



Legislative Assembly of Alberta

Electoral Boundaries Commission
Public Hearings

Fort McMurray

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7:07 p.m.

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Judge Ernest J.M. Walter, Chair

Dr. Keith Archer
Peter Dobbie, QC
Brian Evans, QC
Allyson Jeffs

Office of the Chief Electoral Officer

Acting Chief Electoral Officer

Lori McKee-Jeske

Participant

Cameron Donald, Fort McMurray-Wood Buffalo
Progressive Conservative Constituency Association

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[Judge Walter in the chair]

The Chair: Good evening. I want to thank you for coming out to share your views with us today. We're looking forward to hearing them.

My name is Ernie Walter. I'm the chairman of the Alberta Electoral Boundaries Commission. I'd like to introduce the other members of the commission here with me today: Dr. Keith Archer of Banff to my far right, Peter Dobbie of Vegreville next to him, Allyson Jeffs of Edmonton to my immediate left, and Brian Evans of Calgary next to Allyson.

Our task here. We've been directed by legislation to make recommendations to the Legislative Assembly on the areas, boundaries, and names for 87 electoral divisions based on the latest census and population information. Our job is to determine where to divide Alberta into 87 areas so that each Albertan receives effective representation by a Member of the Legislative Assembly. Over the next few months we will seek community input through province-wide consultation before developing our recommendations. Through public hearings such as our hearings today, which are the first of the public hearings, we want to hear from the community as to what they say about the representation they are receiving in their community.

In carrying out this work, we have to follow the provisions of the Electoral Boundaries Commission Act. It says that we are to make proposals to the Legislative Assembly regarding the areas, boundaries, and names of 87 electoral divisions. This means that we're mandated to propose four additional electoral divisions in Alberta, which will come into effect at the next provincial general election. We're also reviewing the law, what the courts have said about electoral boundaries in the province of Alberta and in Canada, the work of previous commissions and committees which have studied boundaries in Alberta, and the population information which is available to us.

A brief summary of the electoral boundaries law. As I've said, our function is to make proposals to the Legislative Assembly for 87 electoral divisions. We have a limited time to accomplish this task. We are required, after consideration of representations made at the public hearings, to submit an interim report to the Speaker of the Legislative Assembly in or before February of 2010 that sets out the areas, boundaries, and names of the 87 proposed electoral divisions and the reasons for the proposed boundaries. Following the publication of the interim report, a second round of public hearings will be held to receive input on the proposed 87 boundaries. After consideration of the input the commission must submit a final report to the Speaker of the Legislative Assembly by July 2010. Then it is up to the Legislative Assembly by resolution to approve or to approve with alterations the proposals of the commission and to introduce a bill to establish new electoral divisions for Alberta in accordance with the resolution. The law would then come into force when proclaimed, before the holding of the next general election.

One way to ensure effective representation is by developing electoral divisions with similar populations, especially where population density is similar. The law directs us to use the populations set out in the most recent census of Alberta as provided by Statistics Canada, the 2006 census, but if the commission believes there is population information that is more recent than the federal census compiled by Statistics Canada, then the commission may use this data in conjunction with the census information. Here in Fort McMurray-Wood Buffalo we have available to us more recent population information. As of 2008 the population we have listed is

67,910. This puts the region 67.8 per cent above the provincial average population of 40,466. I should note that we're also required to add the population of Indian reserves, which are not included in the census, as provided by the federal Department of Indian and Northern Affairs.

In dividing Alberta into 87 proposed electoral divisions, the commission will take into consideration any factors it considers appropriate, but it must and shall take into consideration the following:

- (a) the requirement for effective representation as guaranteed by the Canadian Charter of Rights and Freedoms,
- (b) sparsity and density of population,
- (c) common community interests and community organizations, including those of [First Nation] reserves and Metis settlements,
- (d) wherever possible, the existing community boundaries within the cities of Edmonton and Calgary,
- (e) wherever possible, the existing municipal boundaries,
- (f) the number of municipalities and other local authorities,
- (g) geographical features, including existing road systems, and
- (h) the desirability of understandable and clear boundaries.

