



## REINVENTING INTEGRATED RESOURCE MANAGEMENT IN ALBERTA: BOLD NEW INITIATIVE OR 'DÉJÀ VU ALL OVER AGAIN'?

Steven A. Kennett ♦

### Introduction

Resource-use conflicts and concerns with cumulative environmental effects have led to renewed interest in integrated resource management (IRM) in Alberta. The latest IRM initiative can be traced to *Alberta's Commitment to Sustainable Resource and Environmental Management*, a policy statement released in March 1999. This initiative has included the creation of the Integrated Resource Management Branch within Alberta Environment and support for prototype 'regional strategies' as mechanisms for developing and implementing IRM.<sup>1</sup>

IRM has currency outside of government as well. Key industrial players are involved in the Integrated Landscape Management program of the Alberta Chamber of Resources.<sup>2</sup> Leaders in the agricultural community have identified the need for better integration of decision-making through a provincial land-use strategy.<sup>3</sup> Environmental organizations, while for the most part skeptical of current government initiatives, have repeatedly called for changes in environmental and resource management that are consistent with IRM.<sup>4</sup>

Scientific and technological advances are another important part of the IRM picture. The landscape-level implications of the current pace, scale and intensity of development are clearly shown by the ALCES model – A Landscape Cumulative Effects Simulator – developed by Dr. Brad Stelfox of Forem Technologies.<sup>5</sup> Widely

used by industry and government in Alberta, ALCES dramatically increases the ability of land and resource managers to identify, predict, explain and, presumably, address cumulative environmental effects across what Stelfox refers to as "meaningful space and meaningful time."<sup>6</sup> An Industrial Research Chair in Integrated Landscape Management, held by Dr. Stan Boutin, has been established at the University of Alberta with support from industry and government.<sup>7</sup> The Alberta Research Council has also identified IRM as a priority.<sup>8</sup>

Taken together, these developments constitute an unprecedented alignment of government policy direction, stakeholder interest, technical capacity and scientific knowledge in support of a more integrated approach to environmental and resource management in Alberta. Perhaps the time has finally come to make IRM a reality?

Amid the current enthusiasm for IRM, it is worth noting that this concept is not new. IRM was explicitly promoted as a cornerstone of environmental and resource management in Alberta throughout much of the 1970s and 1980s. By the mid-1990s, however, the limitations of this IRM policy were increasingly evident and support for it had eroded both within and outside of government. When evaluating the prospects for IRM in Alberta, the uneven record of past efforts to achieve integration is instructive.

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This article examines the current IRM initiative in light of key lessons from the past. On this basis, it identifies specific criteria for assessing the strength of the Alberta government's commitment to IRM and the likelihood that its new IRM policy will yield significant and durable improvements to environmental and resource management. A more detailed examination of these issues is found in a paper entitled *Integrated Resource Management in Alberta: Past, Present and Benchmarks for the Future*, published in February 2002 by the Canadian Institute of Resources Law.<sup>9</sup>

### Lessons from the Past

IRM is an idea with a relatively long history in Alberta. Its origins go back to 1947, when the governments of Canada and Alberta established the Eastern Rockies Forest Conservation Board. The integrative capacity of this Board diminished over time, however, as the Alberta government increased its control over resource development.<sup>10</sup> By the early 1970s, the results of sectoral fragmentation in resource management were evident as development pressures increased and significant land-use conflicts emerged.

The catalyst for action was a report by the Environment Conservation Authority in 1974 that identified an urgent need for strong and effective land-use policies to improve coordination in provincial resource management.<sup>11</sup> In response, the Alberta government initiated the integrated resource planning (IRP) process for public lands,

adopted the Eastern Slopes Policy, and created the Resource Evaluation and Planning Division within the Department of Energy and Natural Resources.

IRM was actively promoted as government policy from the mid-1970s until at least the early 1990s. For example, a document entitled *Alberta Public Lands*, published in 1988, affirmed that:

"Integrated resource management has been established as the fundamental approach to decision-making for public lands and resources of Alberta."<sup>12</sup> IRPs were the principal instruments of this IRM policy.

