



**RCE**  
**SASKATCHEWAN**

REGIONAL CENTRE  
OF EXPERTISE  
ON EDUCATION  
FOR SUSTAINABLE  
DEVELOPMENT



20 July 2016

**The Honourable Catherine McKenna,**  
Minister of Environment and Climate Change  
House of Commons Ottawa, Ontario Canada  
K1A 0A6

Dear Minister McKenna,

RCE Saskatchewan is a Regional Centre of Expertise (RCE) on Education for Sustainable Development (ESD) acknowledged by the UN University<sup>1</sup> in 2007. Our RCE brings together scholars and community practitioners dedicated to advancing ESD in our region and research in ESD. This mobilization was initially in support of the UN *Decade on Education for Sustainable Development* (2005-2014) and now advances the UNESCO *Global Action Programme*<sup>2</sup> (GAP) on ESD. We see ESD as essential in achieving the newly adopted UN *Sustainable Development Goals* (SDGs)<sup>3</sup> meant to guide the global development agenda until 2030, including, but not restricted to, goal 4 on education.

As you will be aware from earlier correspondence on which you have been cc'd, RCE Saskatchewan has been participating in a request for public input from the Government of Saskatchewan in relation to an Environmental Impact Study of a proposal to develop a potash mine near Southey, Saskatchewan. RCE Saskatchewan in its initial submission on the *Yancoal Southey Potash Project* dated June 6, 2016 (see attached) raised a number of concerns related to the failure of the proposal to address a number of criteria that would be normal components of an assessment for sustainable development/sustainability, including employment of the precautionary principle, exploring opportunity costs for the resources involved, and consideration of the impact

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<sup>1</sup> UNU-RCE: [http://archive.ias.unu.edu/sub\\_page.aspx?catID=1849&ddlID=183](http://archive.ias.unu.edu/sub_page.aspx?catID=1849&ddlID=183)

<sup>2</sup> UNESCO-GAP: <http://unesdoc.unesco.org/images/0023/002305/230514e.pdf>

<sup>3</sup> UN-Sustainable Development Goals: <http://www.undp.org/content/undp/en/home/sdgoverview/post-2015-development-agenda.html>

of the proposal in either generating or undermining sustainable livelihoods. While this is broader, perhaps, than a typical environmental impact assessment we also raised concerns related to the failure of the process to follow basic elements of the previous federal environmental assessment process that would have applied, up until recent changes, to a project of this type and magnitude. A number of outstanding environmental concerns not adequately addressed by the Yancoal Southey EIS<sup>4</sup> have also been raised by the Calling Lakes Ecomuseum<sup>5</sup>, a flagship project of RCE Saskatchewan and other constituents<sup>6</sup>. These relate to the potential impacts of the proposed mine on:

- Existing wetlands due to salt spray from the proposed mine,
- Subsidence and surface water flow alterations,
- Water quality of groundwater and small and large aquifers (including the Hatfield aquifer) due to salt leeching,
- The risk of salt contamination to Pasqua Lake and adjacent lakes via Loon Creek,
- Existing fault lines and their proximity to the brine waste disposal in proposed deep injection wells of the mine,
- The short and long term implications of using an industrial water source from Buffalo Pound (the source of the city of Regina's drinking water supply) for the Yancoal solution mining estimated at: 36,368,720.00 litres/day, (8,000,000.00 imp-gal/day) of fresh water; and,
- The sustainability of the Qu'Appelle watershed<sup>7</sup> and water supply given the demands of this and other large industrial projects.

These multiple upstream effects of water use from Buffalo Pound Lake on its water quality and availability, along with multiple knock-on downstream effects on water quality of Loon Creek, Pasqua Lake, and Echo Lake (e.g., due to impacts of salt and diminished water flow) suggest, in our view, the need for a ***cumulative impacts assessment***. Our understanding is that such an assessment was required by the Federal Ministry of Environment of the Government of Saskatchewan in relation to the proposed Vale potash mine near Kronau. We see no substantive differences in environmentally justifying the need for a cumulative impacts assessment in the case of the proposed Yancoal potash mine. We see the Yancoal project as also having similar substantive impacts on both First Nations and non-First Nations communities.

