

COURT FILE  
NUMBER

COURT OF KING'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE SASKATOON

APPLICANTS

CITIZENS FOR PUBLIC JUSTICE, KIKÉ DUECK a  
minor by their litigation guardian KRIS DUECK,  
SHERRY OLSON, MATTHEW WIENS, and the  
SASKATCHEWAN ENVIRONMENTAL SOCIETY  
INC.

RESPONDENT

THE GOVERNMENT OF SASKATCHEWAN

### **AFFIDAVIT**

#### **AFFIDAVIT OF ROBERT HALLIDAY on behalf of the Applicant SASKATCHEWAN ENVIRONMENTAL SOCIETY INC.**

I, ROBERT HALLIDAY, P. ENG., of the CITY of SASKATOON, Saskatchewan, Vice President of the Saskatchewan Environmental Society Inc. (SES) and acting on its behalf, MAKE OATH AND SAY (or AFFIRM):

1. I am making this affidavit to support SES being granted public interest standing in an application for judicial review of the recent policy decision of the Government of Saskatchewan to refurbish, recertify, and potentially operate coal-fired electricity generation plants within Saskatchewan to year 2050.

#### **BACKGROUND**

2. I am a water resource engineer by training and experience. For the last 25 years, I was the president of R. Halliday & Associates, a consulting engineering firm. Prior to that I was director of Canada's National Hydrology Research Centre. My interest in SaskPower's generation matters was sharpened by the challenges the organization faced in meeting cooling water

demands at the Boundary Dam Power Station during the 1980s drought. That matter was addressed by pumping the Estevan aquifer; 30 years later the aquifer still has not recovered. I have been qualified as an expert in court proceedings before on water management matters, particularly related to flooding and drainage. I have deep professional knowledge of matters pertaining to water and power production.

3. I am currently the Vice President of SES. I have been a member of SES for more than 20 years, a board member for 10 years, and Vice President for 7 years.

#### *ABOUT SES*

4. The SES is an incorporated non-profit and registered charity that operates primarily in the province of Saskatchewan. Attached as **Exhibit "A"** is a copy of our Articles of Incorporation. The SES has been actively working on environmental issues for more than 50 years, having begun in 1970, which was a time of vastly increased environmental awareness and the first Earth Day. SES's founding preceded that of the environmental departments and agencies of both the federal and provincial government.
5. At first, SES (then known as the *Saskatoon* Environmental Society) ran solely on volunteers with an initial focus on protecting the South Saskatchewan River's riparian areas from negative impacts of unabated development in Saskatoon. This advocacy ultimately led to the creation of the Meewasin Valley Authority. As the need to address broader environmental issues became evident, the Saskatoon Environmental Society became the *Saskatchewan* Environmental Society.
6. SES has grown into a charity with members from throughout the province and beyond. At present, the SES has approximately 263 active, paying members,

which includes 203 memberships<sup>1</sup> (a person does not need a membership to participate in our activities or volunteer with us). The majority of these members reside in Saskatchewan. Our Facebook page has 3,354 followers and our X page (formerly Twitter) has 1,989 followers. Our Instagram page has 1061 followers. While SES continues to be a volunteer-led organization, SES has employed paid staff since the mid 1980s. The organization and its Directors/staff have won awards for their environmental work, including: Green Community Member of the Year Award (Green Communities Canada, 2023); Resilience and Service Milestones (Green Communities Canada, 2023); Queen Elizabeth II Platinum Jubilee Medals (2023); Sustainability Awards (RCE Saskatchewan, 2023, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014); Excellence in Environmental Education (EECOM, 2018); and Rob Dumont Energy Management Organization of the Year Award (2017).

7. An elected Board of volunteer Directors governs the activities of the organization and possess a variety of professional backgrounds, including in the arts, medicine, engineering, law, policy, science, accounting, consulting, and education. Collectively, the Board has extensive experience in various environmental issues including energy, climate change, sustainability, green buildings, water, and more.
8. Upon election by SES's members, each Director has the obligation to attend monthly board meetings, provide direction and support to the Executive Director (the staff position responsible for running the organization), ensure the financial well-being of the organization, and develop environmental policy while upholding the mission and values of the non-profit/charity.

