

February 20, 2015

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Coal Valley Resources Inc. (CVRI)
Application for an amendment to coal mine permit 2005-6 to include the Robb Trend mine
Application No. 1725257

Dear Ms. Verbeek,

The Alberta Energy Regulator (AER) acknowledges receipt of your emailed letter dated January 23, 2015, indicating the AWA's concerns with the subject application.

The AER and the Canadian Environmental Assessment Agency (CEAA) have determined that a hearing is required to consider the application and the concerns raised by various stakeholders. AER and CEAA staff do not conduct the review of the proposed development. A joint review panel, appointed by the AER and the federal Minister of the Environment, will conduct the application review and environmental assessment. The AER and CEAA are working together to finalize an agreement that will guide the joint review panel through the hearing process. Once the agreement is finalized, the three members of the joint review panel will be appointed. The panel members will be unbiased, free of conflict of interest relative to the proposed project, and have related knowledge or experience.

The panel will ask for public comment on the information contained in the application and environmental impact assessment (EIA). I encourage you to resubmit your letter at that time as then you will be able to send the AWA's concerns directly to the panel. Your contact information will be placed on the CEAA distribution list so that you receive updates about the process.

The panel may ask CVRI for additional technical information about the proposed Robb Trend mine which would also be made available for public comment. Once the panel considers that it has enough information, parties who wish to participate in the hearing will be invited to submit requests to participate in the hearing. You will need to submit information consistent with CEAA's interested party test (Canadian Environmental Assessment Act, 2012, Subsection 2(2)) and the AER's request to participate requirements set out in section 9 of the Alberta Energy Regulator *Rules of Practice*. If you want to participate in the hearing or make submissions to the panel at the hearing you will have to submit a request at that time. The panel will decide the participation level of each group or person who submits a request.

A hearing will be held in communities close to the proposed mine area. Typically, a joint review panel hearing lasts about four weeks. Parties who participate in the hearing will file submissions a few weeks before the hearing starts, so that everyone involved can read and understand the information.

After the hearing is closed, the joint review panel will issue its report within 90 days. The report will contain the panel's decision on the AER application and make recommendations to the federal Minister of the Environment. The federal minister will take the report under advisement and subsequently make a decision regarding the environmental effects of the proposed project.

Questions about CEAA's process should be directed to Brett Maracle at RobbTrend@ceaa-acee.gc.ca, and questions about the AER's process should be directed to Jennifer Koppe at the contact information below. If you would like additional information about the proposed project, please contact Ross Van Bostelen at CVRI at 780-865-8602.

Please note that the AER has no jurisdiction over matters of compensation for land usage. The Alberta Surface Rights Board is the regulatory agency that deals with these issues. Further, the AER has no jurisdiction with respect to assessing the adequacy of Crown consultation associated with the rights of aboriginal peoples.

Section 49 of the AER *Rules of Practice* requires that all documents filed with the AER be placed on the public record. However, any party may file a request for confidentiality of information under section 49 prior to filing the information with the AER. Any request under section 49 must be copied to the other parties to the proceeding. Section 49 of the *Rules of Practice* is available at the AER website at www.aer.ca.

If you have any concerns, please call me at 403-297-8288 as I will manage the AER application review and hearing processes through to completion. I can be reached through our Customer Contact Centre, toll free, at 1-855-297-8311, or collect at my direct line, 403-297-8288.

Yours truly,



Jennifer Koppe
Hearing Coordinator, Hearing Services
Authorizations Operations & Continuous Improvement

cc: Ross Van Bostelen, Coal Valley Resources Inc., rvanbostelen@westmoreland.com
Kari McDonald, Coal Valley Resources Inc., kmcdonald@westmoreland.com
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