A government publication released in 1991 explained the role of IRPs and outlined the stages of the planning process – from resource inventories and initiation, through the plan development and approval processes, to final implementation and monitoring.<sup>13</sup> The responsibilities of government departments and the opportunities for stakeholder participation were also described. The document concluded with the observation that: "Alberta's integrated resource planning process is recognized by both government agencies and the public as being an effective decision-making mechanism for the management of public land and resources."<sup>14</sup>

This optimistic assessment was not borne out by the reality of environmental and resource management in Alberta throughout the rest of the 1990s. The IRP process lost political support and momentum, and was eventually starved of resources.<sup>15</sup> IRPs were not systematically updated and their coverage was never extended,

## RÉSUMÉ

En Alberta, la gestion intégrée des ressources (GIR) est actuellement préconisée comme solution aux conflits liés à l'emploi des ressources naturelles et aux effets cumulatifs que leur développement est susceptible de causer à l'environnement. À bien des égards, les perspectives de progrès concernant la mise en oeuvre d'une approche plus intégrée à la gestion de l'environnement et des ressources n'ont jamais été meilleures. Néanmoins, l'expérience de l'Alberta en matière de politique de GIR suggère qu'il convient d'être prudent. Cet article identifie les leçons importantes qu'il importe de tirer de la politique de GIR et du processus d'aménagement intégré des ressources dont l'Alberta a déjà fait l'expérience. Ces leçons sont ensuite utilisées pour évaluer l'initiative actuelle de GIR et pour suggérer plusieurs repères pour l'avenir. L'auteur soutient notamment que le succès de la GIR relève d'une part, de l'intégration structurelle des lois, institutions et processus de prises de décision, et d'autre part, du développement d'un cadre juridique pour le processus d'aménagement du territoire qui est au coeur d'une véritable gestion intégrée des ressources.



as had been promised, to all public lands in the province. The Resource Planning Branch disappeared in a series of departmental reorganizations that continually destabilized environmental management within the Alberta government. In fact, land-use planning was for a time effectively removed from the environmental and resource management lexicon in Alberta in response to an ideology of deregulation and government 'down-sizing'.

There is no doubt that IRPs, the Eastern Slopes Policy and other components of IRM that date to the 1970s were progressive in their time. A strong case can be made that they resulted in better decision-making that would have occurred in their absence. Nonetheless, it became increasingly clear throughout the 1990s that IRM and the IRP process as implemented in Alberta were inadequate to address the growing pressures on the province's land and resource base.<sup>16</sup> In particular, the multiple-use orientation and reliance on zoning in IRPs made these plans of limited assistance to decision-makers faced with intensifying resource-use conflicts and concerns with cumulative environmental effects.<sup>17</sup> The IRP process and the policy commitment to IRM also lacked the ability to withstand countervailing pressures from within and outside of government.

While the definitive analysis of the rise and fall of Alberta's IRM policy and IRP process has yet to be written, it is possible to identify two key characteristics of this experience that yield important lessons as Alberta embarks on another IRM initiative. These characteristics contributed to the inability of IRM to meet the new challenges of environmental and resource management and sustain support and momentum over time.

The first notable feature of the earlier IRM policy was its failure to penetrate to the structural level of legislation, institutional arrangements and decision-making processes. IRM was pursued within a pre-existing legislative and policy framework that was never systematically reviewed and amended in order to achieve structural integration. The IRM policy and planning veneer could not, in the end, conceal the fact that Alberta's regime for environmental and resource management remained structurally fragmented along numerous sectoral and administrative fault lines.

The focus of IRM on coordinating – as opposed to truly integrating – sectoral resource management meant that it was an 'add-on' rather than a core mission for key decision-makers. Furthermore, this policy overlay cut, in important respects, against the institutional self-interest and sector-specific mandates of the departments and agencies whose behaviour it was intended to modify. Since IRM was not internalized in decision-making through structural change and lacked a powerful institutional champion, it was vulnerable to ideological opposition, interest-group pressure, and funding cuts.<sup>18</sup>

Furthermore, the failure of IRM to achieve structural integration may help to explain the difficulty in moving beyond the 'multiple-use' paradigm that promises all things to all people. The generality of many IRPs is consistent with a process that is capable of aggregating, but not integrating, land-use objectives. The IRP process apparently lacked the integrative mechanisms that are necessary to address cumulative effects and reconcile competing demands on land and resources within overall landscape objectives and constraints.