The population rule in the act states that a proposed electoral division must not be more than 25 per cent above or below the average population for all 87 electoral divisions, with one exception. Up to four proposed electoral divisions may have a population that is as much as 50 per cent below the average population of the electoral divisions in Alberta if three of the following five criteria are met:

- (a) the area . . . exceeds 20 000 square kilometres or the total surveyed area of the proposed electoral division exceeds 15 000 square kilometres;
- (b) the distance from the Legislature Building in Edmonton to the nearest boundary of [any] proposed electoral division by the most direct highway route is more than 150 kilometres;
- (c) there is no town in the proposed electoral division that has a population exceeding 8000 people;
- (d) the area of the proposed electoral division contains an Indian reserve or a Metis settlement;
- (e) the proposed electoral division has a portion of its boundary coterminous with a boundary of the Province of Alberta.

It goes on to state that the municipality of Crowsnest Pass is not a town.

Now, that's a very general overview of the legislation, but the Alberta Court of Appeal and Supreme Court of Canada have also provided guidance. In rulings they have agreed that under the Charter the rights of Albertans include the right to vote; the right to have the political strength or value or force of the vote an elector casts not unduly diluted; the right to effective representation; the right to have the parity of the votes of others diluted, but not unduly, in order to gain effective representation or as a matter of practical necessity. These rulings as well as the Electoral Boundaries Commission Act must guide our decisions and, ultimately, the proposals that we will make to the Legislative Assembly.

7:15

Now that I've explained the law we are guided by, we want to receive important input, and that's the views of the public. We believe that what we hear from you, the people who will be affected by these boundary changes – and it's critical that we receive this information, particularly recommending a new electoral map that will ensure fair and effective representation for all Albertans.

Again, let me express my welcome to you today. It's now my pleasure to call on our first registered speaker. The speaker will

have 10 minutes, and that will be followed by five minutes of questions and answers. I should say that these meetings are being recorded by *Alberta Hansard*, and the audio recordings will be posted to the commission website. Transcripts of these proceedings will also be available.

We would ask the presenter to identify himself for the record prior to starting the presentation.

Cameron Donald
Fort McMurray-Wood Buffalo
Progressive Conservative Constituency Association

Mr. Donald: Mr. Chairman, my name is Cameron Donald. I am representing the Fort McMurray-Wood Buffalo Progressive Conservative association. First off, let me welcome you all to Fort McMurray. I hope you've enjoyed your time up here thus far.

As we know, we're all here for the purpose, as you clearly stated, Mr. Chairman, of soliciting public input into the decennial event of a review of the boundaries. This happens about every six to eight years. I would like to speak to you regarding the electoral region of Fort McMurray-Wood Buffalo. It was created previously by the Electoral Boundaries Commission in 2004. The riding is the largest both geographically in terms of land mass and also by population in Alberta. As you can see on the maps, it starts about a hundred kilometres north of Lac La Biche. The eastern boundary takes us along the Alberta-Saskatchewan border to the top of the province, where our northern boundary follows the Alberta-Northwest Territories border to the western edge of Wood Buffalo national park, and our western boundary takes us along the Wood Buffalo national park border down south along the 114th degree of longitude southward until we get to the 21st baseline and then continues on from there.

The current electoral region covers almost 32 per cent of the provincial map and represents about 3 per cent of Alberta's population, based on statistics gathered from the Wood Buffalo regional municipality census of 2008. Since the previous commission reviewed these boundaries in 2004, our particular riding has seen population growth of about 12 per cent compounded annually, which has pushed our population over 100,000 people as per the last census conducted by the municipality of Wood Buffalo. The municipality conducts these censuses annually. It's in the best interest of the regional municipality to conduct a census annually because it goes to grant funding per population.

