

## Wilderness Watch

Part 1 of the hearings for Northback's proposed Grassy Mountain coal project was held by the AER in Pincher Creek, Alberta on Dec. 3, 2024.

**Photo** © K. Halvorson



### Twenty Minutes in front of the Alberta Energy Regulator

*"I am grateful to have the opportunity to speak to you today and appreciate the effort everyone has taken to be here. Despite differing perspectives, I want to recognize the importance of these public forums in which we can engage, as I know we are all largely motivated and advocating for what we think is best for the region and our communities."*

It's the afternoon of Dec. 3, 2024, and I am standing at a wooden podium in the community hall in Pincher Creek, Alberta. Thankfully, I face just three public hearing commissioners. A handful of Alberta Energy Regulator (AER) staff, coordinators, transcribers and the like, sit just off to my left, busying the peripherals of my vision. Behind me, the room is divided in two, literally and metaphorically. The rows of chairs on either side are almost packed full.

But I'm getting ahead of myself.

I had never participated in a public hearing before, and truthfully, not many people have. They are infrequent at the AER. Despite processing almost 35,000 applications last year, only 16 were determined to need a public hearing. Four actually took place, with hearing commissioners ultimately issuing just two decisions.

This hearing was broken into two parts to accommodate the numerous interested parties. Along with all the other limited participants, AWA was given the opportunity during the first two-

day session to submit a written statement and provide a brief oral presentation.

Although the rest of the list seemed to be organized alphabetically, we've been slated as the last presentation of the day, and I'm worried the commissioners will be too tired to even feign interest by the time it's my turn on the stand. Hell, 20 presentations precede mine — I doubt if my own attention span will last through the hours that loom ahead.

I find myself a seat on the right, just a few rows from the front. Can't be too keen. Much of the crowd's familiar with each other; folks lean back over plastic chairs or congregate in the wings, conversing with neighbours, friends, family. Many heads don cowboy hats; a reflection of the region's deep ranching roots and rural bonds. When the front row fills with suits, it's in stark contrast to the rest of the crowd. Northback's advertisers have spent so much time painting them as part of the community, you'd think they'd have told their reps and lawyers to loosen their ties.

At 9:04 a.m. it begins.

All my worries about boredom and fatigue quickly fade; whether I agree with the speakers or not, everyone's words have been chosen purposefully, and all have come impassioned. My rapt attention comes easily.

The first speaker, a recently retired doctor from the Pass, starts off strong and comedic, holding up a green bill.

"I looked at the net worth of the individual who is the ultimate owner of this company ... The 20 bucks I'm about to put on the table is more than equal on a net-worth basis to what they have pledged."

Calling into question the sincerity of recent community investments, Dr. Allan Garbutt points out that these injections of cash are but a drop in the bucket to Gina Reinhardt, the richest person in Australia and owner of Northback's parent company, Hancock Prospecting.

These types of donations are so common that a whole body of research exists to explore what influences industry to do so. Some of the most frequent motivations include repairing reputations, establishing political or social favour, improving public perception, reducing regulatory barriers, and obstructing environmental misconduct.

Others insist that's not Northback's agenda.

"They're not trying to buy our support; they're trying to be part of the community," says Troy Linderman, a member of the Citizens Supportive of Crowsnest Coal. He believes a future mine will

provide “mortgage-paying jobs, infrastructure, and support for our industries and services like seniors’ living and tourism”. Among those here in support, these are common themes; proponents emphasize the economic benefits they believe a coal mine would bring.

When some speak to money and jobs they’ve already seen, it quickly becomes evident that many here advocating on behalf of Northback have future contracts with or are already employed by the company. This includes Don Forsyth of Tig Contracting, who expresses frustration with the process; “Our drill program to gather more data is being hijacked by a no-coal movement.”

This is one of a few seemingly innocuous, pro-Northback, arguments that arise so frequently during the hearing, you’d think it was scripted. Not the hijacking bit (I think we’re better characterized as a movement that is pro-mountains or drinks water), but the assertion that the drill program is required to collect data to better inform any future efforts on Grassy.

Other oft-uttered refrains include:

- Technologies used today are far superior to historical practices.
- Alberta’s world-class environmental standards and regulations will prevent any harm.
- Northback deserves a fair chance to proceed and prove themselves.
- Northback will reclaim legacy disturbance on Grassy Mountain if their project is approved.

These are easily refuted, take the last argument for example. Currently, coal companies undertaking exploration projects don’t have to put down any money upfront to ensure they’ve got the funds to reclaim disturbance caused by their activities. That means reclamation is poorly enforced since it can be difficult to hold companies accountable. It’s also unclear who is responsible for legacy liabilities. Northback (NB) confirms exactly this when cross-examined by the Livingstone Landowners Group (LLG) at the full participants hearing on January 14, 2025:

**NB:** We’re unable to comment [as] to what the liability [is] and how that sits with the historical mining on that land. I don’t know how the liability of the reclamation from the historical mines sits with the entities as it currently stands.

**LLG:** You’re the chief operating officer of Northback, and you don’t know whether Northback assumed the reclamation liability for the legacy operations on the site?

**NB:** ... We do not have a reclamation bond for



AWA staff members Phillip Meintzer, left, and Kennedy Halvorson hold up signs at a demonstration outside the AER on Jan. 14, 2025.  
Photo © A. Tucker

this particular site.”

