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Alta Wilderness Association

June 3, 2020

**The Honourable Jason Nixon**

Minister of Environment and Parks  
Office of the Minister, Environment and Parks  
9820 - 106 Street  
Edmonton AB T5K 2J6

Sent by email to: [aep.minister@gov.ab.ca](mailto:aep.minister@gov.ab.ca)

**The Honourable Sonya Savage**

Minister of Energy  
Office of the Minister, Energy  
8th fl Petroleum Plaza NT, 9945 - 108 Street,  
Edmonton AB T5K 2G6

Sent by email to: [minister.energy@gov.ab.ca](mailto:minister.energy@gov.ab.ca)

Dear Ministers Nixon and Savage:

We are writing regarding the monitoring and reporting requirements for the oil and gas sector, which have been suspended due to public health concerns. We would like confirmation that these requirements will be entirely reinstated as soon as possible, and request that the Government of Alberta disclose the decision-making criteria that will be used to determine the timeline for reinstating these critical elements.

Previously, two ministerial orders — M.O. 17/2020 [Alberta Environment and Parks]<sup>1</sup> and M.O. 219/2020 [Energy]<sup>2</sup> — were issued to suspend reporting requirements. At that time, it was explicitly stated that environmental monitoring would not be deferred or removed. However, on

<sup>1</sup> Ministerial Order 17/2020 [Environment and Parks]. <https://open.alberta.ca/publications/ministerial-order-17-2020-environment-and-parks>

<sup>2</sup> Ministerial Order 219/2020 [Energy]. <https://open.alberta.ca/publications/ministerial-order-219-2020-energy>

April 29,<sup>3</sup> May 1,<sup>4</sup> May 5<sup>5</sup> and May 20, 2020,<sup>6</sup> the Alberta Energy Regulator issued unilateral amendments to suspend monitoring requirements under the Environmental Protection and Enhancement Act, Water Act, and Public Lands Act.

We respectfully request the following:

- Monitoring and reporting requirements be fully reinstated as soon as possible.
- Information on when and under what conditions monitoring and reporting requirements will be reinstated.
- Information on how your ministry will inform the public about which reporting and monitoring requirements remain suspended, and communicate when they are reinstated.

We understand preventing the spread of the novel coronavirus is a priority for the Government of Alberta, as it poses a significant public health risk. However, as the economy begins to reopen and restrictions in other sectors are partially lifted, unilateral suspensions of monitoring and reporting for oil and gas operations pose increased risks to human and environmental health, in contrast to other sectors, which continue to operate with safety measures in place. Prolonged suspensions also negatively impact employment in the province and presume that companies and oilfield service providers are unable to develop procedures to safely conduct their business. Additionally, these suspensions have received international attention, including from investors.

Monitoring is essential to protect human and ecological communities from any adverse impacts of oil and gas operations, manage climate change impacts, ensure sustainable long-term health of communities, and provide the Alberta Energy Regulator and the Government of Alberta with the evidence-based data necessary to manage cumulative impacts over time.

For example, these suspensions could adversely affect sensitive ecological habitats, such as Wood Buffalo National Park downstream of the oilsands region, which is internationally

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<sup>3</sup> Unilateral decisions issued on April 29, 2020:

Decision 20200429A. <https://www.aer.ca/documents/decisions/2020/20200429A.pdf>

Decision 20200429B. <https://www.aer.ca/documents/decisions/2020/20200429B.pdf>

Decision 20200429C. <https://www.aer.ca/documents/decisions/2020/20200429C.pdf>

Decision 20200429D. <https://www.aer.ca/documents/decisions/2020/20200429D.pdf>

<sup>4</sup> Unilateral decisions issued on May 1, 2020:

Decision 20200501A. <https://www.aer.ca/documents/decisions/2020/20200501A.pdf>

Decision 20200501B. <https://www.aer.ca/documents/decisions/2020/20200501B.pdf>

Decision 20200501C. <https://www.aer.ca/documents/decisions/2020/20200501C.pdf>

<sup>5</sup> Unilateral decisions issued on May 5, 2020:

Decision 20200505A. <https://www.aer.ca/documents/decisions/2020/20200505A.pdf>

<sup>6</sup> Unilateral decisions issued on May 20, 2020:

Decision 20200520A. <https://www.aer.ca/documents/decisions/2020/20200520A.pdf>

Decision 20200520B. <https://www.aer.ca/documents/decisions/2020/20200520B.pdf>

recognized as a World Heritage Site by UNESCO. The park has experienced significant ecological degradation<sup>7</sup> because of cumulative impacts from upstream industrial activities and other extrinsic factors. Local Indigenous communities have long expressed concerns over the environmental impacts of the oilsands on the ecological health of the park and on the health of their own community members. Many of the required monitoring activities, included in initial approval conditions, exist because of these long-standing concerns — and are now suspended without consultation with Indigenous communities that are affected by these decisions.

Monitoring is necessary to mitigate negative environmental impacts and adapt oil and gas operations to prevent undue harm to wildlife, communities and the climate. A gap in data collection limits the strength of management decisions, and the risk increases the longer operations lack monitoring oversight. Further, Leak Detection and Repair (LDAR) programs are a critical part of Alberta's methane regulations. As the majority of LDAR in the province will be conducted by third parties, suspending requirements to third party monitoring in 2020 will affect Alberta's ongoing efforts to achieve equivalency with federal methane regulations.

We request that monitoring and reporting be reinstated as soon as possible, using guidance the Government of Alberta has already provided for all other businesses allowed to re-open, and that the Government of Alberta clearly communicate the criteria and timelines for reinstating monitoring and reporting. We look forward to your reply.

Yours sincerely,

**Carolyn Campbell** — Conservation Specialist, Alberta Wilderness Association

**Chief Gerry Cheezie** — Smith's Landing First Nation

**Kecia Kerr** — Executive Director, CPAWS Northern Alberta

**Melody Lepine** — Director, Mikisew Cree First Nation

**Cam MacDonald** — President, Fort Chipewyan Metis Association

**Chris Severson-Baker** — Alberta Regional Director, Pembina Institute

**Jason Unger** — Executive Director, Environmental Law Centre

Cc:

Laurie Pushor, Chief Executive Officer, Alberta Energy Regulator, [Laurie.Pushor@aer.ca](mailto:Laurie.Pushor@aer.ca)

Grant Sprague, Deputy Minister, Alberta Energy — [grant.sprague@gov.ab.ca](mailto:grant.sprague@gov.ab.ca)

Bev Yee, Deputy Minister, Alberta Environment and Parks — [bev.yee@gov.ab.ca](mailto:bev.yee@gov.ab.ca)

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<sup>7</sup> Parks Canada, "Strategic Environmental Assessment of potential cumulative impacts of all developments on the World Heritage Values of Wood Buffalo National Park." [https://www.pc.gc.ca/en/pn-np/nt/woodbuffalo/info/action/SEA\\_EES/bulletin](https://www.pc.gc.ca/en/pn-np/nt/woodbuffalo/info/action/SEA_EES/bulletin)