The electoral riding of Fort McMurray-Wood Buffalo has seen such a large population growth that it would be recommended that it be split in two prior to the next election. This generally would be proposed as a split best done along natural boundaries, which is often the commission's mandate. In this case our recommendation would be the Athabasca River so that the subdivisions north of the Athabasca in Fort McMurray proper – Thickwood, Dickinsfield, Wood Buffalo, Timberlea – would become part of, for lack of a better description, the new proposed riding of Wood Buffalo, and the remainder south of the Athabasca River would fall into what would be best described as the new riding of Athabasca.

Just to kind of address the statement of the chair, there is a new census. I don't know if it would be relevant or acceptable under the terms of the commission act. The 2008 regional municipality of Wood Buffalo did do a census that showed basically that the population for the proposed ridings that we've envisioned here would be about 40,374 north of Athabasca. That includes only those aged 18 years or older. The southern riding would be 36,610. This basically acknowledges the fact that according to the census we have 103,334 residents in the regional municipality of Wood Buffalo. We feel this would allow for better representation of the electorate and

the constituents in these two proposed recommended ridings. They would fall within the guidelines of 15(1) of the act, which requires the 25 per cent variance under the Electoral Boundaries Commission Act.

That's the gist of my presentation, Mr. Chairman. I'm prepared to highlight the break on the map if you wish or just go straight to questions if that's all right.

The Chair: I would appreciate it if you would highlight it on the map.

Mr. Donald: Not a problem, sir.

The Chair: They'll bring you a mike.

Mr. Donald: Okay. As I was indicating in the statement previously, our proposal is to use the Athabasca River here as a natural boundary. This would mean that everything north of the river would be part of the new proposed Wood Buffalo constituency, which takes in the areas of Thickwood, Dickinsfield, Wood Buffalo, Timberlea, and then leaving the other half of the riding incorporating the downtown, Abasand, and Beacon Hill as well as Gregoire and other communities south. Most of the communities that would be outside of the greater Fort McMurray area would include Fort Chip and Mackenzie, and then south would be Anzac, Janvier, and Conklin. Again, still rather large ridings and very sparsely populated, I admit, outside of Fort McMurray, but I believe it would be a better way to address the equitable distribution of 87 ridings in the province, Mr. Chairman.

The Chair: Do any of the commission members have questions with respect to the map? Yes, Peter.

Mr. Dobbie: Yes, sir. Thank you very much. One of the questions that I could get some assistance with is that it appears the Athabasca turns north. Do you have some specific recommendations, I guess, for east of the Athabasca River? Is there a geographic boundary; for example, the Clearwater? The Athabasca tends to turn north in Fort McMurray, and if we include Fort Chip, where would you draw the line heading east?

Mr. Donald: To be honest, we've envisioned it as basically choosing not really a natural boundary. There is no natural road or, shall we say, a river that would run east-west. It would almost have to fall along the guidelines of when the previous commission did the cutting up of the boundary using the baselines. We would certainly want to incorporate basically everything on this map here, but at any point north of the outskirts of Fort McMurray you could use a baseline and just cut across to the Saskatchewan border. In that way, then, you've captured both the east and west sides of the Athabasca, and you're not cutting off communities that have logical flow and link of commerce and transportation. The only thing you're doing here, really, is just acknowledging a boundary that naturally exists. I don't know if that answers your question directly, but that's somewhat how we've thought about it.

Mr. Dobbie: Thank you.

Mr. Evans: So you wouldn't use the Clearwater River as that north-south boundary.

Mr. Donald: That would work, too. If you wanted to follow that boundary, it would work. We've just basically said that that was the

boundary and then just kind of drew an academic line. If you did follow that boundary in that case, sir, the boundary here, quite clearly delineated, still gives what we were talking about. I haven't looked at that river. I'm just quickly glancing at the map, sir, to see if it would cut off any of the communities south, and I believe not. The communities would be unaffected. I may be wrong, but I think that would also work.

The Chair: Where would Fort MacKay be?

Mr. Donald: Fort MacKay is – just bear with me, sir – just north of Fort McMurray. Fort MacKay sits on this map on the west side of the Athabasca River, and it is approximately an hour north of here.