Given the inadequacy of the Yancoal EIS in relation to basic sustainable development criteria, including social, cultural, and economic criteria, in addition to these and other environmental concerns, we had formally requested in our June 6 submission that the Saskatchewan Ministry of Environment employ its powers under section 14(1) of the *Saskatchewan Environmental Assessment Act* to hold an inquiry to gather this

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<sup>4</sup> Yancoal Southey Project: <http://www.yancoal.ca/eis>

<sup>5</sup> Refer to: <http://www.saskculture.ca/news/2014/12/17/quappelle-valley-ecomuseum-officially-launched>

<sup>6</sup> Refer to: the R.M. of McKillop No. 220 and R.M. of Cupar No. 218 response: <http://rmofmckillop220.com/wp-content/uploads/2013/12/YanCoal-Environment-Impact-Study-Technical-Review-Comments-document.pdf>

<sup>7</sup> Qu'Appelle Watershed: <https://prykea.files.wordpress.com/2010/05/saskwater1.jpg>

additional information. In follow-up correspondence with the Saskatchewan Ministry of Environment on June 29, 2016 (see attached) we again specifically asked whether an inquiry under the terms of the Act would take place or, in the absence of such an inquiry, that the Ministry provide us with additional information presumably in its possession addressing these outstanding concerns. Again, your Ministry will have been cc'd on this correspondence.

Attached you will see the most recent response from the Saskatchewan Minister of Environment dated July 13, 2016. In this correspondence Minister Cox has indicated he will not be holding an inquiry. However, in light of this decision, the Saskatchewan Ministry of Environment has also not provided RCE Saskatchewan with the additional information we had requested addressing our concerns. This information responding to the questions raised by our RCE is presumably in the Ministry's possession as it is necessary to make an informed, evidence-based decision on whether this project should proceed and any additional requirements that would be required by the Ministry of Environment to address these concerns not included in its original EIS. It would be imprudent (if not negligent) to act without this information.

In the RCE's most recent correspondence with Saskatchewan Ministry of Environment of June 29 we had also formally requested the date by which a decision of the Ministry could be expected. This date has not been provided by Minister Cox in his correspondence of July 13. As such, RCE Saskatchewan must now assume that such a decision is immanent.

In light of these considerations, we are making the following formal requests of the Federal Ministry of Environment and Climate Change:

- (1) That your Ministry make a formal request of the Saskatchewan Ministry of Environment (a) for the additional information we have sought that would, in your Department's opinion, be required to appropriately assess a project of this type and magnitude and in light of the environmental and more general sustainability concerns that we and others have identified (b) along with a request that any decision on the project be halted until you have received this information and had time to assess it. Based on this assessment, that (c) you would then take whatever actions you deem necessary and at your disposal in relation to this proposed development, including requiring the Province to conduct a **cumulative impacts assessment** of the project which, in our view, is **legally** necessary.
- (2) That in your current review of the existing Government of Canada environmental review legislation you minimally consider restoring the previous federal requirements that would have applied to a project of this type and magnitude. This request is in light of the problems that have accompanied this particular case and that RCE Saskatchewan has documented. These problems we deem are due, in part, to inadequacies in provincial Environmental Impact Assessment legislation that lack sufficient criteria related to public participation, transparency of process, impartial application of environmental and other sustainability criteria,

and general public accountability, especially towards local communities directly affected by the development. While restoring previous standards is a minimal request, we also would request that your Department consider broader sustainability assessments of future proposed developments that also incorporate, in addition to environmental sustainability, issues of social, cultural, and economic sustainability. Such assessments should focus on promoting existing sustainable livelihoods and the development of new sustainable livelihoods and, in so doing, an ability to address the commitments that the Government of Canada has made to achieve the UN Sustainable Development Goals (SDGs). Such legislation could serve as timely model legislation for other countries as they too seek to advance the SDGs.

Thank you for considering these requests for what has proven to be a difficult situation for the communities potentially affected by this proposed development (as it is currently envisioned) and, more generally, the citizenry of Saskatchewan committed to long term goals of sustainable development and wise use of our freshwater resources in an era of profound climate change impacts on the Canadian prairies. Feel free to contact us if you have any questions or concerns or if we might be of further assistance in relation to either request. **As this process is now very time sensitive, we would ask a reply to our first request as soon as possible and our second request based on the timelines of your own legislative review.**

Sincerely,



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cc. Hon. Ralph Goodale, Minister of Public Safety