
 - Undertaking an initiative for the consultation process.
 - Reclamation standards being developed.
- Recognition at the local level, the need to participate but it conflicts with the higher level, Assembly of Treaty Chiefs (AOTC) political agenda.
- There is acknowledgment a multitude of information exists.
- How does RAC provide advice regarding the impacts?
 - The focus of advice to Cabinet pertaining to impacts on Aboriginal Communities will be through T\MCUs and Conservation exercises.
- RPT to provide digital copies of maps used in the presentation.
- Recommendation to stay the course with the information at hand and minimize focus on what is missing. More specifically, focus on: conservation, tourism, bitumen development, traditional land uses.
 - Land use focus to incorporate temporal solutions\issues.
- Key messages:



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1. Consultation must occur.
2. Consultation involves GoA and First Nations.
 - RAC assessment of impacts on Aboriginal Communities
 - Assess the three production scenarios and provide the advice.
 - Province needs to recognize the fundamental barriers within the Aboriginal Communities, i.e. Education.
 - Transient workforce has minimal accountability and ownership.
 - RPT to provide advice to RAC concerning Aboriginal concerns i.e. Aboriginal Relations.
 - Caveat: consultation process timing is wrong, i.e. too late.
 - Recognition of the consultation process from the Aboriginal perspective is still a “work in progress.”
 - Recommendation: GoA presents the plan as a “shell” to allow the opportunity for stakeholders to provide early input.

Presentation: LARP Land Use Methods – Katherine Braun

- Provincial TUC study to be completed by mid- to late-2010. Information lacking until the study's release.
 - Very preliminary TUC sizing is 300m to 800m depending on what is sited in the corridor.
- RAC members identified four potential corridors for further study.

One approach to corridor development is to use existing transportation infrastructure as an “anchor,” such as Highway 63 or Highway 881. East-West corridor considerations

- Hwy #686.
 - Existing winter road from Fort McMurray to Saskatchewan.
 - Hwy #686 west from Fort McMurray to Peerless Lake.
- TUC criterion
 - Contingent upon major trunks.
 - Based upon current knowledge of production, are #881 and #63 the only considerations?
 - Population and production growth need to be considered. Increase in rail lines, transmission lines.
 - Is there enough information for one large corridor or smaller corridors



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- (perhaps better option)?
- Will the corridors be sterile to wildlife?
 - Should align with proposed development.
 - How are TUCs managed/ownership?
 - Advantages and disadvantages of utilizing #63 and CN line as anchors?
 - Beneficial to use existing corridors and anchors.
 - Fort McMurray needs an integrated ring road (potential anchor).
 - North of Fort McMurray to be considered.
 - Much work is needed to understand the advantages and disadvantages of the issues for consideration.
 - Request RPT to provide if possible:
 - Map with everything identified.
 - Identify potential impacts to existing corridors, terrain, wildlife, etc.

Workshop: Socio-Economic Considerations and Population Forecast – John Steil & Terry Koch

- Aboriginal Values Maps and proposed conservation areas:
 - Traplines refers to trapping, hunting and fishing.
 - See page 34 of the CEMA report.
 - “Fur Supervisor Map” represents the information received by the government by the FN in 1948.
- Culturally important to FN and Métis
 - Archeological sites.
 - Paleontological sites.
- Zoning Land-use designations (exercise and conceptual map only to present what the map for LARP may look like).
 - A series of maps may be needed.
- Development of Land-use designations or zoning classifications is needed.
 - Different uses equate different zones.
 - Details to be provided to RAC by RPT clarifying the intended use.
- Thresholds are to maintain air and water. What about land?
- Need for realistic strategies.
- What tools are available to mitigate and address trade-offs? Incomplete information to address.

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- Conservation offsets, strategy.

