

## Alberta green groups condemn ERCB's Castle sour gas decision

By Jen Gerson May 27, 2011

Environmental groups are calling for changes to the Energy Resources Conservation Board after a denied court decision opened ecologically sensitive land to a sour gas project.

A resident of southwestern Alberta's Castle region, Mike Judd, asked the ERCB to reconsider the Shell Canada project as he believes it would threaten local grizzly bears.

In March, the regulatory agency denied the request, allowing the project to move forward.

Earlier this week, the Alberta Court of Appeal denied Judd's bid to appeal the ERCB's ruling.

Several conservation groups, including the Sierra Club Canada, the Canadian Parks and Wilderness Society and the Castle-Crown Wilderness Coalition condemned the court decision Friday.

"How the appeal was denied highlights the major flaw in the process of how we make these decisions," said Sarah Elmeligi, senior conservation planner with the southern Alberta chapter of CPAWS.

The legal process has been time-consuming and onerous, she said.

Judd's case involved going through an ERCB hearing that did not consider other projects in the area, such as logging, she added.

"There's no way for the public to try to influence the hearing unless they are landowners directly affected by the process," she said.

The ERCB denies these charges.

Rather, Bob Curran, spokesman for the provincial agency, said environmental groups are allowed to participate in hearings and have done so in the past.

"Generally speaking, the board often hears criticism from different parties. The public says we side with industry or other special-interest groups," Curran said. "Industry says we're too public-friendly, we have too many rules, we're too green."

The region that will soon be the site of the sour gas mine is currently home to a denning grizzly and rare plants, the groups said.

The ERCB discounted the evidence of a grizzly den in its decision because not all parties had equal access to observe the site, Curran added.

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“The (appeals) judge clearly found the board’s ruling was reasonable,” he said.

Yet Elmeligi said the outcome proves the process is flawed.

“Castle has more species than anywhere else in Alberta. It has the highest rate of biodiversity anywhere in the province,” she said.

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