7:25

Ms. Jeffs: So for the purpose of the split it would be in Wood Buffalo?

Mr. Donald: Wood Buffalo. That's correct.

Ms. Jeffs: Thank you.

Dr. Archer: Mr. Donald, you made some reference to the municipal census as indicating a population base of around 100,000, but then when you broke up the constituency into two parts, I thought you may have been using a different reference point for the population data. I think you said that the proposed Wood Buffalo constituency would be 46,000 or something like that.

Mr. Donald: Forty thousand, three hundred and seventy-four. I can go into the numbers, if you'd like, for the commission. I have a copy of the census if the commission wishes to have a copy of that document to refer to in their deliberations. The population north of the Athabasca on the census – and they've broken it down by communities – is 54,193 gross population. That would include Fort MacKay, Fort Chip, and Fort Fitzgerald.

What I did is used the statistics also in the census that categorize demographically how many people from ages zero up to 100 were in the census. According to the census 74.5 per cent of residents in 2008 were above the age of 18 or age 18. So I simply did a calculation using the 54,193, multiplying it by 74.5 per cent, giving us a potential electorate for that riding of 40,374. I did the same calculation for the proposed southern region, using the census data for that population, dividing it up by 74.5 per cent for the Alberta electorate.

Dr. Archer: As a follow-up, the data that you're working with and that others have discussed in various presentations today are a bit different from the data that we have been looking at that are provided by the Department of Municipal Affairs because it takes into account some of the shadow population figures of individuals who are eligible to vote in other electoral districts provincially.

Mr. Donald: That is correct, sir.

Dr. Archer: Those data, I think, have an overall population of about 67,000 to 68,000 as opposed to the 103,000 that some of the representations to us today have made reference to. If we're talking about a population base of about 67,000 or 68,000 and we're looking at the potential of dividing the riding into two parts, then we'll end up with a constituency size that's a little bit lower than the overall electoral quotient. We're assuming an electoral quotient of about 40,000, and 68,000 would give us about 34,000. What's your

reaction to the fact that there is this big discrepancy in the data between what you're referring to and the data that the Department of Municipal Affairs is using to facilitate the work of the commission?

Mr. Donald: If we're done with the maps, would it be all right with the commission if I returned to the table?

The Chair: By all means. Certainly.

Mr. Donald: Thank you. I do have an opinion on it. I did inquire as to why this information is not at the avail of the commission. There are some issues, I understand, that the methodology conducting the census was drawn into question, and I believe Municipal Affairs has not always accepted the numbers. This census has been done for the last 10 years.

That being said, I do acknowledge your statement that, you know, there would be a smaller degree of voting population. I still think those people in the shadow population are counted and should be because they meet the requirements of the electoral act if they are here. Even if they declare their residence in Newfoundland or Redwater, if they choose to cast a ballot here, that is their right.

I will give an analogy similar to myself. When I worked in another job and I lived in Ottawa, I cast my ballot in Ottawa even though my primary residence was in Edmonton. But in the federal election at that time I did not cast a ballot in Edmonton. I chose to declare my residence for the purpose of election in Ottawa. I believe that that option should be available to the shadow population.

Just to kind of touch on the shadow population numbers, the numbers that are in the census speak of approximately – their shadow population numbers here only reference about 4,000. Oh, I apologize. I was looking at the wrong table, sir. The shadow population is 26,000 as per the census of 2008. So out of 103,000, then, you have even still a discrepancy in the numbers, because the population then would be about, I would say, 77,000. Then splitting that, you're a little bit better off in the ratio of the 40,000. I think it's coming down to just the methodology. In the census itself they even speak to that because I guess this is a constant issue of discrepancy.

It is difficult for the municipality to do a proper census due to several challenges, which they highlight on the final page of the report. I believe that's just something that will either have to be, if it can be, legitimately used by this commission, or if they have to seek guidance on maybe Municipal Affairs' reasoning, that might be one suggestion if the commission is empowered to question that department. I do feel that this better reflects the reality.

