

## 1. Wood Buffalo National Park (Canada) (N 256)

Year of inscription on the World Heritage List 1983

Criteria (vii)(ix)(x)

Year(s) of inscription on the List of World Heritage in Danger N/A

Previous Committee Decisions see page <https://whc.unesco.org/en/list/256/documents/>

International Assistance

Requests approved: 0

Total amount approved: USD 0

For details, see page <https://whc.unesco.org/en/list/256/assistance/>

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

September/October 2016: Joint World Heritage Centre/IUCN Reactive Monitoring mission

Factors affecting the property identified in previous reports

- Road construction (issue resolved)
- Renewable energy facilities (existing and planned hydroelectric dams, including Site C and Amisk)
- Oil and gas (Alberta oil sands mining)
- Climate change
- Lack of adequate and comprehensive environmental monitoring
- Governance (lack of effective engagement with First Nations and Métis in monitoring activities and insufficient consideration of local and indigenous knowledge)
- Groundwater and air pollution
- Cumulative impacts (insufficiently understood cumulative impacts of multiple development pressures)

Illustrative material see page <https://whc.unesco.org/en/list/256/>

Conservation issues presented to the World Heritage Committee in 2021

On 21 December 2020, the State Party submitted a state of conservation report which is available at <https://whc.unesco.org/en/list/256/documents>, and also announced an investment of CAD 59.9m (USD 49.5m) over 3 years for the implementation of the Wood Buffalo National Park Action Plan (AP) (<https://www.canada.ca/en/parks-canada/news/2020/12/government-of-canada-supports-continued-delivery-of-action-plan-to-ensure-the-ongoing-protection-of-wood-buffalo-national-park-world-heritage-site.html>).

In response to Committee Decision **43 COM 7B.15**, the State Party reports as follows:

- Half of the actions under the AP are reportedly completed or underway and longer-term funding is being identified;
- Ongoing activities include renewal of partnerships; development of new policies for Indigenous peoples; improved impact assessment processes; monitoring and communication; and evaluation of water management structures in the Peace Athabasca Delta (PAD);
- The provincial parks south of the property have further grown to more than 1.3 m ha of provincial crown land, including the Kitaskino Nuwenëné Wildland Park (KNWP, formerly “Biodiversity Stewardship Area”) based on efforts involving the Alberta Government, First Nations and industry;

- The Minister of Environment and Climate Change of Canada determined that wood bison, including the Ronald Lake Bison Herd, is facing imminent threat to its recovery due to disease risks and industrial activities;
- Noting the advanced Site C hydropower project and the proposed Amisk Hydroelectric Project, the State Party reports that a longer-term modelling effort is underway to build a holistic, inter-jurisdictional framework that captures the complex interactions influencing the health of the PAD;
- The Alberta Government is reported to be “pursuing opportunities to assess the risk” of the tailings ponds of the Alberta Oil Sands. The establishment of a water-science team under the Oil Sands Monitoring (OSM) program, along with the Tailings Management Framework, the Oil Sands Reclamation Interest Group (OSRIG) and the Surface Water Quantity Management Framework for the Lower Athabasca River, are reported;
- The Joint Review Panel (JRP) for the Teck Frontier Oil Sands Mine Project considered the Strategic Environmental Assessment (SEA) in line with the AP. The proponent, however, has since withdrawn this project.

In line with Paragraph 174 of the *Operational Guidelines*, the World Heritage Centre submitted letters to the State Party with third party information related to the suspension of environmental monitoring (25 June 2020) and on the findings of the recent Alberta Tailings Pond II factual record prepared by the Secretariat of the Commission on Environmental Cooperation (CEC) (3 November 2020). The State Party replied to these letters on 27 November and 17 December 2020, respectively. The World Heritage Centre also received written submissions from several First Nations and non-governmental organizations, including an “Indigenous state of conservation report” submitted by three First Nations. The World Heritage Centre transmitted the information to the State Party on 16 December 2020, 7 January and 23 February 2021. The State Party replied on 21 December 2020 and 9 April 2021, including updates on public consultations on the expansion of KNWP, environmental flows framework, monitoring of the PAD, and stakeholder and rights-holder involvement in management. It also reported of a meeting between the Minister of Environment and Climate Change and the Wood Buffalo National Park Co-operative Management Committee.

