



May 28, 2020

The Honourable Jonathan Wilkinson  
Minister of Environment and Climate Change  
Confederation Building, Suite 356  
House of Commons  
Ottawa, Ontario, Canada  
K1A 0A6

Email: jonathan.wilkinson@parl.gc.ca

Dear Minister Wilkinson:

**Re: CanPacific Potash Project Albany – Federal Impact Assessment**

We are writing on behalf of the people of Saskatchewan, we herein request the Government of Canada declare the CanPacific Project Albany Solution Potash Mine a "Designated Project" under paragraph 109(b) or be designated in an order made by the Minister of Environment and Climate Change under subsection 9(1) of the *Impact Assessment Act*, and the Minister require the Project conduct an Impact Assessment under the Act.

In addition, we request that the Government of Canada consider the overall impacts of the potash mining industry in Saskatchewan and conduct or cause to be conducted an assessment of the residual and cumulative effects of the potash industry, under the same Act.

Public Pastures – Public Interest (PPPI) provided two letters to the Saskatchewan Ministry of Environment's public review of Project Albany's environmental impact statement and technical review (letters attached). Following the decision by the Saskatchewan Minister of Environment to conditionally approve Project Albany<sup>1</sup>, PPPI submitted a request that the Saskatchewan Minister of Environment take the necessary steps to revoke the approval of Project Albany (letter attached). The Saskatchewan Minister of Environment did not choose to revoke the approval (letter attached).

PPPI is making the request for the federal Minister of Environment and Climate Change to designate the CanPacific Project Albany Solution Potash Mine, and consider the cumulative impact of potash mining in Saskatchewan for several reasons.

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<sup>1</sup> Province of Saskatchewan Ministry of Environment, Notice of Ministerial Decision Pursuant to Section 15 The Environmental Assessment Act: CanPacific Potash Inc., Project Albany, August 27, 2019  
<https://publications.saskatchewan.ca/#/categories/4385>

The CanPacific Potash Project Albany Solution Potash Mine, combined with other potash mines that are operating, under-construction, or planned, cause adverse cumulative and residual environmental effects that are under the legislative authority of Parliament, particularly but not limited to:

- a) fish, and fish habitat under the *Fisheries Act*;
- b) species their habitat, including native prairie ecosystems, under the *Species at Risk Act*;
- c) migratory birds and habitat under the *Migratory Birds Convention Act*;
- d) surface and groundwater supply, conservation and pollution issues within the trans-boundary water courses and land surfaces of the South Saskatchewan River and the Qu'Appelle-Assiniboine River watersheds;
- e) contributions to greenhouse gas emissions; and,
- f) Indigenous rights.

The residual and cumulative effects of the design, construction, operation and abandonment of Project Albany have not been adequately identified or addressed for a number of factors, including the following key factors.

1. Effects on trans-boundary watersheds.

- 1.1. The CanPacific solution mine would add significantly to the cumulative effects on vulnerable prairie watersheds that are already under great stress from the combined impacts of agricultural runoff and drainage, urban sewage, and the consumption of large volumes of water by other potash mines in the region.
- 1.2. Under predicted climate change scenarios, the South Saskatchewan and Qu'Appelle-Assiniboine River watersheds can ill afford to host industries that will remove, contaminate and deep well dispose of millions of cubic metres of water from these systems. None of the cumulative effects of the irreplaceable loss of fresh water have been properly assessed in the Environmental Impact Assessment approved by the Government of Saskatchewan.
- 1.3. Each new solution potash mine removes large volumes of fresh water from the South Saskatchewan River and the Qu'Appelle-Assiniboine River systems forever. These rivers are transboundary provincial watersheds deserving federal oversight. The volume of fresh water that would be permanently removed from the South Saskatchewan and Qu'Appelle-Assiniboine Rivers by this proposed CanPacific solution mine is projected to be between 350 and 400 million cubic meters over the proposed 69-year life of the mine (at 15,517 m<sup>3</sup>/day).<sup>2</sup>

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<sup>2</sup> "Project Albany will generate approximately 15,000 m<sup>3</sup>/d of brine waste on an average annual basis over its proposed 69-year mine life. This brine waste will be disposed via injection into deep geological formations. Injection disposal has been common practice in the Saskatchewan potash industry since potash mining began in the province." SNC Lavalin, *Environmental Impact Statement: Project Albany: CanPacific Potash Inc.* January 10, 2019. Attachment 7. Page ii

## 2. Waste salt

- 2.1. The project will create a legacy of yet another massive salt storage pile abandoned by the potash industry in our province, that for the CanPacific Project Albany will possibly reach 260,000,000 m<sup>3</sup> (400ha x 65m) in size by the termination of mining. From the Environmental Impact Assessment, “It is estimated that in excess of 500 years will be required to naturally dissolve and inject the brine to the point where a sustainable vegetation cover can be established.”<sup>3</sup>
- 2.2. The millions of cubic meters of waste salt on the land surface and the potential contamination of groundwater by the waste salt and brine will be a perpetual threat to the quality and integrity of the landscape, vegetation, soils and shallow groundwater of the Qu’Appelle-Assiniboine interprovincial watershed in perpetuity.
- 2.3. There is no precedent in the potash mining industry in Saskatchewan that native ecosystems destroyed or damaged by the waste salt piles and associated contaminated soils and surface waters can be remediated and reclaimed post project.