I've lived in this community for three years. I lived in the city of Edmonton for 38 years prior to that. It is tough to balance urban and rural in the ridings and especially in this community, where the population has gone through the roof. We've had a bit of a break, but I suspect we may see that cycle return if the economy does get on track. Projections for one of the community initiatives up here – it's called Vision 2020. We're projecting a quarter of a million people by 2030. Now, this commission cannot deal with theories or concepts that are not fact and in existence at this time, but I believe that if they attempt to address what they believe can be accepted as credible fact, that will go a long way to addressing the inequity in this riding and/or challenge for anyone who's elected to represent these people.

It's a long answer, but basically I still think that this is a lot more sound than the information the commission has been empowered to use.

The Chair: I note that you have suggested the name of the southern constituency as Athabasca.

Mr. Donald: Those were just, for lack of a better word, Mr. Chairman, place holders. The commission has the power to select those names. This was just for the ease of the exercise of highlighting the differences, an easier way to do it. No bias or selection. There is an existing Athabasca riding currently. It was just easier to use references that would maybe be more relevant to the people at the hearing and also to the commission possibly.

The Chair: We are interested in what you think any new ridings should be called.

Mr. Donald: We have not discussed this in the group that I'm representing in terms of that, but if I can offer just a personal opinion, I believe that part of the recognition of past service of Members of the Legislative Assembly does play a role in this. It has been done in the past, for example, in Edmonton-Decore. Personally, I would think that, you know, the history here – we had an excellent MLA that I happen to know of, Mr. Norm Weiss, that would probably be warranting recognition if the commission felt so. I would personally like to see that happen a lot more if it's relevant to geographically linking the riding on the map. You could end up with 87 ridings listing former Premiers and MLAs, and it would have no relevance to the communities that they represent, but when the commission can and if there is sufficient political will and public community support for it, I would certainly always welcome that. That's just, again, my personal opinion, Mr. Chairman.

The Chair: Do you think it would be proper that Wood Buffalo at some point appear in the name of one of the ridings?

Mr. Donald: I believe Wood Buffalo is an important tag name because we have north of us here the largest national park in Canada. It is a UNESCO site. It's something of pride, having been a lifelong Albertan, that when I was learning my geography, the first map you learn is the map of Alberta. I got very good at drawing the national park boundary there, given that it wasn't as sharp and jagged as Jasper and Banff.

I think it's always important to recognize that as well as part of the cultural significance of the native population in this area. I think that's also important to always be cognizant of. We are growing rapidly here, and we are starting to think in terms of a big city, but we can't lose focus on what this community was as a trading post over 200 years ago.

7:35

The Chair: Allyson.

Ms Jeffs: Yes. Thank you, sir, for your remarks and presentation. In terms of the recommendation I'd appreciate your going to the map and showing that to us. I'm wondering: have there been any other sort of provisional – and I understand that's your recommendation, that splits of the riding have been considered. Maybe you could tell us a little bit about that. Or have there been any other options in play, if I can put it that way?

Mr. Donald: At this point we have debated several questions. Originally one of the ideas was to split it along highway 63, which would essentially accomplish a similar aim. But then you have this group of people in one riding and this group of people in another, and it comes along a little bit confusing. My statement to the group

at the time was that historically you've used natural boundaries in these commissions, if I understand it correctly, and if there is a boundary that presents itself, it's far easier to use it.

The other concept that did come up and I don't think was discussed actively was that just Fort McMurray proper would be a riding and everything outside it something else. I don't know how that would work from the point of view that if you take this chunk out, whether you use the statistics there that I have or the ones the commission has to its avail, you still are going to have a riding that's woefully small. You need to more or less do something with this population to incorporate it if it has a natural linkage to the rural area. It's far easier south of here because you have the communities of Anzac, Conklin, Janvier, and Gregoire Estates, so you have a bit more population down there that you could maybe do a little bit of rejigging of the lines.