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<sup>1</sup> Membership is when an individual formally becomes part of SES through payment of a \$20 annual membership fee. Memberships run the calendar year and allow members to vote at the Annual General Meeting, join the Board of Directors (after at least one year of active membership), receive pertinent environmental news from SES, and participate via other decision-making avenues. Note: Couples or families who have an SES membership count as "one membership" but also as "two (or more) members."

9. SES's main areas of focus are climate change and energy solutions, water conservation, biodiversity preservation, and the reduction of toxins throughout the province. Attached as **Exhibit "B"** is a map of SES's projects and work across Saskatchewan since 2010. SES has focused its work on public education, collaborating directly with proponents and government, and on environmental science and research.
10. SES has been driving public engagement by writing over 200 publications, backgrounders, responses to consultations, and letters to the government (at the municipal, provincial, and federal levels) and other relevant stakeholders. SES has also published over 100 editions of "The Environmental Resource," a newsletter of environmental issues, local events, and SES project updates for SES members, which are also archived in the National Library of Canada. SES has published reports on topics including sustainable energy strategies for Saskatchewan (2007); recommendations for the City of Saskatoon (2015), City of Regina (2016), and SaskPower (2013 and 2021) regarding greenhouse gas emissions reductions; specific energy projects in the province, such as the Chaplin Wind Farm (2016) and the Blue Hill Wind Energy Project (2018); transitioning to net-zero/low-carbon future (2017) and energy and employment (2021); and the Government of Saskatchewan's climate change plan (2018).
11. SES focuses on sound science, good management, civility, and the ability and desire to work with others. SES provides evidence-based perspectives grounded in the local Saskatchewan context. SES's knowledge is especially highlighted when the media contacts us for comments on environmental issues and policies that arise. In the past decade alone, SES has written over 40 press releases; conducted hundreds of interviews with various media outlets including Radio-Canada, CBC, Global, and CTV (and SES has been mentioned in over 500 print and broadcast news); and organized numerous press conferences on environmental issues. In the last three years, SES has given interviews on topics that include financial security related to renewable energy in Saskatchewan; climate action and the costs associated with climate

change; steps the government and SaskPower needs to take to reduce emissions; IPCC reports; and transitioning to carbon-free electricity.

12. SES has provided recommendations and engaged with a number of energy-related corporations and ministries, including: submitting comments on the proposed changes to the federal *Clean Electricity Regulations* (2024), meeting with wind power companies to provide advice and guidance on suitable locations for renewable energy developments (2019); submitting feedback to the federal government on methane emissions (2018); meeting with the provincial Minister of Environment to discuss environmental issues (2015); participating in the Saskatchewan Citizens' Hearings on Climate Change with 36 other presenters and leading preparation of the final report on behalf of participants (2014). SES also created Saskatchewan's first renewable energy co-operative in 2014 (The SES Solar Co-operative Ltd.).
13. SES is a unique organization with an extensive history grounded in Saskatchewan environmental advocacy. No other such organization exists in Saskatchewan. SES has worked both in the public sphere (with community groups, businesses, schools, and individuals), and with the government (at municipal, provincial, and federal levels), which gives us unique insight into all sides of the issue. SES has significant expertise in matters related to climate change and energy solutions.
14. SES has focused on sustainable development and pathways to achieve a net-zero future. SES has a long history of advocacy related to SaskPower, power production technologies, and public education related to reliable, affordable, and sustainable electrical generation within the prairie region.

