

AGENDA
COUNCIL COMMITTEE MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK
January 26, 2021
via GoToMeeting
9:00 am

1. Approval of Agenda
2. Next Steps – Water Allocation Order/Coal Mine Development
 - Summary from Livingstone Landowner Group
 - <https://globalnews.ca/news/7584043/city-of-calgary-not-consulted-on-change-to-provincial-coal-policy/> (Link to Global Article)
 - Nanton Resolution
 - Nanton Resolution 2
 - High River Resolution
3. Closed Session:
 - a) Municipal Operating Support Transfer (MOST) Community Organizations – FOIP Section 17
 - b) Regional Director of Emergency Management – FOIP Section 19
 - c) Fire Response Charges – FOIP Section 17
 - d) CAO 2020 Performance Review - FOIP Section 19
4. Adjournment



Mountain-Top Removal Coal Mining In the Eastern Slopes Summary

As public concern grows over proposed mountain-top removal coal mining in the Eastern Slopes, the Alberta government maintains that “nothing has changed”. The facts tell a different story.

The Livingstone Landowners Group (LLG) offer the following summary of events leading up to aggressive coal exploration activity throughout previously restricted areas and proposals for five large scale coal mines.

History of the Alberta Coal Policy Changes:

- Premier Lougheed implemented the Alberta Coal Policy in 1976 after several years of extensive consultation with stakeholders (including the public). That policy created four land use categories based on environmental sensitivity and suitability for coal development: Category 1 - no exploration or development, **Category 2 - limited exploration and no surface coal mining**, Category 3 - lesser restrictions and Category 4 - normal regulatory process and environmental protection.
- The majority of the Eastern Slopes were identified as Category 2. Grassy Mountain in the Crowsnest Pass was identified as Category 4 due to previous mining activity on the site. ([map](#))
- Starting in 2019, the Canadian Coal Association has been actively lobbying the Alberta Government to remove barriers to coal mining in the Eastern Slopes. ([article](#))
- In 2019 the Alberta Ministers of Environment and Tourism issued [letters of support](#) for coal companies to pursue metallurgical coal mining opportunities in the Eastern Slopes.
- In March 2020, Minister Nixon announced government plans to close many provincial parks and change others to private management. Approximately one third of the closures were located along the Eastern Slopes. The government has since reversed their decision but many campgrounds could now be surrounded by coal mines. ([article](#))
- In June 2020, the Alberta Government quietly rescinded the 1976 coal policy, leaving only Category 1 lands protected (National and Provincial parks). The [government bulletin](#) issued at the time stated: ***“With the rescission of the Coal Policy, all restrictions on issuing coal leases within the former coal categories 2 and 3 have been removed.”***
- The policy change resulted in 15,000 sq kms of the mountains and foothills from the Crowsnest Pass to Grande Cache, north of Jasper, previously protected as Category 2 land, becoming eligible for mountain top removal coal mine applications. ([article](#))

- The government held no public consultations prior to rescinding the policy and ignored existing land-use plans and warnings from Alberta Energy officials. ([article](#))
- The coal policy changes have accelerated exploration activity and interest in the south Eastern Slopes and several mine companies have announced interest in developing more than 5 large scale mines in the SW Eastern Slopes. ([mine map](#))
- Much of the intensive exploratory activity this last summer was fast tracked by the Alberta Energy Regulator (AER), blocking access to forestry grazing leases for ranchers and restricting camper, hikers, hunters and fishers from accessing previously open public lands. Many kilometers of service roads and test drill sites were built in previously protected wilderness. ([article](#))
- A Court Challenge has been filed against the Alberta Government by First Nation groups, impacted ranchers, landowner and the MD of Ranchlands, arguing that rescinding the Coal Policy was illegal by failure to consult with stakeholders on such an important change. On January 19-20 a judge will determine if the Government's argument to dismiss the case will be accepted or if the Challenge should be heard and who may participate as intervenors. ([article](#))
- The Government appears to currently be pursuing changes to water policy so coal mines can access headwaters of the Oldman River. ([CBC link](#))
- January 18, 2021 Energy Minister Sonya Savage announced the cancellation of coal leases they sold in Dec 2020. They amount to .002% of the area that has already been leased. This action has little impact on the risk to the Eastern Slopes. [CPAWS News Release](#)

How Does Grassy Mountain Mine Application and Hearing fit in with the Coal Policy Changes?

Growing concern about coal mining in the Eastern Slopes has created some confusion between present mine proposals versus the future risk of more mines due to changes to the Coal Policy.

The Grassy Mountain project application is linked to the risks of the changes to the Coal Policy in that the decision on this proposal is expected to set a precedent for future mining projects in the areas that were previously precluded from surface mining. The Eastern Slopes are now considered in the same category as Grassy Mountain was and thus are open to similar development applications.

- A small portion of the proposed Grassy mine footprint was previously mined and therefore considered Category 4 land under the Alberta Coal Policy, even though the area is environmentally sensitive with two known species at risk and is an important water sources feeding the Crownsnest River, part of the Oldman River Basin.
- The 28 sq km proposed mine is located north of Blairmore and is almost ten times larger than the original mine on Grassy Mountain. The site is owned by Benga Mining Ltd, a subsidiary of Riversdale Resources out of Australia.

