



Alberta Wilderness Association  
"Defending Wild Alberta through Awareness and Action"

September 21, 2023

Minister of Energy and Minerals  
Honourable Brian Jean  
324 Legislature Building  
10800 - 97 Avenue  
Edmonton, AB  
T5K 2B6

Premier  
Honourable Danielle Smith  
307 Legislature Building  
10800 - 97 Avenue  
Edmonton, AB  
T5K 2B6

**Dear Minister Jean and Premier Smith,**

The Alberta Wilderness Association (AWA) is writing to express our concern regarding the ongoing coal mining projects in the Eastern Slopes, including Summit Coal Ltd.'s Mine 14 and Northback Holdings Corporation's Grassy Mountain applications. **AWA is concerned that Ministerial Order 002/2022, directing the Alberta Energy Regulator to implement a moratorium on new coal exploration and development in the Eastern Slopes is at risk of being violated.**

Albertans have reiterated time and time again that coal mining is an inappropriate land-use for the sensitive and essential environments within the Eastern Slopes, including many of the headwaters that provision the province and its inhabitants with clean drinking water. The removal of the *1976 Coal Policy* in 2020 was met with widespread public outcry, leading the government to establish an independent committee to engage with Albertans and provide informed recommendations for the future of coal in Alberta.

In the early engagement stages, just three brief weeks in the spring of 2021 saw nearly 25,000 people participating in a government survey on provincial coal policy. An overwhelming 90% agreed coal development should be restricted from the Eastern Slopes, with the majority citing environmental impacts as the most important issue informing their opinion. Hearing these concerns, the government reversed their decision and reinstated the *1976 Coal Policy*.

During the Coal Policy Committee's nine-month engagement period they,

"exhaustively listened to Albertans, including Indigenous communities, from across the province. Sixty-seven engagement sessions with over 70 different groups that included unions and industry associations, municipalities and interest groups were supplemented by 176 detailed written submissions and 17 engagements sessions held in two exhaustive

site tours across the Province. Engagement sessions with Indigenous representatives from southern, central and northern Alberta were held, in addition to sessions with band councils, the Metis Settlements Association and Indigenous advocacy groups”<sup>1</sup>.

Their final reports summarize what they heard from Albertans, reiterating that Albertans’ “care about the effects of possible coal development”, and are “very concerned about their waters and place a high value on the Eastern Slope Region”, and worried “about the regulatory process for coal activities”, and “that coal policies can be easily overridden when many thought that these policies were legally binding”<sup>2</sup>. The “engagement process confirmed the desire of Albertans to be meaningfully consulted about matters associated with resource development, especially with values associated with the preservation of the resources of the Eastern Slopes Region, including its waters”<sup>1</sup>.

Based on the recommendations in the report, the government decided to pause all new coal mining and exploration in the Eastern Slopes until the completion of subregional management plans under the *Alberta Land Stewardship Act*.

Northback Holdings Corporation was formerly known as Benga Mountain Ltd., and their original Grassy Mountain Mine application was denied by a provincial and federal government’s Joint Review Panel (JRP) in 2021, when they found its development would cause significant and adverse impacts to the environment and treaty rights in the region. The JRP concluded that the negative impacts to water quality and Westslope cutthroat trout outweigh any economic benefits of the project<sup>3</sup>.

The Alberta Energy Regulator (AER) stated that the project was “not in the public interest”<sup>4</sup>. The Alberta Court of Appeals and the Supreme Court of Canada dismissed every single appeal the company made. In every fathomable way, mining the Grassy Mountain Coal Deposit was deemed resoundingly inappropriate. Despite all this, Benga has now rebranded as Northback Holding’s Corporation, and applied to the AER for a deep drilling permit and temporary water license to explore the Grassy Mountain Coal Deposit.

**AWA respectfully requests that as the Minister of Energy and Minerals and Premier of Alberta, you abide the recommendations outlined by the Coal Policy Committee and honour Ministerial Order 002/2022, which established a moratorium on new coal exploration and developments in the Eastern Slopes<sup>5</sup>.**

As Benga Mining Ltd.’s original applications for the Grassy Mountain Coal Mine were denied in 2021, Northback’s new submission would constitute a new application, which is not to be accepted under the current ministerial order. There is also no need to continue pursuing coal exploration in the area, as the extensive consultations completed by the Joint Review Panel have already revealed it is not suitable for coal development.

Summit's Mine 14 should also be denied, considering its current permits and licenses are well over a decade old, based on an environmental assessment submitted in 2007. The company has self-imposed many hiatuses on development ever since, based on volatile coal prices<sup>6</sup> – it is neither environmentally responsible, nor a good economic decision to allow the project to continue. Both the environmental protection standards that the government seeks to uphold, and the environmental conditions of the region itself have changed considerably since the original assessment. It should be considered outdated and inappropriate to base the current project and development on it. Economically, it is irresponsible to risk both the environment and local livelihoods on such an unpredictable resource.