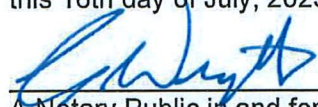
## *THE DECISION TO EXTEND COAL GENERATION*

15. I and other SES members were active participants in the Saskatchewan Power Corporation's "Our Power Future" two-year public consultation process beginning in 2022. The process presented many scenarios for the mix of future electricity sources for Saskatchewan. None of these scenarios included refurbishing coal-fired power stations or extending the use of coal-fired electricity generation beyond 2030.
16. SES is deeply troubled by the decision of the Government of Saskatchewan to refurbish and extend conventional coal-fired generation to 2050. SES learned of this decision via media coverage of the June 18, 2025, letter issued to SaskPower employees from Minister Jeremy Harrison.
17. SES knows that we must reach net zero by no later than 2050 to avoid dangerous climate change. Extending Saskatchewan's reliance on coal-fired generation to 2050 could lead to more than an additional 125 million tonnes of GHG emissions to our atmosphere. The average lifetime of these emissions in the atmosphere is more than 100 years.
18. Although the Government of Saskatchewan stated in its decision letter that "it remains committed to the goal of a net-zero electrical grid by 2050," SES maintains that the lack of progress to steadily reduce emissions in each year leading up to 2050 means that we will likely need to reach net zero even sooner than 2050. Put plainly, it is a fact that the decision to extend coal is a decision to accelerate dangerous climate change by the Government of Saskatchewan.
19. SES respectfully ask to be granted public interest standing in this Application to voice our concerns that the decision is unreasonable, legally incorrect, and should be quashed by the Court.

20. SES views this application to be essential to determine whether Saskatchewan has “exclusive authority to make laws in relation to the development, conservation, and management of sites and facilities for the generation and production of electrical energy” as claimed in Minister Harrison’s decision letter of June 18, 2025, and whether the Government of Canada also has jurisdiction to regulate GHG emissions in the electricity generation sector under the *Canadian Environmental Protection Act, 1999* and under the *Clean Electricity Regulations*.
21. SES knows there are many ways SaskPower could reach a net-zero emission future. SES does not accept the decision as presented in the June 18, 2025, letter as being justified, reasonable, legally correct, or transparent. SES respectfully prays for this Court to judicially review and quash the decision for the benefit of our shared future for all Saskatchewan citizens.
22. I swear this Affidavit in support of the Originating Application, anticipated to be filed in the summer of 2025, and alongside other co-applicants. I make this affidavit for no improper purpose.

SWORN (OR AFFIRMED) BEFORE ME  
IN PERSON


at Saskatoon, Saskatchewan,  
this 16th day of July, 2025



A Notary Public in and for  
the Province of Saskatchewan.  
Being a Solicitor.

  
Robert Halliday

TAB A

This is Exhibit " <u>A</u> " referred to in the Affidavit of	
<u>Robert Halliday</u>	sworn (or affirmed)
before me this <u>16<sup>th</sup></u> day of <u>July</u> , 20 <u>25</u>	
	
A Commissioner for Oaths for Saskatchewan	
Being a solicitor	
<del>OR</del>	
My Appointment Expires: _____	



Fee: \$10

No. 4574



Nº 1134

# Certificate

The Societies Act

Canada  
Province of Saskatchewan }

I Hereby Certify that

**SASKATOON ENVIRONMENTAL SOCIETY**

*is this day incorporated under the provisions of  
The Societies Act.*

Given under my hand and Seal at Regina this **THIRTY-FIRST**  
day of **AUGUST** one thousand nine hundred and **SEVENTY**

Registrar of Companies  
L.J. Boudry



Government of  
Saskatchewan

**The Non-profit Corporations Act  
Certificate of Continuance**

**Form 12**

Corporation No. 202149

I hereby certify that

**SASKATCHEWAN ENVIRONMENTAL SOCIETY INC.**  
**(formerly SASKATOON ENVIRONMENTAL SOCIETY)**

is this day continued, pursuant to section 169 of The Non-profit Corporations Act, as set out in the attached Articles of Continuance.

