



MESSAGE TO THE MINISTER

Honourable Sonya Savage
 Minister of Energy and Deputy House Leader
 324 Legislature Building
 10800 - 97 Avenue
 Edmonton, Alberta T5K 2B6

Dear Minister:

Re: Letter of Transmittal – Engagement Report

On behalf of the Coal Policy Committee, we are pleased to present this report, a document that fulfills one of the two major objectives of our Committee, as set out in its Terms of Reference.

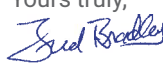
Our Committee is very grateful to the individual Indigenous representatives and the elected officials, community members, non-governmental organizations, industry, unions, municipalities and provincial regulatory agencies who made such valuable contributions of time and effort in meeting with, and preparing briefs and position papers for the Committee. The materials submitted to the Committee by these individuals and organizations will constitute an outstanding data base invaluable to future policymakers in Alberta.

The Committee’s work began with assessing responses from the Departmental survey that elicited 24,752 responses from Albertans from across the province. You will recall our unanimous recommendation of April 20, 2021, that called for a moratorium on any coal exploration activities on Category 2 lands, until such time as our public engagement and reporting process was complete.

The Committee has since received thousands of submissions, including 176 detailed written submissions. The Committee also completed 67 engagement meetings. These were held with over 70 different groups, municipalities, unions, industry, associations and individuals, including 17 meetings held during two tours. A southern tour included site visits to Atrum, Cabin Ridge and Montem sites and several municipalities and town councils. A second northern tour included site visits to Vista Coal Mine, Luscar and Cheviot mining areas at Teck Resources Cardinal River Operations and several other town councils and non-governmental organizations. The Committee participated in a session held as part of the Department’s “nation-to-nation” engagement after which we held separate engagement sessions with groups of Indigenous representatives from southern, central and northern Alberta. We also held other engagement sessions with an Indigenous band council, Métis Settlement Association and Indigenous advocacy groups.

Our Committee experienced an outpouring of support from many Albertans, including Indigenous communities that embraced individuals from all walks of life from communities throughout the province. Our engagement process has been personally rewarding – an experience that we consider will be of material value to senior decision-makers in Alberta.

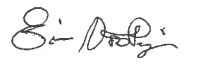
We are proud to have successfully completed the task of comprehensively engaging with, and listening to, Albertans. It is our hope that this engagement report will constitute advice of immediate interest and value to government, one that contributes both wisdom and understanding to the issues associated with the development of a modernized coal policy for Alberta.

Yours truly,

Fred Bradley


Bill Trafford


Natalie Charlton


**Ron Wallace, Ph.D.,
 Chairman**


Eric North Peigan



The Alberta Coal Policy Committee
 (L-R: Fred Bradley, Ron Wallace, Natalie Charlton, Eric North Peigan, Bill Trafford)

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MESSAGE FROM THE CHAIR

The work of the independent Coal Policy Committee was to engage with a wide range of Albertans that included Indigenous Nations and groups, representatives of coal mining companies and the Coal Association, labour unions, outdoor enthusiasts, environmental organizations, academic institutions, researchers, municipalities and farmers and ranchers. The Minister's decision to establish the Committee was embraced by many Albertans as a welcome avenue for the public to help to shape resource policies through a process of engagement about the management of coal resources. As such, our Committee followed the rules of procedural fairness in order to responsibly reflect the perspectives we heard.

The number and quality of submissions made to the Committee originating from Indigenous and non-Indigenous parties, constitutes a material database that will be of considerable value in shaping future resource policies in Alberta.

There were strong opinions among Albertans about future coal developments, especially in environmentally sensitive regions. Polling and departmental surveys indicate that approximately seven, or perhaps even eight, in ten Albertans oppose, or are not in favour of, policies that would accelerate or expand the mining of coal in the Eastern Slopes of Alberta. The passion and care displayed by the general public in our engagement sessions reflected an exceptional depth of feeling and understanding of the potential consequences of these policies. The "Lougheed legacy", a term largely associated with policies developed in 1976, was mentioned frequently.

These divergent opinions, both pro and con, appear to have left little room for compromise among the parties-at-interest. The Committee observed a public with diminished confidence in issues associated with regulatory outcomes, especially as related to broader issues such as exploration approvals and reclamation liabilities, notwithstanding the demonstrated success with land reclamation at two mine sites in Alberta. Many Albertans were deeply concerned that mining proposals would permanently diminish, or threaten, unique landscapes and ecosystems. We were told that the Eastern Slopes have increasingly been exposed to multiple consumptive demands; these are areas that many believe have been pushed to an ecological "crossroads". Albertans went to extraordinary efforts, at a significant cost, to provide the Committee with extensive research in their submissions. This research was funded by private sources who considered that there was an extraordinary absence of basic governmental background research that is vitally required for policy formulation and decision-making. They considered that major projects should not be allowed to proceed in the absence of such research and that new policies must be crafted to consider these facts.

Albertans are deeply concerned about the quality and quantities of their waters, especially at a time of a changeable, increasingly unpredictable climate. These waters are of utmost import to downstream agricultural users and their communities and many expressed concerns about any proposed developments that could place these waters at risk. Notwithstanding concerns about the efficacy of technologies for effluent controls and use of proven reclamation programs, many were also concerned that existing landscapes would be diminished and that resultant landforms would be permanently altered with open pit mining. It was made clear to the Committee that these material policy issues must be addressed before any major new coal developments should be embraced by governments.

In addition to the urgent needs for the completion of, and adherence to, strategic land use planning throughout the entire Eastern Slopes region, the Committee heard from many Indigenous communities who were concerned about their current state of economic development. Those Indigenous communities displayed a determination to be included in any future policymaking, most certainly those associated with possible coal developments.

It has been a distinct pleasure working with my fellow Committee Members: Mr. Fred Bradley, Mrs. Natalie Charlton, Mr. Eric North Peigan and Mr. Bill Trafford. They have exhibited a significant commitment to the task at hand working in the best interests of Albertans. Their generosity of spirit, knowledge and experience has been an inspiration.

Our reports will provide opportunities for government to craft not only new policies but inventive approaches that are consistent with the principles of Reconciliation.

It is in this spirit that, as Chairman, I respectfully submit this report from the Committee.

Ron Wallace, Ph.D.
Chairman
Coal Policy Committee

EXECUTIVE SUMMARY

“You’ve broken down a barrier and you’ve done it with something that I think is extremely important, which is communication, quite often there’s a disconnect in communication between levels of government, all sorts of things, and it seems like you have managed to break that down. A lot of people out there, all they want to do is be heard and have their thoughts considered.”