The second key characteristic of the experience with IRM was the absence of a developed legal framework for IRPs. Flexibility, not certainty, was the hallmark of land-use planning in Alberta. The entire legal basis for the IRP process is a few words in section 10 of the *Public Lands Act* that enable the Minister to "classify public land and declare the use for which he considers different classes to be adaptable." The Eastern Slopes Policy, as revised in 1984, includes statements that it is "sufficiently flexible so that all future proposals for land use and development may be considered" and that "No legitimate proposals will be categorically rejected."<sup>19</sup> Furthermore, the absence of legislative planning requirements made it easy to scale down the process and allow IRPs to become outdated without triggering accountability mechanisms.

These features of past IRM policy are significant for the current initiative for two reasons. First, a failure to address structural fragmentation and provide a legal framework for land-use planning is likely to reduce the effectiveness of the initiative and increase its vulnerability to the inevitable resistance from sectoral and administrative interests. Second, an unwillingness





to act decisively in these areas may signal a lack of commitment on the part of the government to take IRM principles to their logical and necessary conclusions for environmental and resource management.

### IRM Today

*Alberta's Commitment to Sustainable Resource and Environmental Management* (the Commitment Document) identified IRM as one component of the government's overall approach to sustainable development.<sup>20</sup> Interdepartmental coordination and comprehensive planning processes were noted as mechanisms for improving integration in decision-making across a broad range of land and resource uses. The government also affirmed the need to ensure that its policies, laws and regulations "reflect the principles of sustainable development and integrated resource management."<sup>21</sup> The Commitment Document did not, however, contain a detailed roadmap for achieving IRM in Alberta.

In the three years since the Commitment Document was released, the Integrated Resource Management Branch has held stakeholder workshops and issued publications that explain IRM principles and highlight efforts to promote IRM within Alberta.<sup>22</sup> Government and other stakeholders have devoted considerable effort to pilot 'regional strategies' in the Northern East Slopes and Athabasca Oil Sands areas of the province.<sup>23</sup> These measures have increased awareness of IRM, but have not yet resulted in either a detailed template for IRM in Alberta or a comprehensive implementation plan.

Regional strategies have a central role in the IRM initiative. A draft document entitled *Regional Strategies for Resource and Environmental Management – an Alberta Framework* (the Draft Framework), was released in January 2002 in order to establish "provincially consistent direction on the content of regional strategies and on the process to be used in developing them."<sup>24</sup> The Draft Framework identifies the role of regional strategies as providing a bridge between the legislation and policies that apply throughout the province and the operational plans and regulatory approvals that are the practical tools of resource and environmental management. It notes, however, that the final strategy documents

are to be statements of policy, intended to guide – but not 'fetter' – operational decision-making.<sup>25</sup>

While the Draft Framework contains a reasonable level of detail regarding the procedural and substantive characteristics of regional strategies, three important issues receive a more cursory treatment:

- (1) the broader context for regional strategies;
- (2) the formalization of comprehensive regional planning; and
- (3) the implementation of IRM at regional and provincial levels.

First, it is evident that provincial legislation and policy will define, in important respects, the context within which regional strategies will be developed and implemented. The Draft Framework briefly describes this context, but does not discuss fully its implications. A key question for IRM is the extent to which meaningful integration can be achieved through improvements in operational coordination and 'on-the-ground' management practices at the regional level.

The importance of this issue is acknowledged in a key passage in the Draft Framework:

"Many of the current laws and policies were developed independently of one another for different purposes. This makes achievement of broad, integrated goals difficult and results in overly complex decision processes. The Alberta government is committed to reviewing the entire policy and legislative context for resource and environmental decision-making. Where inconsistencies and conflict among policies and legislation surface during regional strategy development, they will be identified for resolution in the provincial process."<sup>26</sup>

The IRM initiative is therefore poised to expand from a primary focus on regional strategies to include an examination of provincial legislation and policy. To date, however, no details are available regarding this provincial process and the extent to which it will be coordinated with the development of regional strategies.





A second issue that warrants more attention is the formalization of land-use planning. To be effective, IRM must be a process rather than a 'snapshot'. While some elements of planning through regional strategies are set out in the Draft Framework, the ongoing planning and adaptive management processes that are essential for IRM are not described in detail. Furthermore, there is no indication that these processes will be formalized through legislation or given a powerful institutional champion within government.