- Currently the Grassy Mountain Coal project is in the final stages of the application review by a Joint Review Panel (comprised of the Alberta Energy Regulator and the Federal Government). The five week virtual hearing and period for submission of final arguments by participants and public comments closed January 15th, 2021.
- The Review Panel is required to submit their recommendation of approval or rejection of the application to the Federal Minister of Environment and Climate Change, Jonathon Wilkinson, by June 18th, 2021. The Minister must then announce an application decision within 150 days, most likely with Cabinet involvement.
- Major environmental concerns heard at the hearing included the high risk of selenium contamination into Gold Creek and Blairmore Creek, tributaries to the Crowsnest River and Oldman River system. The project will also destroy habitat for the endangered native west slope cutthroat trout and white bark pine. Other issues raised included human health risks, negative impacts on quality of life, negative impact on tourism, as well as significant economic risks including reclamation and ongoing selenium mitigation costs at mine closure.

Summary of issues with open pit coal mines in the Eastern Slopes

- **Water!** Selenium release from the mining process leaches into the streams, contaminating the watershed used by humans, agriculture, wildlife and especially fish downstream.
- **Water!** Coal mines are intense water users and the mine development itself will lower the water table and disrupt critical headwaters in a water scarce region that is already struggling with highly variable flows and the impact of lower water volumes due to climate change.
- **Air pollution:** These proposed mining operations are situated in Chinook Wind belts and the intense winds would increase respiratory risk due to significant wind dispersal of small particulate coal dust, which has documented human (and wildlife) health risks.
- **Environmental Damage:** The destructive nature of mountain top removal coal mining will irreversibly alter the ecosystems and habitat for already stressed wildlife and especially species at risk such as west slope cutthroat trout and white bark pine.
- **Economics:** The economic risks of the boom bust nature of mining, over estimates of jobs, taxes and royalty payments, as well as reclamation and ongoing selenium mitigation after mine closure are significant concerns.
- **Loss of sustainable industry and tourism:** Popular camping, hiking, fishing and hunting areas along the Eastern Slopes would be closed and irreversibly altered with open pit mines. World class fly fishing of the Crowsnest River and other tributaries of the Oldman River would be at significant risk, as would ecotourism and lifestyle migration.

Please take Action:

- Inform yourself: there are multiple news articles, websites and Facebook pages to view.
Link to many of them through
<https://www.facebook.com/Livingstone.Landowners> or
<https://www.facebook.com/groups/albertansagainstcoal>
<https://www.livingstonelandowners.net>
<https://www.ab4coalfreesw.ca>
<https://www.savethemountains.ca>
- Spread the news that the Eastern Slopes are being sacrificed to open pit coal mining and get involved or donate to [LLG](#) or any of the many groups working on this issue.
- Write or call provincial Environment Minister, Jason Nixon and copy provincial Energy Ministry Sonya Savage and your MLA to demand the Coal Policy be reinstated immediately
Minister Nixon: aep.minister@gov.ab.ca
Minister Savage: Calgary.Northwest@assembly.ab.ca
MLA contact information <https://www.livingstonelandowners.net/speak-up>
- Write Federal Minister of Environment and Climate Change, Jonathon Wilkinson, requesting the Grassy Mountain Coal application be rejected.
Minister Wilkinson: Jonathan.Wilkinson@parl.gc.ca
For a quick letter writing tool to Minister Wilkinson <https://www.ab4coalfreesw.ca/action>

References Mailings Review View Help

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Whereas Council wishes to express its concerns over the safety and quality of regional water resources that supply Nanton's water license allocations, it directs the Chief Administrative Officer to draft a letter to Premier Jason Kenney for signature by the Mayor:

- requesting a new and comprehensive consultation process subsequent to the Government of Alberta's rescindment of the 1976 Coal Policy on June 30, 2020;
- seeking a more thorough analysis of the local hydrological, environmental and economic impacts of any watershed changes;
- requesting further local public presentation and discussion prior to any further consideration or action regarding applications for open pit mining to the Alberta Energy Regulator.

From: Jennifer Handley jenniferhandley@telus.net
Subject: <No Subject Provided>
Date: Jan 18, 2021 at 6:14:01 PM
To: Jen Handley Jenniferhandley@telus.net

Council directs the Chief Administrative Officer to draft a letter to Premier Jason Kenney for signature by the Mayor, requesting a new and comprehensive consultation process, utilizing a reasonable timeframe for stakeholder input, in regards to the Government of Alberta rescindment of the 1976 Coal Policy on June 30, 2020 so that a more thorough analysis of the environmental and economic impacts of this policy change is available for public presentation and discussion prior to any further consideration or action regarding applications for open pit mining to the Alberta Energy Regulator.

Moved that Council direct administration to draft a letter to Premier Jason Kenney, requesting the immediate reinstatement of the 1976 Alberta Coal Policy, which was rescinded on June 1, 2020. Further requesting that the Government of Alberta begin public consultation with Indigenous groups, Environmental groups and all stakeholders in Alberta on any proposed revision or replacement to this policy.

CC's to Environment & Parks Minister Jason Nixon, Energy Minister Sonya Savage as well as the MLA for Livingstone-Macleod Roger Reid.