-Councillor Lowe, Yellowhead County

On March 29, 2021, the Minister of Energy appointed the Coal Policy Committee (the “Committee”) to make recommendations to the Government of Alberta about what it should consider for a new coal policy. As part of this work, the Terms of Reference mandated our Committee to undertake engagement with Albertans such that:

“The purpose of the Committee is to conduct engagement as necessary to prepare a report to the Minister on the advice and perspectives of Albertans about the management of coal resources in connection with matters under the Minister’s administration, including:

- *Mines and Minerals Act*, relating to coal tenure and royalty;
- *Coal Conservation Act*, relating to resource management and conservation; and
- *Responsible Energy Development Act*, relating to regulatory oversight of responsible coal development.
- The Committee will prepare a report to the Minister that describes Albertans understanding of coal development as it pertains to the Coal Policy and other areas under the Minister of Energy’s purview. Additionally, the Committee will provide recommendations to the Minister about how to clarify the nature, scope and intent of the restrictions under the current Coal Policy.”

Furthermore, the Terms directed the Committee to:

“File a report with the Minister pertaining to matters under the Minister’s administration including the *Mines and Minerals Act*, *Coal Conservation Act* and *Responsible Energy Development Act*.” regarding:

- How to clarify the nature, scope and intent of the restrictions under the 1976 Coal Policy
- Recommendations (including strategic goals and desired objectives) for a new, modern coal policy for Alberta.”

Accordingly, the Coal Policy Committee has provided this report to the Minister of Energy on “matters under the Minister’s administration” such that it includes matters associated with the Alberta Energy Regulator that has jurisdiction over certain matters related to water

management and environmental protection pertaining to coal. Hence, the public was invited to submit briefs on a wide range of matters related to coal policy and related matters concerning Alberta’s environment and waters.

In our proceedings, the Committee participated in numerous virtual and public meetings, and it also received numerous emails and technical or formal submissions. Because of restrictions on public gatherings due to the COVID pandemic, most of the engagement sessions were held virtually. After those sessions, many participants chose to submit written briefs. When required permissions were obtained, these submissions were posted to the Committee’s website.

Our Committee gathered input from many meetings and heard many different perspectives from Albertans across the province. Throughout the engagements, the Committee adhered to the principles of procedural fairness and clarified that it was not acting as a regulator to deal with specific project applications. The Committee received opinions about policies that will be used to provide the Minister with a fair and balanced reflection of widely held, and divergent, views among Albertans.

In the process of our engagement the Committee has:

- Undertaken 67 virtual and public meetings with a wide range of Indigenous communities, and stakeholders representing various sectors including industry, labour unions, outdoor enthusiasts, environmental organizations, academics, researchers, municipalities and farmers, cattlemen and ranchers.
- Received 176 detailed written submissions from interested parties.
- Received almost 4,400 emails and letters from Albertans.

Many Albertans, including Indigenous peoples who chose to participate in our engagement sessions, expected transparent consultations before major policy changes are made. Many were broadly concerned about the implications of changes to Alberta’s coal policy and also about the functioning of the Alberta Energy Regulator. Many questioned whether coal development has a place in Alberta’s economic future.

Some Albertans who engaged with the Committee expressed support for the potential benefits of coal development. Many others, including many municipalities, cities and Indigenous groups, do not agree with the value of continued or potential future, development of Alberta's coal resources. A major concern of Albertans centered on the maintenance of the quality and quantity of their waters, particularly in southern regions of the province. Furthermore, many were sceptical about claims that technologies could mitigate potential contamination of Alberta's waters from coal mining.

Perspectives From Engagement With Indigenous Communities

The Committee was fortunate to have received participation with, and submissions from, many Indigenous communities across Alberta. These submissions also revealed a wide variety of opinion concerned not just with coal development in Alberta but also with past, current and future Indigenous participation in policy making in the province. There were also concerns expressed about Consultation processes with the government of Alberta.

In general, the Committee heard that the Government of Alberta should have a broader and more inclusive lens with Indigenous peoples when developing policies. Several major themes emerged from the engagements and the submissions to the Committee:

- There is a continuing need for early and meaningful Consultation with Indigenous peoples. It was noted these principles have been consistently re-affirmed by the courts.
- The 1976 Coal Policy did not consider Indigenous peoples.
- Our engagement process revealed concerns about the ability of Indigenous communities to participate in governmental decision-making.
- Specifically, capacity funding to allow participation of the communities in policy discussions was highlighted by many participants and expressed as a critical need before governments should embark on policy, or project, developments.
- On balance, our Committee received diverse perspectives regarding Indigenous participation in, and benefits from, development proposals.
- Our Committee was made aware that some First Nations have agreements with coal companies that would provide needed benefits to their communities.
- Most expressed concerns about the environmental impacts of coal mines, their potential to reduce Indigenous access to traditional lands and scepticism about the results of reclamation following coal mining.
- There was a broad consensus that cumulative effects affecting Indigenous communities need to be considered for coal mines.

- Environmental monitoring programs should be enhanced to include participation with, and consideration of, Indigenous interests.

In addition to the engagement sessions noted above, the Committee benefitted from the Department's parallel Nation-to-Nation engagement sessions. The Committee also participated in one of the Departmental engagement workshop sessions held on June 25, 2021.

Many of the views expressed by Indigenous participants in the Departmental engagement sessions were parallel, if not very similar to, the subsequent findings from the Committee's engagements. Those virtual workshop sessions were enhanced by written documents submitted to the Committee, some of which were shared with permission, on the Committees' website.

Perspectives From Engagements

Regardless of their perspectives on the future of coal most Albertans agreed that the province needs a modernized coal policy that:

- Recognizes there must be comprehensive processes to assess and regulate cumulative impacts on the entire Eastern Slopes,
- Aligns with regional plans developed under the *Alberta Land Stewardship Act*,
- Establishes high standards for environmental protection and reclamation, and
- Provides refreshed guidance about which landscapes are protected, restricted or could be developed, based on a comprehensive, scientifically based and publicly informed review.