A third issue requiring elaboration is the implementation of regional strategies. The Draft Framework notes that "Past planning programs often failed because of inadequate attention to their implementation."<sup>27</sup> Regional management systems are identified as the mechanisms to oversee the implementation, monitoring and maintenance (i.e., review and amendment) of strategies and to address new issues as they arise. The design of these systems, however, is characterized as a "work in progress".<sup>28</sup> The Draft Framework indicates that they may be examined as part of the provincial regulatory review.

The ultimate success of IRM depends on effective implementation. Lack of detail on this point is, therefore, a concern – particularly when the entire IRM initiative to date relies on policy commitments and planning processes that lack well developed legal and institutional underpinnings. The risk is that regional strategies as integrative mechanisms will be subordinate to legal mandates, regulatory regimes and management priorities that do not fully reflect the principles and operational requirements of IRM. For example, the pivotal role envisaged for interdepartmental Environmental Resource Committees consisting of regional managers may be undermined if the organizational structure of line departments fosters a sectoral mentality and if key decisions on matters such as resource dispositions and project approvals are made elsewhere without due regard to IRM objectives.

Alberta's IRM initiative has now entered a critical stage. Its success will depend in part on the steps that are taken to refine and implement policy guidelines for regional strategies.<sup>29</sup> The next version of the Draft Framework, due before the summer, should provide some indications of the government's intentions in this regard.

Additional guidance should be forthcoming from the final report of the Northern East Slopes Strategy, expected by the end of 2002. Progress on regional strategies, however, will not by itself deliver IRM. How the IRM initiative unfolds in other areas will be equally important.

### **Benchmarks for the Future**

The principles and objectives guiding Alberta's current IRM initiative are a good basis for progress, as is the Draft Framework. In particular, there are indications that some of the principal deficiencies of IRPs may be addressed in the regional strategies. References to landscape objectives and environmental thresholds, for example, are encouraging.<sup>30</sup>

Nonetheless, the similarities with Alberta's earlier IRM policy and with the IRP process are striking – and worrying. IRM thus far remains a policy process that is directed to improving integration in environmental and resource management but that does not address the root causes of fragmentation within legislation, institutional arrangements and decision-making processes. The lessons from the past suggest three principal benchmarks for the current IRM initiative.

The first benchmark is implementation of the commitment in the Draft Framework to review "the entire policy and legislative context for resource and environmental decision-making".<sup>31</sup> This review should provide a detailed and comprehensive assessment of Alberta's current regime from the perspective of IRM. In particular, one would expect a review process with broad terms of reference, high-level political and interdepartmental support, a solid analytical component, and effective mechanisms for involving key stakeholders.

This legislative and policy review should lay the groundwork for tangible progress towards structural integration, the second significant benchmark for IRM. Alignment of legislation, institutions and decision-making processes with principles of IRM will be a complex task that will take some time to complete. Nonetheless, a clear plan of action and decisive steps in this direction are essential if the current IRM process is to avoid the pitfalls of the past.





Sectoral fragmentation is a key area requiring attention. Decision-making on the basis of narrow sectoral mandates is the antithesis of IRM, yet is institutionally entrenched in the legal regimes and administrative arrangements that govern land and resource use in Alberta. The differences between decision-making processes and standards across industrial sectors and types of land use are well known.

For example, a recently published paper by Monique Ross of the Canadian Institute of Resources Law examines the legislative and policy regimes that govern forestry and oil and gas operations in Alberta.<sup>32</sup> This analysis shows that planning requirements, resource disposition regimes, project review processes and regulatory instruments all result in the application of different standards and time frames to activities in these two sectors – despite the fact that these activities occur on the same land base, contribute to the same cumulative environmental effects, and in some cases impinge directly on each other.

The third important benchmark is the legal entrenchment of land-use planning and the formalization of linkages between planning and other stages of decision-making. Building on the policy direction sketched out in the Draft Framework, next steps could include:

- enacting a statutory basis for planning that addresses issues such as the time lines for preparing and revising plans, the rights of interested parties to participate in these processes, information disclosure, and the mechanisms for amending plans and determining whether or not proposed or ongoing activities are in conformity with them;
- ensuring that land-use plans go beyond vague ‘multiple-use’ language and provide clear direction to decision-makers in the form of landscape objectives, indicators, thresholds and other tools for managing cumulative environmental effects;
- establishing a relatively simple hierarchy of land-use policy and planning with a view to promoting certainty and consistency in the relationship between provincial legislation and policy directions, regional planning processes, and planning that occurs through sub-regional and sectoral processes; and

- strengthening linkages between land-use planning, resource dispositions, project review processes, and regulatory decisions – in order to give some ‘teeth’ to planning decisions and to ensure that integration along this axis yields an efficient, transparent and relatively predictable process for environmental and resource management.

