

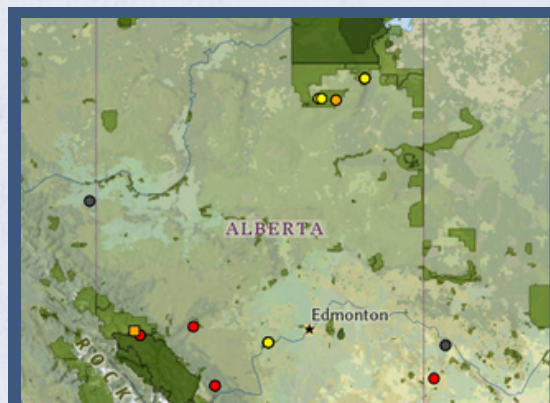
Alberta

Canada

Canada has 54 sites that are managed to protect wildlife and 12.6% of Canada's landmass is under different levels of protection.¹ Types of protected areas in the Canadian system include National Parks, National Wildlife Areas, Migratory Bird Sanctuaries, Indigenous Protected and Conserved Areas, National Marine Conservation Areas (NMCA), and Marine Protected Areas (MPA). These sites are established by different authorities and are governed by different legislation. For example, MPA's are managed by 'Fisheries and Oceans Canada' while NMCAs are a Parks Canada Program.²

Carbon in Protected Areas

LINGO analysis has identified 1.3 Gt (Gigatons) of potential CO₂ emissions from oil and gas and 1.4 Gt CO₂ from coal in 77 extraction projects inside Canadian protected areas.



Alberta, Canada, showing oil sands (top) and Rocky Mountain Foothills (bottom)
Source: LINGO Map

Legislation

As there are many levels of protection, the regulation of extraction /exploration of fossil fuels also falls into different categories. For example, mining is prohibited in National Parks of Canada under the National Parks Act.³ In 2019, oil and gas activity was also prohibited in marine protected areas.⁴ This ban only covers federally protected areas. However, not all types of protected areas benefit from fossil fuel extraction bans, and it is up to provinces to decide on special regulations.

For example, the Lomond Provincial Pasture in Saskatchewan, is currently undergoing extraction, with a potential CO₂ release of 34.22 million tons. On the other hand, in April 2022, the state of Quebec passed Bill 21, an act mainly focused on prohibiting oil and gas exploration and extraction.⁵ Quebec would be the first state in Canada to pass such a law.

Case Study: Alberta

Oil extraction in protected areas is common in Canada where it is not explicitly prohibited by law. In 2020, The Mining and Oil and Gas Extraction industries accounted for approximately 26% of the Gross Domestic Product (GDP) of Alberta,⁶ where parks protect over 27,000 square kilometers of biodiverse spaces. They provide habitat for vulnerable and endangered species including grizzly bears (*Ursus arctos*), caribou (*Rangifer tarandus*), and several native trout species and provide citizens with drinking water. Both functions would be harmed by fossil fuel extraction projects.⁷



Grizzly bear
Photo: Zdeněk Macháček

Alberta has many locations of national and even international importance that are being affected by such projects. One example, the Alberta tar sands, are Canada's fastest growing source of carbon pollution.⁸ Mining activity borders on Marguerite River Wildland Provincial Park and deposits can be found under Grand Rapids and Stony Mountain Wildland Provincial Parks. To put the size of the projects in this area into perspective, in 2018, tar sands extraction was responsible for 30% of all fossil gas consumption in Canada.⁹ Indigenous communities whose livelihoods depend on protected areas have been fighting against oil extraction in their lands for many years, such as the Beaver Lake Cree Nation, which sued the federal and Alberta governments in 2008, and who are still awaiting trial, scheduled for 2024.⁷

Another example are the eastern slopes of the Rocky Mountains. In 2020, the government of Alberta rescinded the 'Coal Policy' of 1976 which protected the Eastern Slopes from mining. Although this policy has since been reinstated, this change in legislation led to a significant number of proposed projects. There is no intention by the government to stop activities for any project that has received a lease or permit during the period where the Coal Policy was rescinded. And although the policy has been reinstated for now, the government plans to update the Coal Policy in the near future, potentially putting these lands at risk once again.

Further, there is concern that coal mines planned to open in proximity of protected areas in Alberta will nonetheless affect protected territories.

Mining projects that are likely to proceed include Ram River Coal's Aries Mine, Valory Resources' Blackstone Mine, Benga's Grassy Mountain, Montem's Tent Mountain, Chinook project, the Vista coal mine, and the Mine 14 project from Summit Coal. Other areas threatened by coal exploration include Livingstone Falls, Honeymoon Creek, Dutch Creek, and Racehorse.¹¹

Public Campaigns

Albertans for Coal Free Rockies Campaign, Defend Alberta Parks movement, and Alberta Beyond Coal are engaged in stopping coal mining in the area.

In the 1960s and 1970s, 18 exploration permits had been granted to Chevron Canada, and one to ExxonMobil, which overlaps with the Scott Islands MPA.¹⁰ Since 1972, the Scott Islands protected area has had a moratorium on oil and gas activities. However, oil and gas activities are not specifically banned under the protected area's regulations, leaving it at risk for extraction should the moratorium be overturned.¹¹ In 2022, WWF Canada and the David Suzuki Foundation disputed the permits in a court challenge.

ExxonMobil has relinquished its exploration permit, and the environmental groups continue to challenge Chevron for its permits still in place.

Outlook

In terms of current legislation, existing bans mentioned above are mostly targeted to federal areas and leave provincial parks unprotected. This contradicts World Conservation Congress resolutions from Amman and Hawaii. Despite the progress in legislation, there are often gaps that leave protected areas unprotected. For example, the 2019 ban on oil and gas activity in MPAs does not apply to previously established marine protected areas. As of 2018, four companies hold 36 oil and gas exploration permits and one license that could affect the protected area should exploration ever be allowed to proceed.¹²



Mount Edith Cavell, Alberta
Photo: Johnny Goerend

The Leave it in the Ground Initiative (LINGO) is a German-based non-profit, working on accelerating the transition to a world with 100% renewable energy.

References

1. Canada's conserved areas, Government of Canada, (2021).
2. Lalonde S. et. al., (2022) Marine Protected Areas and Other Effective Area-based Conservation Measures, Arctic Review on Law and Politics, vol 13, pp. 312-337
3. Canada National Parks Act, Government of Canada (2022)
4. Canada's ban on oil and gas in marine protected areas an important win for wildlife: WWF-Canada, GlobalNewswire, (2019)
5. Government of Quebec passes Bill 21 - An Act to End Petroleum Exploration and Production, EnergyNow, (2022)
6. Alberta Mining and Oil and Gas Extraction Industry Profile, Labour and Immigration, Government of Alberta, (2020)
7. Beaver Lake Cree Nation wins unanimous Supreme Court of Canada decision about Indigenous access to justice, JFK Law LLP (2022).
8. Capping Tar Sands Pollution, Environmental Defence Canada, (2022).
9. Indigenous groups say Big Oil's pollution threatens their existence in Canadian forest, NbcNews, (2021)
10. Could oil and gas drilling happen off B.C.'s coast? A new lawsuit aims to prevent it, Cruickshank (2022), The Narwhal
11. Most of Canada's marine protected areas still threatened by oil and gas, dumping and trawling: report, (2021).
12. Scott Islands Protected Marine Area Regulations: SOR/2018-119, Government of Canada, (2018).