The input from Albertans coalesced around consistent themes, as follows:

The Economics of Coal

- Proponents for coal development in southern Alberta argue for the quality of the resource and are prepared to make material capital investments to bring what they consider to be economically viable projects to fruition. They say Alberta's metallurgical coal is an economic opportunity needed by the world.
- Some Albertans question the quality, sustainability and net fiscal benefits of the resource. They argue that sustainable, local economic gains would be limited by the demonstrated boom-bust nature of mining, automation, the likely mine lifespans and Alberta's conservative royalty regime, and that economic gains from coal mining would be offset by the negative impacts on other major industries that are incompatible with mining.
- While many Albertans feel that existing coal mining operations should be allowed to continue to completion, these mines are clearly considered to be part of a 'sunset industry' with ongoing, continuous, and adequately funded reclamation programs.

The 1976 Coal Policy and Events Subsequent

- While we heard different interpretations of the 1976 Coal Policy and its relevancy today, participants expressed strong belief that the Coal Policy needs an update.
- There was agreement that the policy had been weakened over time, or conversely overtaken by changes in provincial and federal laws.
- There were concerns expressed about the way in which certain protections were rescinded.

Water Management

- Water supply, in terms of both quality and quantity, is the highest priority as these waters are a critical resource for downstream communities, users and agricultural interests.
- For some, future coal mining was viewed as an unwelcome stress in an already over-allocated water basin.
- We heard that risks related to water quantity and quality, including from selenium, could be managed effectively with new knowledge and techniques. This perspective was met with skepticism and distrust by many respondents.
- Many raised concerns over suggested changes to the water allocation mechanisms to provide for coal mining activities.
- We heard the safety and security of water supplies is paramount for many Albertans.

Public Health

- We were told that Albertans are concerned about the risk to public health from coal mining, citing examples of coal mining and certain diseases in the vicinity of coal mines.

Conservation of Landscapes and Biodiversity

- The majority of respondents consider the Eastern Slopes region of Alberta to be a unique, threatened resource in need of enhanced protection from a multitude of escalating demands on the landscape.
- We heard that the Eastern Slopes are one of the most biologically diverse places in North America, and that coal development could have serious impacts on species at risk in an important climate refuge.

Reclamation

- The Committee heard that many Albertans consider current reclamation programs to be insufficient.
- Attention was paid to the Mine Financial Security Program. Many participants expressed concerns about the adequacy of the program.
- Many respondents spoke about the need to consider liability and reclamation of historic inactive coal mines, and exploration activity, neither of which are addressed through the Mine Financial Security Program.

Coal Management and Approval Processes

- Many expressed concerns that there are gaps in regulation in the management of the Eastern Slopes and some highlighted that exploration permits had been approved without adequate opportunities for Albertans to raise concerns.
- We heard concerns that the regulatory system may not consider a comprehensive cost-benefit analysis when evaluating coal development applications.
- Many Albertans who participated in the Departmental survey demonstrated a lack of confidence in regulatory enforcement and environmental protection.

Land Use Planning and Decision-Making

- Many voiced concerns about gaps in land use planning. We heard that current policies do not address the increased demands on the Eastern Slopes.
- There is a common perspective that the coal categories are outdated and need to be reviewed and that land use planning should be resumed.
- We heard about the importance of considering cumulative effects in planning and approval functions and that coal development would have profound consequences on other potential uses of the same landscape.

Municipal Issues

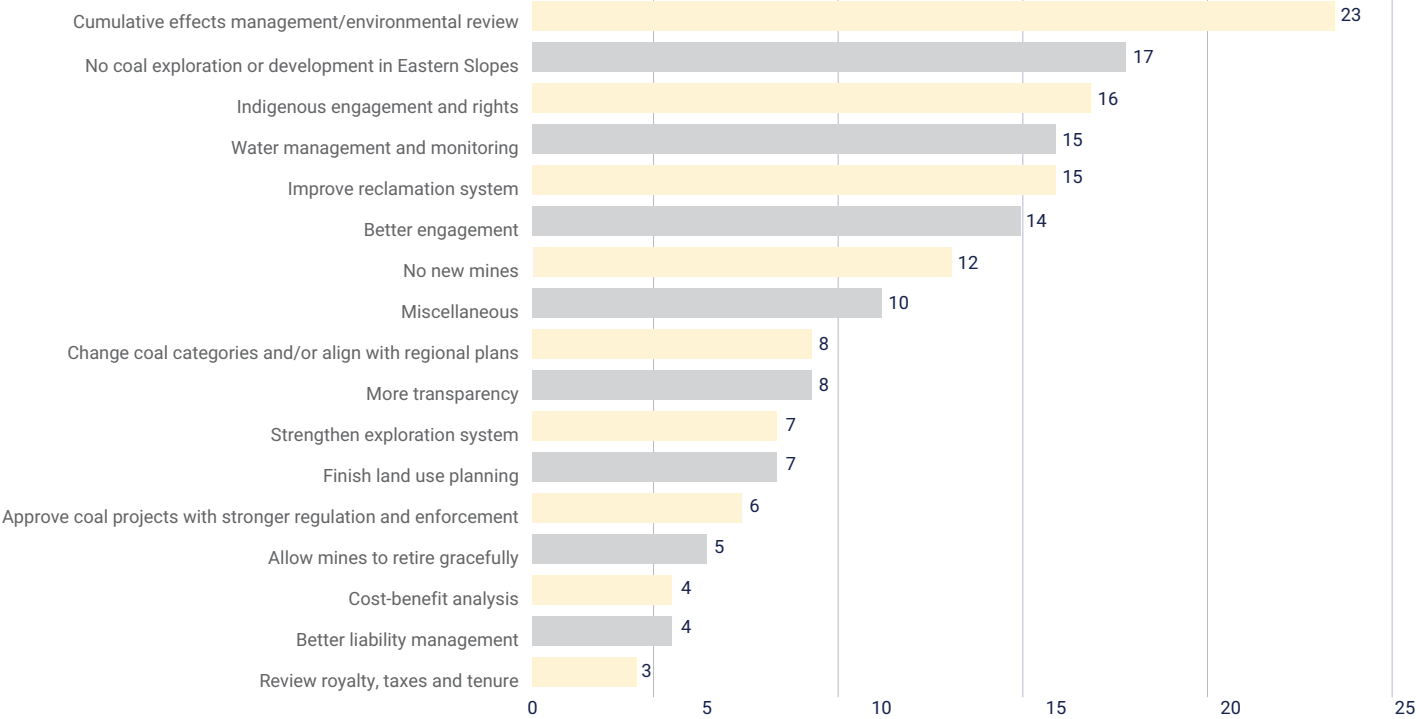
- We heard from and met with many representatives of municipal governments, including major urban centres Edmonton, Calgary and Lethbridge. Except for the few communities traditionally involved with coal mining, most communities were concerned about, or opposed to, open-pit coal mines.
- We learned that many municipalities were opposed to the expansion of coal development with 25 having signed a proposed Alberta Coal Restriction Policy.
- Some communities supported coal development because of the potential economic opportunities and noted the capability of strong regulation to mitigate the environmental risks from potential coal development.

