



# ALBERTA CHAPTER OF THE WILDLIFE SOCIETY



Honourable Jonathan Wilkinson  
Minister of the Environment and Climate Change  
House of Commons  
Ottawa, ON  
K1A 0A6

September 7, 2020

## **Re: Ecological Impacts Associated with Rescinding Alberta's 1976 Coal Policy**

Dear Mr. Wilkinson:

The Alberta Chapter of The Wildlife Society (ACTWS) and the Canadian Section of The Wildlife Society are non-profit organizations representing over 700 wildlife professionals across Alberta and Canada. Our mission is to inspire and empower wildlife professionals to engage in science-based management and conservation of animals and their habitats. We are affiliated with The Wildlife Society, the largest organization of wildlife professionals in the world. ACTWS members live and work across Alberta and many of them are concerned about the recent growing interest in and approval of coal mining exploration proposals in western Alberta.

First, we commend you on your decision to require a Federal Environmental Impact Review for the Vista coal mine expansion in Alberta. Requiring this mine expansion to undergo a thorough environmental review will hold Vista accountable for meeting environmental regulations and minimizing impacts to Alberta water, wildlife, and their habitats, as well as human communities. Unfortunately, this mine expansion is only the beginning of a coal resurgence in Alberta that we find deeply concerning.

Alberta's Coal Development Policy (1976) separated the province into four zones and provided clear regulations regarding coal mining exploration and operations in each zone. This policy restricted open pit mines in the mountains and foothills of Alberta and provided certainty for industry regarding where coal development was more appropriate. The current United Conservative Party (UCP) government rescinded this policy without any public consultation and has continued to decline interview requests to provide Albertans with more information. The ACTWS is most concerned with Zone 2, which includes substantial amounts of the Rocky Mountains and Foothills that are now open for, and vulnerable to, coal exploration and surface mining. The Alberta Government has committed to completing regional land use plans for Alberta, but these plans have yet to be completed for the Rocky Mountain and Foothill regions. Now these planning efforts are being contradicted by many exploration and open pit mine proposals. At least two mine proposals are in and around the Bighorn Backcountry Public Land Use Zone (Bighorn), an area which only two years ago was being considered for provincial protected area designation. The proposed Provincial Park protection (cancelled by the UCP government) was designed to increase protection of the North Saskatchewan headwaters and improve recreation planning and management. The majority of Albertans were supportive of protecting the Bighorn, and the area is growing in popularity as an outdoor recreation destination because of its beauty, accessibility and localized travel as a result of the pandemic. Approving coal mining in this area contravenes public appreciation of this area.

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The ACTWS would like to present three important measures for your consideration and discussion:

1. Implications for the federal Environmental Impacts Assessment Act.
2. Potential Impact on SARA-listed Species.
3. Federal Requirement for Indigenous Consultation.

## **1. Implications for the Environmental Impacts Assessment Act**

We believe rescinding the Coal Development Policy in Alberta is a federal issue; the exploration and development of large-scale open-pit coal mines should require Federal Environmental Impact Assessments and decisions. While Section 92A of the Canadian Constitution guarantees Alberta the right to jurisdiction over resource development, coal mining projects are large and have the potential for serious short and long-term environmental impacts both on local and regional scales. Federal concerns apply particularly to transboundary issues with bordering provinces, territories, and potentially into the United States. Coal mining on the eastern slopes releases selenium, which is toxic to humans, fish and wildlife in large amounts; transboundary issues may involve water, vegetation, soil, wildlife, and air quality. For example, the Teck coal mine in British Columbia is currently the subject of international investigations because of its infractions of the Federal Fisheries Act. The Elk River downstream of the Teck coal mine flows into Montana and the concentrations of selenium in water in the United States has caused great concern with conservationists and raised the ire of the U.S. Environmental Protection Agency. Even though Teck has had water treatment plants in operation for years, they have had limited success in reducing the amount of selenium in the Elk River. With any new coal mining development, Alberta will have the same transboundary issues thereby assuring that this will be a federal issue. The federal government is the governing body that should be making decisions regarding the impacts that projects of this size may have on Canadian land, water, wildlife, and people. It would be concerning to leave projects of this scale and magnitude up to provincial governments that may be more susceptible to intense industry lobbying and largely concerned with short term, localized issues that may not represent the interests of all Canadians.

Alberta has a long legacy of environmental concerns and failures in all phases of coal development, especially in mountain and foothill landscapes. From mine exploration to construction, and from operations to eventual reclamation, Albertans have witnessed irreversible habitat destruction for short-term economic gains that quickly vanish when the price of coal drops. Once coal is not profitable, international companies vacate the province in days, leaving ghost towns with high unemployment in their wake. Given this history, we question the feasibility of coal development within the context of other Provincial and Federal commitments to protect water quality and species at risk, provide abundant recreational opportunities, and ensure sustainable land uses in physically challenging topography. As such, we recommend that a synoptic survey of all mines in Alberta be undertaken by the federal government to compare recommendations in original environmental impact assessments to mitigation and monitoring programs that were implemented. This review should include a comprehensive cumulative effects assessment that evaluates collective landscape changes over time and models how coal mining approvals might impact the Federal and Provincial commitments above. This review could act as a guide for future coal development decision making. Further, all coal



development proposals should be vetted through joint federal/provincial hearings to ensure no area of federal responsibility is missed.