Through an appropriate mix of legal and policy mechanisms, a balance between certainty and flexibility in planning can be achieved. Legal entrenchment of planning would increase accountability and reduce the likelihood of *ad hoc* decisions that undermine the process and make IRM vulnerable to the very pressures of fragmentation and incremental decision-making that it is designed to counteract.

## Conclusion

The current IRM initiative could significantly improve the Alberta government’s ability to manage cumulative environmental effects and address land-use conflicts. Achieving its full potential, however, will require overcoming the obstacles that hindered past efforts at integration. The disappointing record of earlier IRM policy can be traced, at least in part, to a failure to achieve structural integration at the level of legislation, institutional arrangements and decision-making processes. The weak legal foundations of integrated land-use planning were also a major deficiency.

Tangible progress towards structural integration and the formalization of land-use planning are therefore important benchmarks for IRM. Given the extent and intensity of human activity on the landscape in Alberta and the potential for that activity to produce adverse ecological impacts and resource-use conflicts, there is every reason to hope that these benchmarks will be reached. Progress towards sustainable environmental and resource management in Alberta requires a bold IRM initiative that responds to the lessons from past attempts at integration. Without attention to these lessons, there is a risk that end result of efforts to reinvent IRM will be little more than ‘déjà vu all over again’.

♦ Mr. Kennett is a Research Associate at the Canadian Institute of Resources Law. The research for this article was funded by the Alberta Law Foundation.