Suggested Recommendations Received During Engagement

Many who participated in our engagement process offered suggested recommendations for a new coal policy. As shown in the figure below, the most frequently suggested ideas were:

- The use of cumulative effects management in environmental reviews;
- The end of coal exploration and development in the Eastern Slopes;
- Improved engagement and respect for the rights of Indigenous peoples; and
- The need for enhanced water monitoring and management.

SUMMARY OF SUGGESTED RECOMMENDATIONS



ACKNOWLEDGEMENTS

The Coal Policy Committee would like to thank all the individuals, organizations, Indigenous communities, municipalities, and community groups who participated in our engagement process.

The process was designed to enable our Committee to gather input that would help us prepare a report to the Minister of Energy reflecting advice and perspectives from Albertans regarding the *Mines and Minerals Act*, the *Coal Conservation Act* and the *Responsible Energy Development Act*. It is safe to say that Albertans heartily made use of the process and welcomed the opportunity to engage with the Committee.

Our Committee was gratified to receive submissions from individuals and organizations across Alberta. Each submission was examined, and its perspectives considered. We were also honoured to have the opportunity to meet virtually and in person with Albertans from diverse communities. Despite the challenges that resulted from restrictions due to the COVID-19 pandemic, our Committee maintained its outreach by electronic means whenever public meetings could not be held. We took time to reflect on the productive dialogue that resulted from all those meetings.

This engagement report attempted to capture, responsibly and accurately, the variety of perspectives from Albertans who were concerned with the long-term public interest of the province. We acknowledge all those Albertans, including Indigenous representatives, who chose to participate in person, and by video conference, in our engagement sessions.

INTRODUCTION

Notice to Reader: The Committee was pleased to advise all participants that rules for procedural fairness would apply throughout our in-person, and virtual, sessions. Also acknowledged was our commitment to the spirit of Indigenous reconciliation and the interests of those Indigenous peoples of Treaties 6, 7 and 8. Although verbal and written submissions to the Committee were carefully reviewed and considered during the development of our report, it may not comprehensively reflect all the perspectives heard from all participants. The report should not be considered to endorse any facts, statements or opinions asserted to the Committee during the engagement sessions or from written submissions.

On June 1, 2020, the Government of Alberta took the step of rescinding *A Coal Development Policy for Alberta*, commonly referred to as the “1976 Coal Policy”. In the months that followed, a groundswell of voices across Alberta steadily grew, all reacting strongly to the decision.

“The Government recognizes the importance of Alberta’s land resources for agriculture, recreation, forest products and wildlife, and is determined that proper attention be given to these alternative uses in the consideration of coal development projects. Some coal developments may be carried on with little disturbance of the land surface; others may involve the progressive disturbance of several square miles at any one time with reclamation immediately to follow production operations.”

-A Coal Development Policy for Alberta, 1976

After hearing these concerns, the Government of Alberta reinstated the 1976 Coal Policy as of February 8, 2021. The government also provided specific directions to the Alberta Energy Regulator about coal development. This included instructions to consider the coal categories in the 1976 Coal Policy in the course of decision-making about coal projects and to cease issuing any new coal exploration approvals on Category 2 lands, pending engagement on a new coal policy for Alberta.

Accordingly, the Government of Alberta set out to design a modernized coal policy for Alberta with stated objectives expressed by the Minister:

- “Alberta’s government seeks to develop a twenty-first century natural resources development policy – a coal policy – by Albertans for Albertans. A modern coal policy will protect the areas Albertans cherish while allowing responsible resource development in the appropriate places.

- Albertans will determine where, when and how their resources are developed
- Albertans’ advice and recommendations about the strategic goals, considerations and desired outcomes for coal development in Alberta.”

On March 29, 2021, the Minister of Energy appointed an independent Coal Policy Committee (our “Committee”) to make recommendations to the Government of Alberta about what it should consider in developing a new coal policy. As part of this work, our Committee was expected to undertake engagement with Albertans on key matters such as:¹

- Albertans’ understanding and views on existing policies regarding coal development,
- Whether Albertans wish to see our province supply coal to meet global demand,
- The conditions under which Albertans would support coal development, and
- The enhancements, requirements and restrictions that should form part of an updated coal policy for the province.

The mandate of the Coal Policy Committee is to provide a report to the Minister of Energy on “matters under the Minister’s administration,” a definition that our Committee chose to consider as including matters related to the Alberta Energy Regulator. Notably, the Alberta Energy Regulator has jurisdiction over certain matters relating to water management and environmental protection as it pertains to coal activities. Accordingly, our Committee welcomed the public to submit briefs on a wide range of matters related to coal policy and chose to consider matters relating to the environment and water.

“...[O]f course Albertans can talk about their concerns, about the impact of coal on water and the environment, on tourism and other potential uses of the area. Of course they can talk about that. We want to hear those concerns.”

-Minister Savage, April 23, 2021

Very early in our work, the Committee took note of concerns that people had about coal exploration activities that had already been authorized on lands designated by the 1976 Coal Policy as “Category 2” lands. To better enable an open conversation with Albertans about coal development, we recommended to the Minister that coal exploration in Category 2 lands be suspended.

1. A copy of the Committee’s Terms of Reference is provided in Appendix A.

In response, on April 23, 2021, the Minister of Energy announced that the Government of Alberta was suspending coal exploration activities on Category 2 lands. This included a halt to exploration activities that the government had already approved. The affected companies indicated that they would cooperate with the pause on activity.

“The Government’s overall policy for the development of Alberta’s coal resources is designed to bring and maintain the maximum benefits, now and in the future, to the people of Alberta who own this resource.

Exploration and development will be encouraged in a manner that is compatible with the environment and at times which will best suit Alberta’s economy and labour force.

No development will be permitted unless the Government is satisfied that it may proceed without irreparable harm to the environment and with satisfactory reclamation of any disturbed land.”

-A Coal Development Policy for Alberta, 1976

In the months that followed, the Committee focused on engaging with a broad community of Albertans who were concerned about coal and the development of Alberta’s coal resources. Throughout its engagement process, the Committee maintained its independence in its outreach to the public.

