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March 15, 2024

Environment and Climate Change Canada
Clean Electricity Regulations

ecd-dec@ec.gc.ca

Re: 'What We Heard' Document, February 16, 2024

The Saskatchewan Environmental Society expressed its support for the Government of Canada's draft Clean Electricity Regulations in an earlier submission. In commenting on the 'What We Heard' document we first wish to reiterate our support for the Clean Electricity Regulations. It appears clear to us that, while electricity system producers and operators may have reasonable concerns about meeting the proposed regulations, inertia and inattention should not be among them. Our comments are as follows:

Performance Standard

The 'load following' argument appears conceptually sound but, in the absence of any gas-fired power stations equipped with CCS, should be considered as theoretical at this point. More importantly, any new gas-fired power stations constructed after 2025 will likely operate as baseload supplies in preference to currently existing unabated gas-fired power stations. Experiments with power stations equipped with CCS in meeting dispatchable power requirements could be used to confirm the 'load following' argument. In the interim period no change should be made to the performance standard.

Emissions Limit

We are cautiously supportive of tailoring the annual emissions limit to each unit's capacity. That said, the Saskatchewan Environmental Society tends to view the likelihood of retrofitting CCS into currently operating gas- or coal-fired power stations as remote. Producers would more likely favour building a new CCS-equipped power station. The CERs should be able to deal with retrofitting CCS into existing power stations should it occur but that possibility remains to be seen.

Pooling

We are cautiously supportive of the proposed pooled emissions cap. As part of that pooling, however, there must be a proscribed reduction in the pooled emissions cap over time. A reduction to zero by 2040 appears reasonable.



Offsets

The treatment of potential offsets lies in the details. If offsets are considered, the Saskatchewan Environmental Society would like to see declining use over time.

Peaker Provisions

We assume that the elimination of the peaker provision is tied to pooling. In the absence of a pooled emissions cap, regulation of peaker plants must be re-instated.

End of Prescribed Life

The Saskatchewan Environmental Society does not support changes to the EoPL provisions.

New Units Under Development

The Saskatchewan Environmental Society is aware of the Aspen gas-fired power station in this province where this provision may apply. We feel that this provision must be used with great caution if it is used at all. We note that the Aspen project was announced after the draft Clean Electricity Regulations were promulgated.

Cogeneration Units

The Saskatchewan Environmental Society supports this change.

Minimum Size Threshold

The Saskatchewan Environmental Society supports this change. We would further support penalties for power producers who egregiously attempt to skirt the regulations.

Emergencies

The Saskatchewan Environmental Society supports this change. It should be noted, however, that failure to plan by a system operator should not constitute an emergency. For example, having two gas-fired power stations unavailable for generation in the middle of winter, as occurred in Alberta in mid-January 2024.

Thank you for your attention to this submission. To summarize, the Saskatchewan Environmental Society fully supports the proposed Clean Electricity Regulations in the context of the current climate emergency. While modest adjustments to the proposed regulations to meet concerns in Alberta and Saskatchewan may be in order, the overall thrust of substantially eliminating greenhouse gas emissions from the electricity system by 2035 must be maintained.

Sincerely,

A handwritten signature in blue ink that reads 'Megan Van Buskirk'.

Megan Van Buskirk
Associate Director

SES's initial comments on the Clean Electricity Regulations, October 2023:

The Saskatchewan Environmental Society supports the Government of Canada's draft Clean Electricity Regulations. These regulations are an essential step in achieving a major reduction in greenhouse gas emissions in Canada's electricity generation sector in the decades ahead. The new regulations will in turn will pave the way for clean electricity to replace fossil fuel burning in other key sectors of the Canadian economy such as transportation, buildings, and heavy industry. The regulations will have the added benefit of reducing mercury emissions in southern Saskatchewan.

Without the implementation of the draft Clean Electricity Regulations the pace of greenhouse gas (GHG) emission reduction in the electricity generation sector will be much slower, resulting in unacceptably high releases of carbon dioxide into the atmosphere. In our view, carbon pricing alone will be insufficient to prompt the deep emission cuts that are required to address climate change, particularly in the provinces of Saskatchewan, Alberta, New Brunswick and Nova Scotia. The adoption of the Clean Electricity Regulations is a necessary prerequisite to Canada fulfilling its commitment to the global community to achieve net-zero GHG emissions by 2050.

The past 10 months of 2023 have provided ample evidence that climate change impacts in Canada and around the world are accelerating. For example, the sharp jump in global average temperature in the months of June, July, August and September 2023 is alarming and without precedent. So is Canada's 2023 forest fire season with over 18 million hectares of forest burned. The annual pace of sea level rise has doubled over the past 30 years, meaning the threat sea level rise poses on each of Canada's coasts is coming much sooner than originally forecast. Moreover, extremely heavy precipitation events and severe storm events are steadily increasing in frequency.

Thus, the dangerous acceleration of climate change impacts and the threat greenhouse gas emissions pose to public health and wellbeing around the world should be emphasized when finalizing the objectives of the Clean Electricity Regulations. The objectives should be written in such a way as to make it clear that the steps the Government of Canada is taking to reduce GHG emissions in the electricity generation sector are within the domain of the Government of Canada (as opposed to the provinces) and are essential for the purposes of protecting human well-being. Indeed, the climate emergency now threatens the very future of human civilization. Deep and rapid reductions in greenhouse gas emissions are absolutely imperative.

For this reason, the Government of Canada must continue to move forward with an ambitious climate change action plan. The Clean Electricity Regulations are a central part of that plan and should not be weakened.

The Saskatchewan Environmental Society is worried that the constitutionality of the Clean Electricity Regulations will be challenged by several provincial governments, including the Government of Saskatchewan. In 2022 the Government of Saskatchewan passed *The Saskatchewan First Act*. One of its purposes was to claim that the management of GHG emissions from electricity generation in Saskatchewan lies under the exclusive jurisdiction of the Saskatchewan government. Our organization is of the view that the Saskatchewan government has no right to claim exclusive jurisdiction over managing GHG emissions related to electricity production in Saskatchewan. However, given the recent Supreme Court ruling on the federal Impact Assessment Act, it will be important that the Clean Electricity Regulations achieve their objectives without unduly intruding on the constitutional authority of the Government of Saskatchewan to design and operate its electrical grids.

Thank you for the opportunity to offer comment.