With the greatest respect, I think this would be the best logical barrier. That's about all we've really discussed apart from that because, then again, we've just been trying to look at ways to make it manageable. Again, it's unlikely that we're going to have any other split anywhere else. We kind of played with going really far north, but you don't have the population to warrant a riding north, and you don't have really a population to do it south. Basically, somewhere in this area here is the fraction line.

Ms Jeffs: If I could just ask one follow-up to it. This division that you've proposed, does it make sense to the smaller, outlying communities? Do you have a sense as to whether that would work for the communities that are outside of Fort McMurray?

Mr. Donald: I would have to be honest and say that we haven't really consulted with any of the communities north or even the communities south. So I would have to say, basically, that it may be a good thing or not a good thing. The challenge, I think, for the northern group is that they have a variety of issues that they need to have addressed through an elected representative that may run directly contrary to this group down here, but the same could be said of the group south. I would just be speculating and guessing, my own opinion. There is no basis in fact for any of the stuff I would say on that matter.

Ms Jeffs: Thank you.

The Chair: Brian.

Mr. Evans: Nothing further, Mr. Chairman.

The Chair: I think you can come back to your seat. Thank you. Peter.

Mr. Dobbie: Nothing further. No. That was very helpful.

The Chair: Keith.

Dr. Archer: Yeah, if I could. The configuration of this riding was based on a whole variety of factors that came into play in the last iteration. If, in fact, two ridings are created generally within this constituency in the current boundary reconfiguration, do you have any comment on some of the outlying regions as to whether it continues to be most appropriate that they remain within one of these two districts? Or does it make more sense to shift either the southern line – it has a lot of little turns and the like on it – or the western line within this constituency? Once you get down to the bottom of the park, the line continues for a while, but then it jogs eastward, and

then there's lots of jogging as you get farther south. So my question is: does it make sense to effectively keep the constituency in its current overall size and shape and simply divide it in two, or are there some logical breaks that we should be cognizant of as we continue to think about what this riding should look like?

Mr. Donald: I will rise to the map if that's okay with the commission.

I do agree that there may be some ability to rejig the lines. One of the understandings I believe I had of the act was that you try to respect the municipal boundaries. I was kind of thinking, along those lines, that for the existing regional municipality of Wood Buffalo, if you stay within those confines of that and then split it that way, that would be a possibility. If you do move these boundaries – really this is hinterland; nothing is out here. As long as you stay within, say, a hundred kilometres of the main highway, you could move this boundary. You could move this boundary north, but the minute you move it anywhere north, let's say, it looks like about a hundred kilometres, you're going to transfer Conklin into the riding of Lac La Biche-St. Paul, and the question would have to be asked at a future commission hearing with Lac La Biche if they have more of a logical connection with Conklin than we do. My understanding is that Conklin is more affiliated, associated – the trade traffic is more Fort McMurray based. Again, that's based on information that I have, just personal.

In the same light you could transfer the national park into either piece; you're not really gaining or losing anything. So then the new boundary would be much smaller and would be almost matching up

with the regional municipality of Wood Buffalo's current municipal footprint.

Those are possibilities that I do concede.

Dr. Archer: Thanks.

The Chair: Does anyone else have any further questions? If not, thank you very much for attending. It has been very valuable. Perhaps you'd be so kind as to leave that population . . .

Mr. Donald: Not a problem, Mr. Chairman. I anticipated that if you were willing to accept it, I brought a copy just for the commission's review. I know formal submissions had to meet a certain deadline. I'll just leave it at the back with the clerks if that's all right.

The Chair: By all means.

Mr. Donald: Again, thank you for the opportunity to speak to the commission. I hope you have a wonderful time in Fort McMurray.

The Chair: Thank you.

At this point I don't see that we have any further parties who have registered. I think we will adjourn. I don't think there's any point in remaining open. There have been no further phone calls, so we will adjourn, then.

Thank you, all.

[The hearing adjourned at 7:44 p.m.]