The Canadian Government has committed to reducing coal related emissions as part of a multi-pronged effort to reduce carbon emissions. Canada has a role to play on the international stage as a leader in demonstrating how a reduced dependency on coal can be actualized. Current coal development proposals and regulations in Alberta misalign with these commitments. Natural gas and alternative energy sources are becoming the predominate energy in the province and the Canadian government is part of the Powering Past Coal Alliance, the international group aiming to persuade countries to eliminate coal-powered electricity by 2030 and the rest of the world by 2050. In your own words:

"I think Canadians expect us to look at whether or not we should continue to be exporting thermal coal at a time when we're telling other governments that they shouldn't be using it." (Globe and Mail, July 30, 2020).

Any coal mined in the Eastern Slopes of Alberta is not for Canadian markets to benefit. The coal will be sold internationally where environmental laws and regulations are not as stringent, thereby contributing to climate change, massive pollution, and global air-quality, which do not recognize borders and are international issues for humans and wildlife and should be assessed as such.

## 2. Potential impact on SARA-listed species

Federal Environmental Impact Assessments would allow the federal government to make decisions based on SARA-listed species. Open pit mining in the eastern slopes will further compound the impacts of existing land uses, thus, increasing habitat loss for Grizzly Bears (federally listed as *Special Concern*, provincially listed as *Threatened*) that are sensitive to human disturbance.

Open pit mining in the eastern slopes will have detrimental effects on grizzly bears in several ways. Grizzly Bears are sensitive to human disturbance on the landscape that results in habitat loss and fragmentation. Increased human activity in Grizzly Bear habitat can also lead to displacement from high-quality habitats and increased human-bear conflict. Alberta's eastern slopes contain critical core grizzly bear habitat essential for species reproduction and dispersal. Mining in these habitats may threaten species recovery and result in increased conflict with people. A single open pit mine would have severe effects on Grizzly Bears in the area, and multiple mines have the potential to significantly decrease bear populations with no real possibility of successful mitigation.

Byproducts of coal mining, including selenium, have extreme detrimental effects and are a serious threat to both aquatic and terrestrial species. Cutthroat Trout (*Threatened*), Athabasca Rainbow Trout (COSEWIC proposed *Endangered* status), Bull Trout (*Threatened*), and Lake Sturgeon (COSEWIC recommendation: *Endangered*) will be threatened by coal mining in the Eastern slopes and thus the development of such projects are incompatible with the federal government's recovery strategies for these species. Selenium pollution has caused the depletion of some aquatic species populations, and the complete collapse of others as a direct result of coal mining in sensitive headwaters habitats. The Fisheries Act prohibits depositing deleterious substances into water frequented by fish and there are impacts for ignoring these precedents.



### 3. Federal requirement for Indigenous consultation

The Federal Government has an interest in ensuring meaningful and legally adequate Indigenous consultation regarding developments in their traditional territories. The Indigenous lands potentially affected by this policy change are encompassed by Treaty 6, 7, and 8, as well as Alberta's Metis. To date, no consultation has been done with the Alberta public or Indigenous groups regarding rescinding of the Coal Development Policy. Coal developments in the Zone 2 area may impact traditional hunting and fishing grounds, sites of spiritual significance, as well as access to important Indigenous sites. All these impacts could serve to further disconnect Indigenous groups from their traditional lands and associated practices. These decisions may also impact Indigenous communities in British Columbia and Montana. We recognize that we are not in a position to speak for Indigenous groups, but we strongly believe that their perspective, experience, and knowledge is critical. Further, putting in place tangible policies that move towards Truth and Reconciliation is a nation-wide commitment that the decision to rescind the Coal Development Policy ignores.

Traditional Ecological Knowledge (TEK) is a body of knowledge held by Indigenous cultures about their immediate environment and the cultural management practices that build on that knowledge. It is the systematic body of knowledge acquired by local people through extensive and accumulative experience, informal experiments, and an intimate understanding of their environment. As a group of wildlife professionals, we appreciate the incredibly rich body of environmental knowledge and ecological relationships that TEK brings. We are extremely concerned that changes to coal mining practices in Alberta are not adequately weaving Indigenous Ways of Knowing with western science, thus decisions are not being made with all the available information. Indigenous knowledge is integral to wildlife management and habitat across the country and the duty to consult is paramount to incorporate Indigenous knowledge with modern science and land and environmental policies. In addition, making a decision of this scope and impact without any formal public discussion contravenes the principles of good governance.

We request that Environment and Climate Change Canada review Alberta's decision to rescind the Coal Policy and its implications, including existing and potential coal mine exploration and development proposals, as well as work to maintain the integrity of the environment of Alberta's east slopes.

Sincerely,

Alex Beatty,  
President, Alberta Chapter of The Wildlife Society

Dennis Brannen,  
President, Canadian Section of The Wildlife Society