#### *Analysis and Conclusions of the World Heritage Centre and IUCN*

The further implementation of the AP and announced additional funding demonstrate a strong State Party commitment. Similarly, the growing conservation complex south of the property is promising as an evolving buffer against the approaching development frontier, subject to adequate resourcing and coordination. Nonetheless, the key challenges, which continue to compromise the effectiveness of the AP and the integrity of the property remain a significant concern. The announced temporary budget increase does not remove major uncertainty regarding reliable resourcing on par with the significant scale and complexity of the setting, beyond a three-year horizon, and required commitments to First Nations and Métis. Besides resourcing, three overarching governance challenges remain. First, the federal land manager of the property (Parks Canada Agency) has very limited authority beyond the property even though all major threats are outside the property’s boundaries. Second, effective mechanisms for inter-jurisdictional water governance continue to be absent due to its ad hoc nature. Third, the ambition to collaborate with First Nations and Métis, and respect and consider indigenous knowledge, has met with modest success according to the above noted submissions by First Nations.

Meanwhile, the footprint of the Alberta Oil Sands continues to increase through large expansion projects including the Horizon North Pit Mine. It is noted with utmost concern that the JRP concluded the Teck Frontier Oil Sands Mine Project, which would be the largest and closest oil sands project to the property, to be in the public interest, while acknowledging “significant adverse environmental effects”. Although the proponent withdrew the proposal, the project remains a potential future risk. The determination of imminent threats to the recovery of wood bison, partially on the grounds of industrial development, is a further indication that the pressure on the property and its flagship species continues to be very high.

It is of high concern that the risk assessment of the tailings ponds under the AP, requested by the Committee, has not started, whilst both very large ponds containing oil sands processed water (OSPW) have further expanded, and oil sands monitoring was temporarily suspended in 2020. Furthermore, in 2020, the CEC found evidence of OSPW from tailings ponds seeping into groundwater and affecting the Athabasca River. Moreover, publicly available government documents, including the 2020 CEC report (<http://www.cec.org/media/media-releases/cec-secretariat-releases-report-on-alberta-canada-oil-sands-tailings-ponds/>), state that intentional releases of OSPW into the Athabasca River are being planned. The OSM Program considers oil sands related development in isolation, whereas a greater integration with the AP is critical to address cumulative issues.

In terms of hydropower development, construction of the Site C project is continuing. Research and assessments, including through the SEA and the AP, have generated valuable insights. However, it is of serious concern that mechanisms to determine and agree on environmental flow regulation, as recommended by the 2016 Reactive Monitoring mission and endorsed by the Committee in its Decision **41 COM 7B.2** are still not in place 5 years after the mission, let alone binding protocols or frameworks. An Environmental Impact Statement for the Amisk Hydroelectric Project was previously foreseen for 2020 but no update is provided.

Based on the above, it is considered that, in spite of the State Party's positive actions and commitments to date, regrettably the status of the Outstanding Universal Value (OUV) of the property, particularly the Peace Athabasca Delta which is at the core of the OUV, is declining due to: a) unresolved inter-jurisdictional water governance challenges; b) advancement of Site C project; c) no progress made on the risk assessment or management of the large tailings ponds despite new information on major risks and likely current impacts on water quality; d) temporary suspension of ecological monitoring for oil sands; and e) concern about the future release of OSPW. Recalling that the 2016 Reactive Monitoring mission considered that danger listing would be warranted in the absence of a major and timely response, and noting that the previously expressed Committee concerns continue to remain severe and the threats have increased, the World Heritage Centre and IUCN consider it likely that the property now meets the criteria for inscription on the List of World Heritage in Danger in line with Paragraph 180(b) of the *Operational Guidelines*. It is therefore recommended that the Committee request the State Party to invite a joint World Heritage Centre/IUCN Reactive Monitoring mission to the property to assess the state of conservation of the property, to confirm whether the property meets the condition for inscription on the List of World Heritage in Danger, and to recommend the measures necessary to address the threats to its OUV.