This report outlines the major concepts and themes that have emerged from our engagement process. It is not an endorsement of those themes, or a confirmation of their accuracy, but an interpretation of the opinions expressed by a wide range of the public to the Committee. It represents a key milestone in our overall efforts to develop recommendations to inform a new, modern coal policy for Alberta and Albertans. This report is one of two reports to be submitted to the Minister of Energy which will be complemented by a second report dealing with observations and recommendations for a modernized coal policy for Alberta.

OUR ENGAGEMENT PROCESS

In response to the Government of Alberta’s rescission of the 1976 Coal Policy, Albertans signalled very strongly that they have interests in whether and how coal development should happen in our province. Our Committee took this seriously.

ENGAGEMENT BY THE NUMBERS	
Detailed written submissions	176
Posted written submissions	88
Engagement meetings	67
Emails and letters*	1,087
Emails from letter writing campaign submissions*	3,302
Blog postings	13
Survey respondents	24,752
Web hits on Committee website	4,060

* as of November 15, 2021

Prior to the formation of the Coal Policy Committee, Alberta Energy undertook a survey to assess public interest in coal policy development. Running from March 29, 2021 through April 19, 2021, the survey received almost 25,000 responses. The results of that survey were used by our Committee to inform our engagement process. They helped us identify the key issues of concern to Albertans, and highlighted areas where Albertans signaled a need for our Committee to engage with a broader community of experts.

Our engagement process made use of several mechanisms to gather input – including virtual and in-person engagement meetings and the acceptance of written submissions.²

Importantly, our process gave people the opportunity to offer their perspectives on issues related to coal of importance to them. Rather than overly restricting our field of inquiry, we recognized that policy decisions about coal development necessarily involve many other considerations – such as water supplies, land use, regulatory processes, and many matters in between. As such, we took an open-ended approach that enabled individuals and organizations to provide thoughts and raise concerns about any and all coal-related matters they feel are important.

Stakeholder Engagement

Our engagement meetings with stakeholders were conducted in two phases.

In phase one, during April through June 2021, our Committee met with a number of individuals and organizations to get their initial views and thoughts on the 1976 Coal Policy and the mandate of the Coal Policy Committee. These meetings were used to further refine our Committee’s understanding of the major issues of concern to Albertans.

SUMMARY OF PHASE 1 ENGAGEMENT	
Date	Parties
April 20, 2021	Livingstone Landowners Group
April 21, 2021	Lorne Fitch
April 26, 2021	Coal Association of Canada Ram River Coal Corp. Montem Resources
April 26, 2021	Canadian Parks and Wilderness Society
April 27, 2021	Mayor Snodgrass, Town of High River
April 27, 2021	Yellowstone to Yukon Conservation Initiative
April 28, 2021	Corb Lund
April 30, 2021	Kevin Van Tighem
April 30, 2021	Mayor Painter, Municipality of Crowsnest Pass
May 3, 2021	Cam Gardner, Bluebird Valley Ranch
June 8, 2021	Jim Pattillo
June 22, 2021	Jeff Gilmour

This work set the stage for phase two, held during June through September 2021, during which our Committee undertook engagement meetings with a range of stakeholders. These included individuals representing municipal governments, environmental non-governmental organizations, the academic community, the research community, the agriculture and livestock industries, outdoor enthusiast organizations, labour unions and the coal industry.

The phase two engagement meetings were structured to give participants the opportunity to make presentations to our Committee. This was followed by a “question and answer” period, during which our Committee undertook dialogue with participants to explore issues raised by their presentations. We also used that time to ‘dig deeper’ on certain matters, such as topics identified during phase one or in the survey results as being of particular interest to Albertans.

2. Lists of those with whom the Committee engaged, and from whom the Committee received written material, are provided in Appendix B and Appendix C.

SUMMARY OF PHASE 2 ENGAGEMENT	
Date	Parties
June 2, 2021	Town of Hinton Municipality of Crowsnest Pass MD of Pincher Creek MD of Greenview
June 9, 2021	Alberta Wilderness Association Environmental Law Centre
June 9, 2021	McKenna Geotechnical Inc. Borealis Environmental Consulting
June 11, 2021	Cornelius Kolijin
June 16, 2021	Atrum Coal
June 16, 2021	Ram River Coal Corp. Borealis Environmental Consulting
June 16, 2021	Cabin Ridge McKenna Geotechnical Inc. Borealis Environmental Consulting
June 18, 2021	Alberta Chapter –Backcountry Hunters & Anglers Alberta Fish and Game Association
June 23, 2021	Coal Association of Canada Westmoreland Mining LLC Montem Resources Mancal Coal Inc. Big Horn Wildlife Technologies Borealis Environmental Consulting
June 24, 2021	Yellowstone to Yukon Conservation Initiative Canadian Parks and Wilderness Society
June 29, 2021	Kevin Van Tighem Rainer Knopff Harvey Locke Ted Morton
June 30, 2021	Alberta Beef Producers Canadian Cattlemen's Association Alberta Grazing Leaseholders Association Alberta Stock Growers Association
July 5, 2021	Alberta Municipalities Rural Municipalities of Alberta
July 6, 2021	Shelagh Campbell, University of Alberta Rich Palmer, University of Alberta
July 7, 2021	Montem Resources ETCON Environmental Services
July 12, 2021	MD of Pincher Creek
July 13, 2021	Atrum Elan site tour
July 13, 2021	Cabin Ridge site tour
July 13, 2021	Rocking P Plateau Cattle
July 13, 2021	Livingstone Landowners Group ALCES Group Integrated Toxicology Solutions Pekisko Group Plateau Cattle
July 14, 2021	Montem Resources Tent Mountain site visit