As the day progresses, I’m astounded at the number of speakers who trust Northback, simply because.

“I have full confidence that Northback will prove to you that they can manage it. I listen to them talk, and I believe they can.”

This one comes from a current employee of Imperial Oil. He notes that his employer undertakes similar operations that must follow the “strict guidelines set forth” by the AER “to ensure water quality” and “environmental protection.” He’s “sure this mine would be held to the same standard.”

Surely, this isn’t the same Imperial Oil whose leaking tailings ponds went unreported for months, who released millions of litres of industrial wastewater into the environment? That’s the standard the AER is holding Northback to? With friends like these, I wonder if Northback needs enemies.

Other arguments make my stomach turn. The president of the Coal Association of Canada urges the AER to consider the growing need for metallurgical coal, particularly “to produce ammunition and weapons” made of steel in ongoing and future wars. Plenty of other uses for steel exist that might’ve been highlighted first before settling on horrific tools that sow mass destruction and death. Robin Campbell must’ve never needed to consider the ramifications of war too seriously during his stint in politics.

“I’d like to thank our previous environment minister for his ringing endorsement of the coal mines.”

Quick-witted and wily, Corb Lund gets a good jab in and breaks up the string of pro-coal

speakers all at once. It's also a relief to finally hear from some allies. Corb's a natural connector, and his presentation reflects all the work he's done listening and engaging on this issue.

He takes time to elevate the messages of two First Nation community groups who worry that their leadership is not representing the will of the people. The Mountain Child Valley Society asked Corb to state that they support economic development, but not "at the expense of our environment and our water." From the Kainai Sundance Society, he relays a terse message:

"Foreign coal companies, you're not welcome in Blackfoot country."

Corb cedes the rest of his time to Lee Eddy, a cow-calf operator who speaks on the issue of selenium bioaccumulation, and case studies in the states where contaminated water produced alfalfa too toxic to feed the cattle.

Brenda Davison of the Crowsnest Conservation Society's up next, and she's come with incredible maps illustrating exactly what we mean when we talk about cumulative impacts. Portable projector screens are staggered every few rows, and they soon fill with aerial imagery of the Rockies. From the Kakwa Wildlands down to Waterton, Brenda's highlighted a contiguous series of conserved areas safeguarded from development, with one glaring exception.

"The only place without protection is Livingstone ... headwaters and wildlife habitat have been protected for almost 1,000 kilometres, except here."

We zoom down into the map to bring the Oldman headwaters into focus. Residential developments border the south. Huge chunks of forest are missing, clearcuts rampant in the Range. Further out east, cropland and irrigation infrastructure form a patchwork quilt, a splendor of yellow hues responsible for the region's immense water demand. Haul roads, seismic lines, recreation trails, pipelines, and other linear features crisscross the landscape. The pressures of the current human footprint are made evident for all in attendance, and they are significant, even without the added effects of coal.

The left side of the room has taken to clapping and cheering following these presentations. I've inadvertently sat in hostile territory, so I clap politely and ignore any sidelong glances. Despite Northback apparently having the ability to get "20 people here in the next hour who will gladly speak in support of the project," the majority of impassioned spectators present are decidedly anti-coal.

Chris Spearmen, the former mayor of

Lethbridge, notes that they too were once a coal town, highlighting their transition to "a regional hub for agriculture and agricultural processing." He warns of the expected ill effects on Alberta's agri-food industry downstream, should a coal mine be restarted on Grassby. David McIntyre speaks with familiarity, fervour, and knowledge only derived from a lifetime on the landscape. He offers a new vision for the Pass.

"Crowsnest Pass is blessed with the essential ingredients that would enable it to benefit from this brand of internationally lucrative tourism, but only if the land's raw and compelling wealth of esthetic and ecological integrity are retained."

As the clock inches closer to my turn, I can't help but run through my notes a few more times. I tune out everything else and concentrate on what I've prepared. Being last is certainly good for one thing; no one's presented anything today that I haven't planned to cover, and it's clear I took a different approach. I'd sought out peer-reviewed research and data to supply relevant context. I'd emphasized the AER's legislated responsibility to the public and environment and critiqued their current processes. Focussing solely on the applications, I'd dug deep into all the relevant policies and regulations I could find and looked for any discrepancies between Northback's submissions, and what they're required to complete by law.

It's tedious, mind-numbing stuff truly. But I've come to realize — and maybe this was always just naivety on my part — that the government doesn't really care if wildlife dies, or habitats are destroyed, or rivers are polluted, or emissions rise. They care that you followed their rules to do it.

Guitar strings and a song snap me out into the moment.

"It's back, it's back, the zombie mine. Risen from the dead, how can it go ahead? What must we do to kill it one last time?"

It's brave, it's out of the ordinary, it's Monica Field, a long-time resident and defender of the region. It's a little honest levity I needed. And now it's my turn.

"Hello — whoa."

Too much feedback. Deep breaths. Lorne Fitch's told me it's only nerve-wracking the first 500 times.

"Hello, everyone. My name is Kennedy Halvorson, and I am a conservation specialist with the Alberta Wilderness Association."

A transcript of the full speech can be read at [albertawilderness.ca](http://albertawilderness.ca).

—Kennedy Halvorson