----- Day 2 -----

Presentation: Air Threshold Information – Lisa Sadownik

- Alberta Environment's policies include both an effects-based and a technology-based component in determining emission standards for facilities.
- The preliminary thresholds were established using existing policies, available technologies and proposed changes at industrial facilities.
 - Assumptions also based upon requirements established within existing approvals
- The numbers were broken down into the mining and in-situ regions for modeling purposes only and, while there may be sub-regional thresholds in the final plan, the numbers used were not intended as a sub-regional threshold.
- Calpuff modeling is underway. Calpuff is a dispersion model that follows the emissions from their source and gives ambient and deposition levels.
- Among the outputs of Calpuff modelling is Potential Acid Input – PAI. This is a measure of acidification potential.
- Models will tell us the likely impacts, but will not tell how much is too much; do critical thresholds need to be known? Do we know the impacts of the levels today?
- The actual impacts are established through ambient monitoring and through monitoring of lichens and soil impacts.
- A memorandum of understanding exists with Saskatchewan to share monitoring data.
- Among the assumptions made is that as facilities and equipment undergo maintenance and replacement, newer technology is installed that emit at lower rates.
 - It was noted that approvals are for 10-year time frames.
- The emissions modeled include industry, transportation and trans-boundary emissions from beyond the region.
- A number of questions were asked, such as:
- The impact of stack height and size on modeling results.
- It was pointed out that some of the sources use continuous emissions monitoring systems, while others rely on stack sampling or emissions factors.
 - A question was asked about the margin of error in the data used. (The data used varies but is the best available.)

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- What were the meteorological conditions used in the modeling?
- It was asked if we have an idea of consequences 50 years out. It was pointed out that some of the impacts are cumulative over time.
- Alberta Health and Wellness will be asked to provide information on the adverse effects on human health resulting from exceedances in NO_x & SO_x.
- Alberta Environment was asked to provide information on the following:
 - What is the linkage between the Technology and Effects Based approach?
 - What is the mix of mining vs in-situ?
 - What happens when the mix changes?
 - What technologies are being used? Are they economically viable? Cost of retrofitting new facilities?
 - When do the targets have to be achieved?
 - How do emissions in the major cities in Alberta (Edmonton or Calgary) compare to emissions in the Lower Athabasca Region?
 - It was asked how long ambient monitoring has been taking place in this region.
 - There are emissions other than SO_x & NO_x, some of which are cancer-causing. It was asked why these are not being monitored. It was answered that many pollutants are monitored in addition to NO_x and SO_x.
 - It was asked if Alberta is using state of the art measuring systems. It was answered that it is.
 - What is the consequence due to imported air, i.e. forest fire?
 - BATEA = Best Available Technology Economically Achievable.

Presentation: Conclusions of Model Run – Lisa Sadownik, Scott Milligan and Terry Koch

- Water quality modelling is forthcoming (next month).
- Initial Air Modelling includes background.
- All best practices must have a cost located to them.
- Detailed information to be provided by Alberta Environment.

Discussion: RAC to discuss impacts of Model results

- Error noted in the terms of reference – that water use estimates were based on assumed scenarios of two, four and six million barrels per day (mbd) from mining only as mining is the only consumptive user of fresh water from the Athabasca River. This includes the 27 m³/s estimated if six mbd were produced from mining facilities.
- Mines have come to an agreement for on-site storage and sharing during low flow



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(winter weeks).

- AAF = 663 m³/sec
- It was asked if the flow on the Athabasca River can be found on the Alberta Environment website. Response is yes.
- A clarification was requested on the definition of “fresh water” equal to or less than 4,000 total dissolved solids (TDS). Can we clarify that non-saline is not potable – suggestion that there be definition of potable, non-saline, brackish.
- The future water needs are included within the plan.
- It was asked if the water reporting is trustworthy as it is done by industry.
- Seismic restoration – 10 per cent, 2,600 km of seismic lines, where to restore?
- Will there be grandfathering of previously issued licences?
- Comparison of model runs? Land use as an input? Threshold for land disturbance?
- Biodiversity – to what level is the reclamation?
- Is land and biodiversity more accurate than air? (No. The air people are more honest about the assumptions.)
- A request was made to verify black bear numbers.
 - Request for an ‘Aboriginal Values’ map, and additional input on conservation areas.