**Decision Adopted: 44 COM 7B.190**

The World Heritage Committee,

1. Having examined Document WHC/21/44.COM/7B.Add,
2. Recalling Decisions **39 COM 7B.18**, **41 COM 7B.2** and **43 COM 7B.15**, adopted at its 39th (Bonn, 2015), 41st (Krakow, 2017) and 43rd (Baku, 2019) sessions respectively,
3. While welcoming the important State Party investment in the Wood Buffalo National Park Action Plan and its commitment to enhance the relationship and collaboration with First Nations and Métis, expresses its utmost concern that the major overarching threats and risks stemming from areas outside the property identified by the 2016 Reactive Monitoring mission have not been met with effective management responses, in particular the threats to the Peace Athabasca Delta (PAD) and thereby to the Outstanding Universal Value (OUV) of the property due to:
  - a) The absence of effective inter-jurisdictional water governance,
  - b) The continuation of hydropower development in the absence of clarity on flow regulation that considers OUV,
  - c) The continued absence of an adequate risk assessment for the large tailings ponds upstream of the property despite new information on major risks;
4. Notes that the federal land manager of the property (Parks Canada Agency) has very limited authority beyond the property even though all major threats are outside the property's boundaries, and also expresses its utmost concern about:
  - d) The temporary suspension of oil sands monitoring at a time when the footprint of the oil sands continues to grow,
  - e) The findings by the Commission for Environmental Cooperation (CEC), including consistent evidence of seepage of oil sands processed water (OSPW) from tailings ponds into groundwater within the Athabasca watershed,
  - f) The intention to consider releasing OSPW into the Athabasca River,
  - g) The confirmation of an imminent threat to the recovery of wood bison due to disease risks and industrial activities;
5. Requests the State Party to allocate adequate resources and establish mechanisms to enable effective coordinated management between the federal and provincial governments for the property and the adjacent existing and new provincial protected areas, and strongly encourages the State Party to further exploration of innovative conservation governance and management models in both the provincial parks and the federal national park;
6. Reiterates its encouragement to the State Party to consider the designation of a buffer zone for the property, in particular towards the advancing development frontier;

7. Takes note of the State Party announcement to dedicate substantial additional funding to the implementation of the Action Plan over a three-year period and strongly requests the State Party to ensure adequate and reliable resourcing beyond the three-year term;
8. Also takes note of third party information, including reports from First Nations, regarding ongoing challenges by the State Party in the involvement of stakeholders and rights-holders;
9. Reiterates its request the State Party to fully implement all mission recommendations as soon as possible, in particular to:
  - h) Adopt a clear and coherent policy and guidance to enable the transition to a genuine partnership with First Nations and Métis communities in the governance and management of the property,
  - i) Conduct environmental flows assessments to the highest international standards for the Peace, Athabasca and Slave Rivers as they pertain to the health of the PAD, in order to identify water flows needed to sustain the ecological functioning of the PAD under the circumstances of existing and planned future dams and water withdrawals,
  - j) Conduct a systematic risk assessment of the tailings ponds of the Alberta Oil Sands region with a focus on risks to the PAD, and submit this report to the World Heritage Centre, for review by IUCN, in accordance with Paragraph 172 of the *Operational Guidelines*,
  - k) Expand the scope of monitoring and project assessments to encompass possible individual and cumulative impacts on the OUV of the property and in particular the PAD;
10. Notes with regret that, despite the State Party's important efforts to date, progress has been insufficient in addressing the Committee requests, and regretting that the property continues to face severe threats with its conservation status having not improved since the 2016 mission and the conditions of OUV declining, considers that the property likely meets the criteria for inscription on the List of World Heritage in Danger in conformity with Chapter IV.B of the *Operational Guidelines*;
11. Also requests the State Party to invite, as soon as possible, a joint World Heritage Centre/IUCN Reactive Monitoring mission to the property to assess its state of conservation, in particular in relation to the above-mentioned threats, and to confirm whether the property meets the conditions for inscription on the List of World Heritage in Danger, and to recommend the measures necessary to address the threats to its OUV;
12. Finally requests the State Party to submit to the World Heritage Centre, by **1 February 2022**, an updated report on the state of conservation of the property, including a pathway to address the governance challenges and multiple threats impeding the effectiveness of the implementation of the Action Plan and a broader response to the growing threats to the OUV of the property, for examination by the World Heritage Committee at its 45th session, **with a view to considering, in case of confirmation of potential or ascertained danger to its OUV, the possible inscription of the property on the List of World Heritage in Danger.**