## Notes

1. Information on the IRM initiative can be found at <http://www3.gov.ab.ca/env/irm/index.html>.
2. See: <http://acr-alberta.com/Projects/integrated-landscape-management.htm>
3. Land Use Core Action Team, *Towards the Development of a Provincial Land Use Strategy for Alberta*, Discussion Paper (December 2001). IRM and related issues featured prominently on the agenda at: "The Land Supports Us All" Land Use Conference, Edmonton, Alberta, January 14-16, 2002, hosted by the Rural Education and Development Association ([www.landuse.ab.ca](http://www.landuse.ab.ca)).
4. See, for example: Gail MacCrimmon & Thomas Marr-Laing, *Patchwork Policy, Fragmented Forests: In-situ oil sands, industrial development, and the ecological integrity of Alberta's boreal forest* (Drayton Valley, Alberta: Pembina Institute for Appropriate Development, 2000); Alberta Wilderness Association, Albertans for a Wild Chinchaga, Canadian Parks and Wilderness Society—Edmonton Chapter, and the Federation of Alberta Naturalists, *Structural Impediments to FSC Certification in Alberta: Overcoming Barriers to Well-Managed Forests* (November 2001) (available at: [www.borealcentre.ca](http://www.borealcentre.ca)).
5. See: [www.foremtech.com](http://www.foremtech.com).
6. Quoted in Andrew Nikiforuk, "Laying Down The Land" *Alberta Venture* (December 2001) at 94.
7. See: [www.biology.ualberta.ca/boutin.hp/boutin.html](http://www.biology.ualberta.ca/boutin.hp/boutin.html).
8. Personal communication from T.G. Neraasen, 20 February 2002.
9. Steven A. Kennett, *Integrated Resource Management in Alberta: Past, Present and Benchmarks for the Future*, CIRL Occasional Paper #11 (Calgary: Canadian Institute of Resources Law, 2002).
10. See: Pierre Walther, "Against Idealistic Beliefs in the Problem-Solving Capacities of Integrated Resource Management" (1987) 11(4) *Environmental Management* 439.
11. Environment Conservation Authority, *Land Use and Resource Development in the Eastern Slopes: Report and Recommendations* (Edmonton: 1974), discussed in Walther, *ibid.*, at 441.
12. Alberta Forestry, Lands and Wildlife, *Alberta Public Lands* (Edmonton: 1988) at 25.
13. Alberta Forestry, Lands and Wildlife, *Integrated Resource Planning in Alberta*: (Edmonton: Resource Planning Branch, 1991).
14. *Ibid.*, at 21.
15. For commentary on the IRP process, see: Environment Council of Alberta, Policy Advisory Committee, *Our Dynamic Forests: The Challenge of Management*, A Discussion Paper Prepared for the Alberta Conservation Strategy Project (Edmonton: December 1990) at 48; Roger Creasey, *Cumulative Effects and the Wellsite Approval Process*, Thesis submitted to the Faculty of Graduate Studies in partial fulfillment of the requirements for the degree of Master of Science, Resources and Environment Program, University of Calgary, December 1998, at 78-80, 155-157; Steven A. Kennett & Monique M. Ross, "In Search of Public Land Law in Alberta" (1998) 8 *Journal of Environmental Law and Practice* 131 at 151-159.
16. For a summary of commentary on IRM and IRPs, see Kennett, *supra*, note 9 at 8-12.
17. See, Steven A. Kennett, "Cumulative Effects Assessment and the Cheviot Project: What's Wrong with this Picture?" (1999) 68 *Resources* 1.
18. See Walther, *supra*, note 10 at 339, 444-445.
19. Government of Alberta, *A Policy for Resource Management of the Eastern Slopes, Revised 1984* (Edmonton: Alberta Energy and Natural Resources, 1984) at iii.
20. Government of Alberta, *Alberta's Commitment to Sustainable Resource and Environmental Management* (Edmonton: March 1999) at 4.
21. *Ibid.*, at 8.
22. See, for example: Government of Alberta, *Highlights of Integrated Resource Management In Alberta – Year 2000* (Edmonton: Alberta Environment, n.d.).
23. For information on these initiatives, see Alberta Environment's IRM web site, *supra*, note 1.
24. Government of Alberta, *Regional Strategies for Resource and Environmental Management – an Alberta Framework*, Release 1 (January 2002) at 2.
25. *Ibid.*, at 10.
26. *Ibid.*, at 4.
27. *Ibid.*, at 14.
28. *Ibid.*, at 14.
29. Some suggestions for improving the Draft Framework are outlined in: Steven Kennett, Monique Ross & Mike Wenig, *Comments on the Draft Provincial Framework for Regional Strategies Release 1 – January 2002*, submitted to Dave Belyea, Integrated Resource Management Division, Alberta Environment (1 February 2002) (available from CIRL).
30. *Supra*, note 24, at 9.
31. *Ibid.*, at 4.
32. Monique M. Ross, *Legal and Institutional Responses to Conflicts Involving the Oil and Gas and Forestry Sectors*, CIRL Occasional Paper #10 (Calgary: Canadian Institute of Resources Law, 2002)



HUMAN RIGHTS AND RESOURCE DEVELOPMENT IN  
ALBERTA: A WORKSHOP – OCTOBER 4 AND 5, 2002

The Canadian Institute of Resources Law and the Alberta Civil Liberties Research Centre will hold a two-day Workshop to consider some of the human rights issues which arise in connection with oil and gas development in Alberta. This event will be held on October 4-5, 2002, at the University of Calgary.

Increasingly, media reports are bringing to light disputes between petroleum companies and those affected by their operations, both in Alberta and around the world. People are concerned about the potential impacts of resource development both on their health and on their way of life or culture.

The objective of this Workshop is to enhance understanding of the legal basis for framing health and cultural impacts of resource development as human rights issues and of the opportunities for advancing human rights claims of this kind in the resource development process. The Workshop will examine the legal foundation (in domestic and international law) for human rights-based claims to a right to health or a right to cultural integrity. It will also consider the existing judicial and administrative mechanisms for advancing such human rights claims in the resource development process in Alberta.

If you would like to receive more detailed information about this Workshop when it becomes available, please send your name, institutional affiliation (if you have one) and contact information to Pat Albrecht at telephone 403.220.3974, fax 403.282.6182 or e-mail palbrech@ucalgary.ca.

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# RESOURCES

NUMBER 77 – WINTER 2002

*Resources* is the newsletter of the Canadian Institute of Resources Law. Published quarterly, the newsletter's purpose is to provide timely comments on current issues in resources law and policy. The opinions presented are those of the authors and do not necessarily reflect the views of the Institute. *Resources* is mailed free of charge to approximately 1500 subscribers throughout the world. (ISSN 0714-5918)

**Editors:** Nancy Money and Sue Parsons

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