SUMMARY OF PHASE 2 ENGAGEMENT	
Date	Parties
July 14, 2021	Municipality of Crowsnest Pass
July 14, 2021	Coal Categories Tour with Alberta Environment and Parks
July 15, 2021	Lorne Fitch Kirby Smith
July 19, 2021	Nigel Bankes, University of Calgary Drew Yewchuk, University of Calgary Martin Olzynski, University of Calgary Sharon Mascher, University of Calgary
July 19, 2021	Outdoor Recreation Coalition of Alberta Alberta Hiking Association
July 20, 2021	City of Edmonton
July 21, 2021	Alberta Chapter of the Wildlife Society
July 23, 2021	Oldman Watershed Council
July 26, 2021	Brian Hitchon
July 27, 2021	City of Brooks City of St. Albert City of Lethbridge Brazeau County City of Calgary
July 27, 2021	Calgary Citizens on Climate Change
August 4, 2021	Livingstone Landowners Group (follow up) ALCES Group
August 10, 2021	Mayor Snodgrass, Town of High River (follow up)
August 10, 2021	Coal Association of Canada (follow up) Westmoreland Mining LLC Montem Resources Cabin Ridge Mancal Coal Inc. Big Horn Wildlife Technologies Borealis Environmental Consulting
August 16, 2021	Clearwater County Town of Rocky Mountain House
August 17, 2021	Yellowhead County
August 17, 2021	United Mine Workers of America Local 1656 International Union of Operating Engineers Local No. 955
August 17, 2021	Coalspur Vista Mine Tour
August 17, 2021	Athabasca Watershed Bioregional Society
August 17, 2021	Town of Hinton Hinton & District Chamber of Commerce
August 18, 2021	Teck Resources Ltd. – Cardinal River – Luscar and Cheviot Tour
August 18, 2021	Nordegg Sustainability Coalition
August 18, 2021	Misty Valley Community Member
August 24, 2021	Pekisko Group (follow up)
September 9, 2021	MD of Ranchland

Supplementing our engagement with stakeholders, our Committee met with representatives from Alberta Energy, Alberta Environment and Parks, and Alberta Energy Regulator. These meetings were used to gather information about the overall policy and regulatory context around coal exploration and development. The insights we gained from these meetings helped us better appreciate the views of stakeholders.

Written Submissions

In parallel with our engagement meetings, our Committee welcomed written submissions from Indigenous communities, stakeholders and Albertans at large. Individuals, communities and organizations had the ability to send written submissions to our Committee by way of email, regular mail, or uploading through the Coal Policy Committee’s engagement website (<https://your.alberta.ca/coal-policy-committee/>).

EMAILS RECEIVED BY THE COMMITTEE			
	Total Received	For Coal Development	Against Coal Development
Emails and letters to Committee*	1087	123	916
Emails from letter writing campaign*	3302	165	3137**

* As of November 15

** Of the 3137 emails received, 922 were from Albertans.

In-Person Tours

Our Committee also had the pleasure and the privilege of undertaking tours in southern Alberta (from July 12-14, 2021) and northern Alberta (from August 16-18, 2021). Made possible by the evolution of COVID-19 restrictions, these tours afforded us opportunities to meet in person with local leaders and organizations. They also gave us a chance to witness coal developments on the landscape, helping us to better appreciate the real-world impacts of these developments on communities and ecosystems.

Our Engagement with Indigenous Communities

Our Committee collaborated with the Department of Energy to establish relationships with Indigenous knowledge-keepers in order to better understand Indigenous advice and perspectives about the management of coal resources.

Accordingly, subsequent to Alberta Energy’s Nation-to-Nation meetings, our Committee initiated an engagement with these Indigenous leaders and communities. Due to restrictions from COVID-19, most of the engagement sessions were held virtually. However, after the restrictions were eased several in-person meetings were arranged.

SUMMARY OF MEETINGS WITH INDIGENOUS COMMUNITIES	
Date	Title
June 25, 2021	Participants in Alberta Energy Indigenous Coal Policy Meeting
July 12, 2021	Piikani Nation
August 26, 2021	Métis Settlements General Council
September 7, 2021	Mountain Child Valley Society
September 9, 2021	Aseniwuche Winewak Nation
September 13, 2021	Niitsitapi Water Protectors Keepers of the Water
September 14, 2021	Indigenous Roundtable – North
September 15, 2021	Indigenous Roundtable – Central
September 16, 2021	Indigenous Roundtable – South

PERSPECTIVES FROM SURVEYS

As noted earlier, the Government of Alberta undertook a survey to assess public interest in coal policy development, the results of which were used by our Committee to inform our engagement process. In addition, other surveys about coal development were brought to our Committee’s attention during the course of our engagement. Their results provide additional context about Albertans’ perspectives around coal.

Government of Alberta Survey

In examining results from the Government of Alberta’s survey, it is important to keep in mind the huge levels of interest that the survey revealed. Close to 25,000 responses were received, indicating that Albertans deeply care about our province’s approach to coal development. This is particularly true in southern Alberta, where the vast majority of survey respondents were located. Albertans in the central portion of the province also signalled significant interest; over one-third (36%) of respondents came from this area.

RESPONSES BY REGION	
Region	Responses
Central	8,807
Northeast	403
Northwest	589
South	13,829
N/A	1,124
Total	24,752

The majority of respondents feel affected by the management of coal.

The majority of respondents felt that the management of Alberta’s coal resources affected them, with more than 70 per cent indicating it had a “major effect” on them.

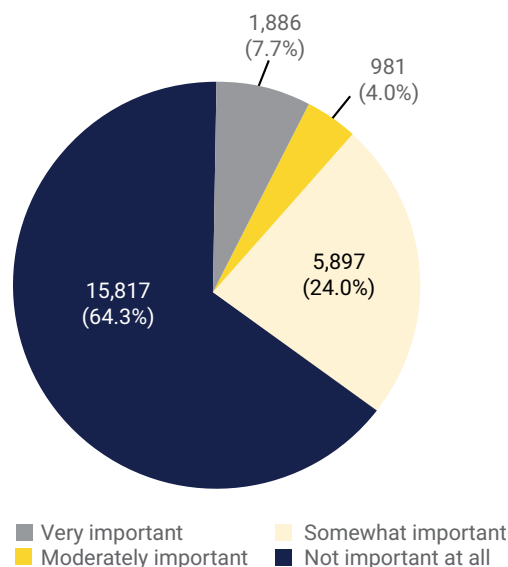
Response	Percentage
Major effect	72%
Minor effect	4%
Moderate effect	21%
No effect	3%
Total	100%

Alberta’s coal resources are not seen as economically important.

Respondents were asked to indicate how important they felt the economic benefits of coal development are to Alberta and its communities. Significantly, nearly two-thirds of respondents (64%) indicated that coal is “not important at all” to the province’s economy. Only 8 per cent of respondents felt that it is “very important”.

The remainder of respondents fell somewhere in between, ascribing limited economic importance to Alberta’s coal resources.

How important do you think the economic benefits of coal development are to Alberta and its communities?



Large numbers signal familiarity with the 1976 Coal Policy.