The overall economic costs to Albertans of more coal mining dwarf any benefits<sup>7</sup>. At best, current and proposed mining operations are projected to break-even for private investors, creating only marginal tax revenues and opportunities by way of employment for people in the region. These minimal boons are significantly outweighed by the substantial and adverse impacts to water, wildlife, vegetation, air, and human health. Mining this region will also interfere with the Land, rights, and sovereignty of Indigenous Peoples, have negative social impacts on nearby communities, displace other economic activities like ranching and tourism, all with a non-zero chance the province will be on the hook for the reclamation costs<sup>7</sup>.

Coal is on its way out in many parts of the global industry<sup>8</sup>. Metallurgical coal is used in the process of making steel, an industry that has itself acknowledged their large contribution to global emissions<sup>9</sup>. The World Steel Association has committed to reducing emissions through improving efficiencies and technological changes, like recycling steel with electric arc furnaces and substituting coal for hydrogen in the process, which produces water rather than carbon dioxide as a byproduct<sup>9</sup>. With the first commercial hydrogen steel plant already operating in Europe, permitting irreparable damage to the landscape by allowing Mine 14 or Grassy Mountain to go ahead seems both short-sighted and willfully negligent.

The Coal Policy Committee emphasized that the government must work on “restoring trust throughout Alberta’s regulatory system for coal, including material new efforts to convince Albertans that the public interest is respected”<sup>2</sup>. This is an opportunity for the government to show that the coal engagement was meaningful, that Albertan’s opinions were heard and considered, and that government policy is not just something for industry to find loopholes in to develop projects that are not in the public’s best interests.

**AWA encourages the government to:**

- Deny Summit and Northback’s applications and any subsequent coal mining projects in the Eastern Slopes.
- Complete the subregional management plans under the Alberta Land Stewardship Act.

- Make the moratorium permanent.
- Prioritize the integrity and long-term health of Alberta’s environment, which provides essential and irreplaceable ecosystem services and economic benefits.

Sincerely,

ALBERTA WILDERNESS ASSOCIATION  
Kennedy Halvorson



Conservation Specialist

### **Resources Cited**

- <sup>1</sup>Coal Policy Committee. 2022. Statement from the chair. [https://your.alberta.ca/coal-policy-committee/news\\_feed/statement-from-the-chair](https://your.alberta.ca/coal-policy-committee/news_feed/statement-from-the-chair)
- <sup>2</sup>Coal Policy Committee. 2021. Final Report: Recommendations for the management of coal resources in Alberta. <https://open.alberta.ca/dataset/cabeccc3-3937-408a-9eb5-f49af85a7b3f/resource/75d241f9-5567-4a86-91e7-3ed285e42f18/download/energy-coal-policy-committee-final-report-2021-12.pdf>
- <sup>3</sup>Alberta Energy Regulator and the Impact Assessment Agency of Canada. 2021. Report of the Joint Review Panel, Benga Mining Limited Grassy Mountain Coal Project. Established by the Federal Minister of Environment and Climate Change and the Alberta Energy Regulator. <https://iaac-aeic.gc.ca/050/documents/p80101/139408E.pdf>
- <sup>4</sup>Alberta Energy Regulator. 2021. News Release 2021-06-17: Joint review panel concludes review of Grassy Mountain Coal project. <https://www.aer.ca/providing-information/news-and-resources/news-and-announcements/news-releases/news-release-2021-06-17>
- <sup>5</sup>Government of Alberta, Department of Energy. 2022. Responsible Energy Development Act S.A. 2012, c. R.17.3. Ministerial Order 002/2022. [https://kings-printer.alberta.ca/Documents/MinOrders/2022/Energy/2022\\_002\\_Energy.pdf](https://kings-printer.alberta.ca/Documents/MinOrders/2022/Energy/2022_002_Energy.pdf)
- <sup>6</sup>Summit Coal Inc. 2022. Mine 14 Project: Impact Agency of Canada – Designation Request Aseniwuche Winewak Nation of Canada. <https://registrydocumentsprd.blob.core.windows.net/commentsblob/project-83917/comment-58970/-%20Appendix%20A%20%20Summit%20Report.pdf>
- <sup>7</sup>Winter, J., et al., 2021. A Multiple Account Benefit-Cost Analysis of Coal Mining in Alberta. The School of Public Policy Publications. University of Calgary. 1-97. <https://journalhosting.ucalgary.ca/index.php/sppp/article/view/73574>

<sup>8</sup>Finkelman, R.B., et al., 2021. The future of environmental and health impacts of coal. Energy Geoscience, 2(2), 99-112.

[https://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1006&context=kgs\\_facpub](https://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1006&context=kgs_facpub)

<sup>9</sup>World Steel Association. 2021. Climate Change and the production of iron and steel. Public Policy Paper. 1-8. <https://worldsteel.org/media-centre/press-releases/2021/climate-change-and-the-production-of-iron-and-steel/>