

Battle Lines Drawn Over New Cheviot Mine Proposal

By Mark Lowey, EnviroLine

A revised plan for the controversial **Cheviot** coal mine near **Jasper National Park** has run into strong opposition and a lengthy list from regulators seeking more and better information.

A coalition of national and Alberta environmental groups wants the provincial government and Ottawa to reject **Cardinal River Coals Ltd.**'s application to construct a private road, to haul raw coal from the Cheviot open-pit mine for processing at the company's existing Luscar mine site near Hinton. Failing an outright rejection of the new plan, the groups want government to at least order a full-scale environmental impact assessment under the **Canadian Environmental Assessment Act** (CEAA) of the new proposal. *(See Vol 13 #14&15 pg 15)*

But Cardinal River insists its new option is simply a modification of the already approved Cheviot mine, and should not trigger a new assessment under CEAA. The mining operation would still be carried out at the Cheviot site, the company says.

The **Alberta Energy and Utilities Board** (EUB) wants Cardinal River to provide information on all potential impacts of its revised proposal. In a nine-page letter, the EUB has asked for information on the economic and commercial viability of the new option, along with an assessment of potential health risks such as particulate matter from coal dust and naturally occurring selenium leaching from mined soils into waterways. "Cumulative effects for all environmental disciplines must be presented, unless otherwise justified, incorporating all components of the proposed project and other activities in the area," the EUB says.

The EUB also notes that there are remaining metallurgical coal reserves at the company's closed **Gregg River** mine, which abuts the Luscar mine. The EUB requests a response from Cardinal River on whether it has considered reopening the Gregg River mine either prior to or in conjunction with the Cheviot mining operation.

"Cardinal River Coals now wants a larger area for the (Cheviot) mine, but would mine less than half the coal and with far less employment than it previously committed to," says **Dianne Pachal** of the **Canadian Parks and Wilderness Society** (CPAWS). "This to us is more evidence that the environmental impacts are going to outweigh the public benefit of having that mine."

Pachal points out that the original hearings panel concluded the Cheviot mine would have some adverse environmental impacts but, in the panel's view, the development's economic benefits would outweigh the harm. However, in Cardinal River's new proposal, there's no construction of a stand-alone mine and no jobs at the Cheviot site in coal processing, maintenance or support services, she says. "The economic benefit (of the original mine plan) is cut at least in half now."

Cardinal River disputes the environmental coalition's argument that the Cheviot site would be, in effect, a satellite mine for the Luscar site 22 kilometres to the north.

"Essentially the mining, which is the bulk of the activity, will be the same at the Cheviot site," says **Fred Munn**, the company's project manager. Utilizing the existing processing facilities at the Luscar mine gives the Cheviot mine's joint venture owners another option that is "significantly cheaper" than the original plan, he says. Building a new processing plant and related infrastructure at Cheviot represented the bulk of the \$250-million cost in the original application.

The revised plan would reduce the Cheviot mine's production rate from 3.25 million tonnes a year of metallurgical coal to 2.1 million tonnes a year, to match the capacity of the Luscar processing plant. Cheviot's coal would replace that from the Luscar mining operation, scheduled to be shut down at the end of 2003.

Environmental groups argue that the new gravel haul road located roughly parallel to the Jasper National Park boundary would pose an even greater barrier to wildlife movement in the **Macleod River Valley**, as well as ready access for poachers. In the original Cheviot proposal, a new rail line would have transported the mine's processed coal from the site.

Pachal says that the haul road, in places where the narrow valley permits, would be a double lane with a 32- to 46-metre-wide road surface. Hauling would continue round-the-clock, with a truck passing any given point every six to 15 minutes for the mine's anticipated 20-year operational life, she adds.

The new road would run past the hamlet of Cadomin, a former coal-mining town with about 60 permanent residents and another 100 seasonal residents. **Marlin Fisher**, president of the **Cadomin Environmental Protection Association**, says many residents are worried about the road's impacts, including loss of hamlet land, safety, noise, dust and pollution of local waterways. "Our position was that we thought it (Cardinal River's proposal) was a totally different project" than the original Cheviot mine plan, Fisher says.

However, some residents who live in Cadomin also work at the Luscar mine or for Cardinal River. So they'd like to see some version of the Cheviot mine proceed because of the job possibilities, Fisher says.

Munn says the 10-kilometre haul road would follow the same transportation corridor as the railway line in the original mine application. The original hearings, which included the federal government, examined the environmental impacts in this corridor, so there's no need for another assessment under CEAA, he maintains. "With the design we're currently proposing, there are no federal 'triggers' and therefore no need to re-institute a federal review."

Environmental groups say that Cardinal River, leading up to its 1996 application for the Cheviot mine, ruled out the alternative of developing a satellite mine because of technical, environmental and social reasons. "Therefore, the CEAA review did not address that satellite mine alternative for which approval is now being sought," the groups say.

The EUB, in its information request, says the level of detail for the new haul road "appears to be only at a conceptual stage." Information is lacking on the road's final alignment, specific identification of road grades and required cuts and fills, and cumulative impacts. Cardinal River must provide all these details, along with a detailed mitigation plan to address public safety. The EUB notes that the haul road and an existing public road "will essentially be side-by-side for much of the route . . .," separated by one- to two-metre high concrete beams that could impede movement by wildlife, including grizzly bears roaming in and out of Jasper park.

Alberta Environment hasn't found any reason yet to order a new environmental impact assessment of the revised Cheviot proposal. And both Ottawa and the Alberta government have yet to decide whether public hearings are necessary.

Alberta Environment Minister Lorne Taylor, in a letter to Edmonton lawyer Jennifer Klimek, who is representing the environmental coalition, says he will not be directing Cardinal River to do an environmental impact assessment of its new proposal. "I am satisfied that the existing regulatory processes can effectively and efficiently provide for public consultation and the collection of all necessary information to properly assess this application," Taylor says.

Federal Environment Minister **David Anderson** says the **Canadian Environmental Assessment Agency** is reviewing the new proposal to see whether CEAA applies. A decision isn't expected until February at the earliest.

Munn stresses that despite the new application, the joint venture partners, Luscar and **CONSOL Energy Inc.**, have made no decision yet about whether to proceed with the Cheviot mine. Environmental groups warn they haven't ruled out further legal action if government approves the new proposal.

Mark Lowey is the editor of EnviroLine, the business publication for Western Canada's environmental industry. For a free, three-issue trial subscription, e-mail enviroline@shaw.ca or call 403-263-3272. Posted with permission, from Enviroline Dec. 18, 2002 – Jan. 6, 2003.