When asked about a number of basic topics about coal, the majority of respondents said they were “somewhat familiar” or “very familiar” with these topics. For example, more than 80 per cent indicated familiarity with 1976 Coal Policy and the coal categories.

Close to 90 per cent of respondents said they are somewhat or very familiar with coal exploration and coal development.

HOW FAMILIAR ARE YOU WITH... (in per cent)	1976 Coal Policy	Coal categories	Coal exploration	Coal development
I don’t know	1	1	0	0
Not at all familiar	5	4	2	2
Not very familiar	13	13	11	10
Somewhat familiar	56	50	58	59
Very familiar	26	31	29	29

The environmental impacts of coal, and where it happens, are top of mind issues.

Respondents were invited to evaluate the level of importance they ascribe to various issues around coal development. Those included issues around coal exploration, the approval of coal projects, and the impacts of coal developments.

The issue identified by respondents as most important was the environmental impacts of coal development. The coal categories – that is, if and where coal developments are allowed to occur – ranked second-highest in importance.

MOST IMPORTANT ISSUES WHEN DISCUSSING ALBERTA'S COAL POLICY (from most important to least important)	
Issue	Ranked score
Environmental impacts of coal development	1.97
If and where coal development takes place in Alberta (e.g. coal categories)	2.99
Regulatory oversight and enforcement for coal exploration	4.42
Approval processes for coal exploration	4.54
Regulatory oversight and enforcement for coal development	4.65
Approval processes for coal development	4.90
Providing an understanding of local and economic community impacts	5.47
Economic impacts of coal development	6.49

A lack of confidence in the regulation of coal.

Respondents signaled they have major concerns about the regulation of coal exploration and development activities in Alberta. More than 85 per cent indicated they were not at all confident that coal exploration and development in Alberta is regulated to ensure it is safe, efficient, orderly, and environmentally responsible.

The survey also revealed strong sentiments that Alberta needs to be particular about the locations where coal developments are allowed to occur. Over 90 per cent of respondents said that there are areas of the province that are not appropriate for coal exploration and development. Less than one-third (30%) said that coal exploration and development may be appropriate for some areas of Alberta.

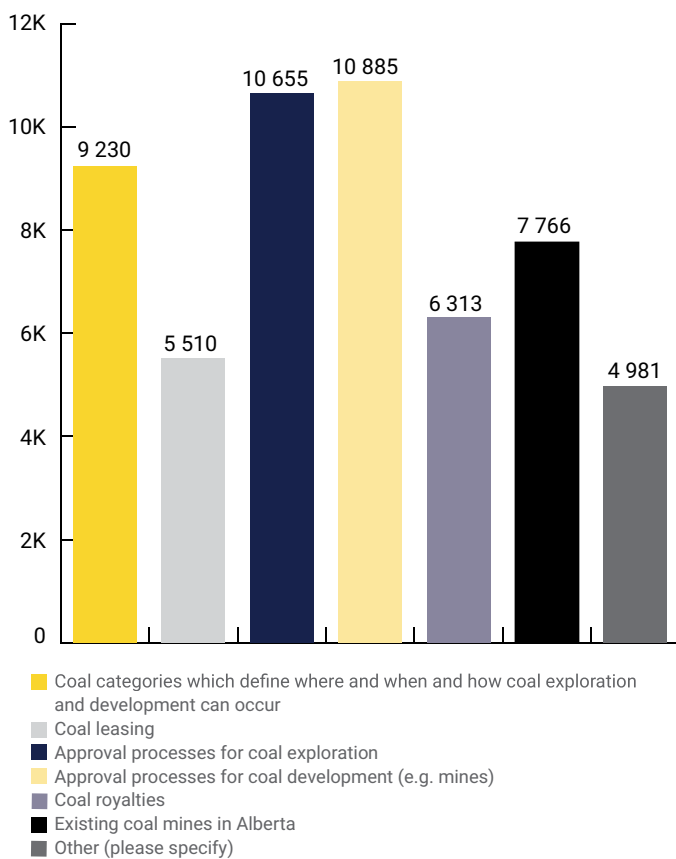
People want to learn more about the rules governing coal development in Alberta.

Respondents identified a number of topics they would like to become more familiar with to support their participation in the Coal Policy Committee's process. Most commonly mentioned were the approval processes used for coal exploration activities and coal developments. Many comments were made about how the Alberta Energy Regulator's processes lack transparency and make it difficult for Albertans to access information about projects and effectively engage in the decision-making process.

Learning more about where and how coal development is allowed to occur – that is, the coal categories – also ranked among the subjects of greatest interest. In addition, respondents indicated they would like more information about coal mines that already exist in the province.

Interesting, coal royalties were among the subjects in which respondents were less interested. As it turns out, this served as a sign of what our Committee would hear from stakeholders as we undertook our engagement process.

Aspects of the 1976 Coal Policy or regulation of coal development that respondents want to become more familiar with before participating in future engagement.



Other Surveys

A number of other surveys were brought to our Committee's attention, the results of which are illuminating.

ThinkHQ Survey – February 2021

In early February 2021, ThinkHQ Public Affairs conducted a survey examining the attitudes of over 1,100 Alberta adults about allowing more coal mining in the Eastern Slopes.

Among those aware of the issue, almost seven in ten (69%) respondents expressed disapproval with allowing coal mining in areas that had previously been set aside for environmental reasons. Nearly one-half (49%) said they strongly disapprove.

Illustrating the strong views Albertans have about the Eastern Slopes, responses were divided about whether it is possible to enable new mining without harming the environment. Just under one-half (47%) disagreed with the idea that such a thing can be done, while 37% agreed and 16% were unsure. Over one-half (56%) expressed skepticism about the government's ability to balance the interests of the economy and the environment when it comes to coal mining.

Leger – March 2021

Over March 19 to 22, 2021, research firm Leger conducted a survey commissioned by the Canadian Parks and Wilderness Society and the Livingstone Landowners Group. This survey included a sample size of 1000 randomly selected respondents from across Alberta using Leger's online panel, which includes over 450,000 Canadians.

The poll found that 76 per cent of Albertans were in favor of more protections for nature and recreation in the Eastern Slopes. Support for more protection was consistent across Alberta, in urban, suburban and rural areas and across age groups and income levels.

The poll results also revealed that among those who were aware of potential coal development in the Eastern Slopes, 66 per cent opposed new coal mining in the region. Among respondents aware of the issue, 64 per cent opposed ongoing exploration activity in the Eastern Slopes.