Given under my hand and seal this 25th day of June, 1981

  
\_\_\_\_\_  
Director

kp



Saskatchewan  
Justice  
Corporations  
Branch

202149

Corporation Number

# Certificate of Restated Articles of Incorporation

*The Non-Profit Corporations Act, 1995*

I hereby certify that

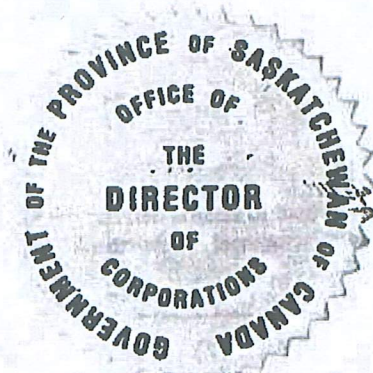
SASKATCHEWAN ENVIRONMENTAL SOCIETY INC.

has restated its articles of incorporation under section 167 of The Non-profit Corporations Act, 1995 as set out in the attached Restated Articles of Incorporation.

Given under my hand and seal

this 23rd day

of June 19 98



A handwritten signature in black ink, appearing to read "Philip J. Flory".

Philip J. Flory, Director



Saskatchewan

Justice

Corporations Branch

**Restated Articles of Incorporation**  
**The Non-Profit Corporations Act, 1995**  
(section 167 of the Act)

**Form 7**

**Please see reverse for instructions**

Corporation No.: 202149

1. Name of corporation: Saskatchewan Environmental Society Inc.
2. The municipality in which the registered office is to be situated: Saskatoon
3. The classes of membership: There is only one class of membership. Membership is available only to individuals.
4. Right, if any, to transfer membership interest: none
- Number (or minimum and maximum number) of directors: Min. 6, max. 12
6. The corporation is: a membership corporation ☐ or a charitable corporation ☒
7. Restrictions, if any, on activities the corporation may carry on or on the powers the corporation may exercise:  
The activities of the corporation are restricted to those which are in furtherance of the following objectives: to promote environmental quality and to encourage protection of the environment
8. Persons to whom remaining property is to be distributed in the course of liquidation and dissolution of the corporation: Registered Canadian charitable organizations as determined by the membership prior to dissolution.
9. Other provisions, if any:

See Annexe I

The foregoing restated articles of incorporation correctly set out, without substantive change, the corresponding provisions of the articles of incorporation as amended and supersede the original articles of incorporation.

19 June 98

Date

ANN COXWORTH

Name

Board member

Office Held

Ann Coxworth

Signature

Restated Articles of Incorporation, Form 7  
The Non-Profit Corporations Act, 1995  
Corporation No: 202149  
Saskatchewan Environmental Society Inc.

## **ANNEXE I**

### **9. Other provisions, if any:**

**9(i) A director of the corporation is required to currently be a member of the corporation and to have been a member of the corporation for a minimum of one year previous to nomination.**

**9(ii) All directors except the president, including the treasurer, shall be elected for a two-year term at the annual general meeting of the corporation. The terms of the directors shall be staggered so that half the board is elected each year. The president shall be elected annually by the membership for a one year term of office, and shall not serve more than 4 consecutive terms as president.**

**9(iii) A director may not receive remuneration for his/her service as a board member of the corporation, but he/she may receive remuneration for contracted work with the Society unrelated to his/her voluntary board role. He/she may also receive indemnification for reasonable expenses incurred as a board member on behalf of the corporation. In any matter that financially benefits a board member, a family member of a board member, or an organization or business that a board member is affiliated with, that board member must state his/her conflict of interest and remove him/herself from the meeting at which this is discussed and any/all deliberations associated with the matter. If there is disagreement about whether a conflict of interest exists, that question shall be determined by a vote of the board.**

**9(iv) The corporation may, at a legally called meeting of members, remove any director or directors from office by a majority vote of those members present at the meeting.**

AC.

TAB B

This is Exhibit " B " referred to in the Affidavit of  
Robert Halliday sworn (or affirmed)  
before me this 16<sup>th</sup> day of July, 2025.

Alan Wright  
A Commissioner for Oaths for Saskatchewan  
Being a solicitor  
-OR-  
My Appointment Expires: \_\_\_\_\_