Presentation: Conservation Areas – Scott Milligan and Terry Koch

- Regarding 20 per cent – Winefred Lake is an option.
- What are the limitations/obstacles within the Cold Lake Air Weapons Range (CLAWR)?
- Aboriginal population increase over next 100 years – need for land?
- Do identified areas meet the established criteria?
- Discussion regarding Caribou conservation:
 - Does SRD advocate the revised “Best Fit” map will address the Caribou issue?
 - More planning required – target population, predator/prey management? Will it stop the decline?
 - Opportunity to expand area #8?
 - Wolf control, access restrictions to retain habitat. Define “new best practices.”
 - Sequencing development to allow for monitoring of the Caribou herd.
 - Considerations for minimizing access out side of conservation areas. Who determines the access management?

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- Larger road setbacks along Christina Road.
- Apply different regulations within zones which buffer the Conservation Areas?
- Relevance of shape to recovery.
- No consensus on the solution to recover the Caribou. Allow experts to come to consensus and revisit the plan at a later date.
- Discussion on CLAWR:
 - Crediting CLAWR as a positive example.
 - Validate the claims of CLAWR.
- Basing everything on static marks on maps, need to establish what recommendations will take the plan forward.
 - Establish the Caribou are important.
 - Access management vs. leaving the area alone.
 - Dynamic approach needed.
- First Nation and Métis
 - Land base remaining must be significant enough to maintain the wildlife
 - Legal definition of lease vs. permit?
 - Conservation regarding a request to the FN and Métis.
 - Management agreements with FN and Métis.
- Global Forest Watch – natural capital.
- AENV working on a Wetland Map.
- Identify recoverable bitumen within the conservation Areas.
- Advice to Cabinet cannot be “FOIPed.”

Conservation Area #1

- What are the permitted uses within the Wood Buffalo National Park?
- Add a stipulation the aboriginal consultation has not occurred.
 - There is not adequate FN information.
- Management by monitoring and issuance of permits define the end user.
- Grandfathering not all agreed upon.
- Non-binding as information becomes available from FN.
- Management intent needs clarification.

3 Abstained

None opposed



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Conservation Area #2

- Management may be impacted by a future TUC

3 Abstained

1 opposed

Conservation Area #3

- Consultation has not occurred.
- Traplines do not consistently identify the FN ideal or preferred
- Put as a condition under management intent

3 Abstained

1 opposed

Discussion on exceeding 20 per cent

- Three ways to achieve 20 per cent +
 1. Look at areas in Red
 2. CLAWR as an area
 3. Look at temporary staging of conservation (i.e. industry is phased out)
- Area #2 has minimal conflict is SE, add more
- Area #3, add the strips (mineral tenure rights)
- For high value areas, create a 20 per cent of a township being designated as green.
- Caution against fragmentation
- Joining Areas #4 and #5
- Add to south end of Area #4
- Increasing the conservation area equates reducing the risk.
- Cross reference conservation areas with groundwater. Add a watershed layer.
- Sending the comments and discussion regarding the philosophical impasse.
- Classification offsets
- Transient conservation areas as required.
- Identification of management intent.
- Evaluate new Environmentally Significant Areas (ESAs) and protect.



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Closing

- Review workshop strategies, action statements – Due Sept. 17 (compiled and posted to Sharepoint site).
- Targeted meetings with CEMA, Municipalities and Métis locale.
- Error in terms of reference regarding water.
- Human health aspects regarding Air, Water, Thresholds.
- Define Management Intent.
- Further discussion on 20 per cent.
- Further work on Air modelling.
- Take inventory in October of what is need and what we have.
- Further discussion on zoning and maps.
- Concern about the ability to do the air modelling. Accuracy vs. time.
- RAC advice within terms of reference may not be communicated by RAC members.
- First Nation's input is needed.
- Collectively, RAC has courage to address the issues.

The meeting adjourned Thursday, September 3, at 4:30 pm.

The next meeting to be held October 7-8, in Fort Chipewyan, AB.

The foregoing is considered to be a true and accurate record of all items discussed. If any discrepancies or inconsistencies are noted, please contact the writer immediately.

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Deliverables for Next Meeting



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Revised Draft LARP Land use map and zoning outline – RPT.

Revised LARP Objectives and Strategies – RPT.

RAC Advice briefings to Cabinet – Tourism and Recreation, Conservation Areas, Conservation Areas greater than 20 per cent, TUCs – RPT.