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## A Long “Haul” Expected for Conservation Groups Opposing Cheviot Mine

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In May 2004, Ben Gadd was granted an appeal of the Cheviot haul road, as it was deemed his ecotourism operation may be directly affected by the development. The Alberta Environmental Appeals Board (AEAB) hearing was to be held September 27, 2004. A few weeks prior to the hearing, Cardinal River Coals Ltd. (CRC) and its parent companies Fording Canadian Coal Trust and Teck Cominco requested a delay citing that the information presented at the provincial hearing could be detrimental to their federal case. The request was declined.

As a result of the refusal, a week prior to the AEAB hearing, CRC applied to the Court of Queen's Bench of Alberta for a judicial review of AEAB's decision to allow the Gadd appeal. Seemingly falling under the pressure of CRC, the AEAB announced they were delaying Ben Gadd's appeal hearing. CRC's case against EAB is to be held November 3, 2004.

In August, AWA joined a coalition of conservation groups – Pembina Institute for Appropriate Development, Canadian Nature Federation, Sierra Club Canada and Jasper Environmental Association – to launch a federal court case with the council of Sierra Legal Defense Fund (SLDF) against the Canadian federal government and their failure to review the environmental impacts of the new Cheviot mine.

Although the Cheviot mine has been slated for development since the 1990s, the project has undergone substantial changes to its design. The biggest changes include the construction and operation of a 22-km high-speed haul road and the processing of the coal off site. The groups challenge that the Minister of Fisheries and Oceans has failed to comply with his duty under the Canadian Environmental Assessment Act to undertake an environmental impact assessment of these proposed changes. Although no date has been set, the case is expected to be heard early in 2005.

So, what does this mean for the future of the Cheviot mine? Although no federal authorizations have been issued, and the court actions continue to be drawn out, the construction of the haul road is well underway and almost complete. Given the pace at which the project is proceeding, if an environmental assessment for the project is ruled, assessments will be made on completed infrastructure and on an already degraded landscape. CRC's actions speak louder than words. In this case, CRC's actions suggest an arrogance and disregard to the environment and Alberta's public lands. Just another example of putting the carriage before the horse.