## 3. Mitigation of climate change by grassland ecosystems

- 3.1. The environmental assessment conducted does not consider the effect of the destruction of the native grassland ecosystems on the resilience and capability of these ecosystems to adapt to or to mitigate climate change events.

## 4. Impacts on Species at Risk

- 4.1. There will be direct impacts on federally-listed Species at Risk, including verified breeding habitats and sites being used by ferruginous hawks, Sprague’s pipits, short-eared owls, barn swallows and western tiger salamander, to name a few. Their habitat in the native grassland ecosystems will be destroyed by the proposed project. These impacts have not been adequately assessed and considered in the design of the mine and its well sites.

## 5. Greenhouse Gas

- 5.1. The project will be contributing to an increase in Saskatchewan’s greenhouse gas (GHG) emissions. First by the acres of native grasslands, which store carbon, that will be damaged. Second by the huge amount of GHG predicted to be emitted from the project “...27 kt CO<sub>2</sub>e/y during construction and 351 kt CO<sub>2</sub>e/y during operation.”<sup>4</sup> While using a more efficient system than other mines, the project will still emit what the EIS says is “only” 0.5% of Saskatchewan’s total emissions, and 0.05% of Canadian emissions.<sup>5</sup> However this is a significant percentage from only one project.

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<sup>3</sup> SNC Lavalin. *Environmental Impact Statement: Project Albany: CanPacific Potash Inc.* Jan. 10, 2019. Page 54.

<sup>4</sup> SNC Lavalin. *Environmental Impact Statement.* Page viii.

<sup>5</sup> SNC Lavalin. *Environmental Impact Statement.* Page 48.

- 5.2. Also, the EIS does not estimate the GHG from its electrical consumption, predicted to be 688 kt CO<sub>2</sub>e/y.<sup>6</sup> While Saskatchewan is inching towards reductions in GHG from electricity production, the GHG from this portion of the project will be significant for a long time.
- 5.3. Both aspects of the project will contribute to the climate change which is already impacting wildlife habitat.

## 6. Indigenous Rights

- 6.1. There is the potential for impacts, including cumulative impacts, to the rights of Indigenous peoples' use of the traditional resources of the riparian and grassland ecosystems and to the species whose habitat is affected such that Indigenous peoples will be adversely affected by the development, operation and abandonment of potash mines in the South Saskatchewan and Qu'Appelle-Assiniboine watersheds.
- 6.2. While PPPI is not an organization representing Indigenous peoples, as Canadians who are part of the Treaties, we wish to ensure that the proper consultations have been carried out, not only with regard to Treaty Rights, but also the *United Nations Declaration on the Rights of Indigenous Peoples*.

## 7. Public Concern

- 7.1. There has been great public concern that Project Albany will destroy native grassland for Species at Risk while causing permanent and significant impacts to land surfaces, groundwaters, and the waters of the interprovincial, transboundary South Saskatchewan and Qu'Appelle-Assiniboine River watersheds.
- 7.2. One of the largest responses ever received in Saskatchewan, from March 16 to May 15, 2019, 453 submissions were sent in to the Saskatchewan Environmental Impact Assessment review.

Representing the concerns of our supporters, many people in the general public in Saskatchewan and the voices of local people who are afraid that their landscapes and ecosystems will be irreparably harmed by Project Albany, we respectfully request that the Minister of Environment and Climate Change designate Project Albany and conduct an assessment of Project Albany under the *Impact Assessment Act*.

In addition to evaluating CanPacific Project Albany, the Canadian government should also consider the cumulative impacts of all of the current and proposed potash mines in Saskatchewan and conduct or cause to be conducted a residual and cumulative effects assessment of the potash industry, under the *Impact Assessment Act*.

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<sup>6</sup> SNC Lavalin. *Environmental Impact Statement*. Page 48.

We look forward to your response addressing our request in detail.

Yours truly,

Public Pastures—Public Interest Co-chairs

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Trevor Herriot

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Lorne Scott

#### Attachments

- Public Pastures Public Interest comments on CanPacific Potash Albany – final.pdf (submission to review of Saskatchewan environmental assessment and technical review)
- Public Pastures Public Interest comments on CanPacific Potash Albany - addition – final.pdf (submission to review of Saskatchewan environmental assessment and technical review)
- PPPI to SK MoEnv re CPPotash - Mar 24, 2020 – final.pdf (PPPI request to revoke the approval of Project Albany)
- Herriot.Scott.pdf (Saskatchewan Minister of Environment response to PPPI's March 24, 2020 letter)