Leger – August 2021

Research firm Leger again conducted a survey, commissioned by the Livingstone Landowners Group, between August 27 and 29, 2021. Including 1,000 respondents from Alberta, the poll found that 77 per cent of respondents were concerned with the potential impact of coal mining on Alberta's rivers. Three-quarters of respondents said they are opposed to coal development if it negatively impacts agriculture or tourism.

Just under two-thirds of respondents (63%) indicated they are opposed to coal mining in the Eastern Slopes. Approximately one in five (21%) respondents said they supported it. Among those aware of the issue, over half (58%) indicated a view that the economic benefits of mining the Eastern Slopes do not outweigh the environmental impacts. Just under one-quarter (23%) indicated that the economic benefits would outweigh the environmental impacts.

Other Surveys

A submission from Borealis Environmental Consulting Inc. referenced additional information from national polls that indicated generalized support across Canada for the development of many types of natural resource projects:

- An Ipsos April 2021 poll³ reported broad support for several areas of natural resource development.
- An Environics poll⁴ conducted with Indigenous respondents across Canada in March and April 2021 showed broad, majority support for many types of resource development.

Discussion

When examined collectively, the results of these surveys bear some striking consistencies when applied specifically to Alberta coal development and not to broader issues of resource development across Canada. Clearly the results indicate that a significant number of respondents are apprehensive about coal development in Alberta.

Considerations about balancing economic activity with environmental protection are views expressed in most of these surveys. Broadly, the economic contributions from coal mining, such as employment and royalties to government, appear to be less significant to many respondents than tourism, agriculture and ecology. Respondents were concerned about the regulatory framework for coal development, and many were concerned about protecting the environment.

3. <https://www.ipsos.com/en-ca/canadians-support-natural-resource-development/>

4. <https://www.environics.ca/news/the-majority-of-indigenous-people-in-rural-areas-and-on-reserve-support-resource-development-according-to-recent-survey/>

PERSPECTIVES FROM ENGAGEMENT WITH INDIGENOUS COMMUNITIES AND ORGANIZATIONS

The Committee recognized that our engagement with Indigenous communities was limited in scope and in time, and that much more work is required by governments to properly address adequate consultation needs, and policy development.

Overview

In designing its Indigenous engagement process, the Committee took cognizance of the Government of Alberta's Policy on Consultation with First Nations on Land and Natural Resource Management and in regard to more specific regional engagement sessions concerned with coal policies initiated by Ministers Savage and Wilson in June 2021. For greater certainty, those engagement sessions included all-nations gatherings with First Nations and Métis elected officials, administration officials and technicians. These Ministerial and Departmental sessions learned about the cultural significance of areas under consideration for development and related concerns about Alberta's position on federal policy statements about coal development. The protection and enhancement of valued environments, including water quality and quantity, and other matters related to food security were issues presented in the Departmental workshops.

The Committee was also invited to participate in one of the Departmental Indigenous engagement workshop sessions held on June 25, 2021.

Following Alberta Energy's Nation-to-Nation engagement process, the Committee chose to initiate its engagement process in ways that would allow for individual and video workshop sessions with an invitation for participants to also submit written papers. This was structured to allow Indigenous participants to further elaborate upon issues of concern to the Committee. In these engagement sessions, the Committee heard of the concerns of relevance to Indigenous participants, including matters such as reclamation standards and plans for reclamation of existing coal mining projects. We also heard recommendations that future development proposals need to consider Treaty rights associated with traditional land uses on Crown lands, such as sustainable hunting, trapping and fishing. Food security was of major importance as were concerns about the preservation of those animal resources potentially affected by mining developments and pollution, including the well-documented impact of selenium on fisheries and animals near active, reclaimed and inactive coal mines.

The Committee took note of the fact that Indigenous communities have an individual voice, each of which needs to be respected and consulted in a consistent and thorough manner. Also noted was an assertion from participants that tribal, regional and community distinctions need to be respected and reflected, such that multiple representatives are recognized as being at the table.

Several Indigenous participants stressed their general desire to be more broadly consulted about resource development and some First Nations want to share in the benefits that flow from resource extraction projects. Indeed, some have agreements with coal companies that would provide needed benefits to their communities. They said that their communities recognize the potential for local economic opportunities from coal projects especially if certain benefit and employment agreements can be negotiated. These agreements are essential to achieving the economic advancement needed to provide a solid base for economic and community development. The Committee was told that if these proposed projects can be done safely and in ways that mitigate impacts to the environment, local band administrations and their communities strongly supported the proposed mining projects. This was especially so if their communities were able to negotiate agreements that would allow them to participate constructively in these projects.

The Committee heard a broader theme concerning Indigenous rights that guaranteed free, prior and informed consultation on matters that impacted Indigenous peoples. We heard that this did not happen when Alberta rescinded the Coal Policy, nor was there any advance notice that the policy was being reviewed.

Another recurring theme heard in our engagement was that a new coal policy would have impacts on land use, resources, and the use of Treaty lands and that the creation of a new coal policy should also involve early and meaningful consultation with Indigenous peoples. A consistent theme that emerged throughout the presentations was the issue of capacity funding to allow for participation in future engagement processes or Consultations. Indeed, the Committee heard that this was a major concern of many Indigenous communities. Many believed capacity funding should be considered as an essential element for inclusion in future coal policies and for specific coal development proposals. Indeed, this issue appeared to be a major concern for inclusion in any future regional planning processes.

Many participants considered the exercise of Treaty rights (sustainable hunting, trapping and fishing) and the exercise of traditional use on Crown lands to be a major concern, one that included possible impacts on cultural and sacred sites. The Committee heard that future regional planning should include adequate capacity funding to allow Indigenous communities to participate in regional plans for land and water management associated with proposed coal mining projects.

Some First Nations and Métis representatives suggested the time allocated for the engagement process should be extended. Moreover, some even suggested that senior government officials should lead future Nation-to-Nation consultations with First Nations. Others questioned why the Department of Energy was leading the engagement process for coal policies, since many issues of Indigenous concern relate to land use planning and clean waters. We were told that the participation of Indigenous peoples in policy development is essential if government is to achieve a proper incorporation of Indigenous knowledge in future policies.

Some participants questioned the discontinuance of the regional planning process in several regions of the province and other Indigenous representatives suggested that there would be considerable value in reviving the Alberta regional planning process designed to include Indigenous technical advice and participation.

Throughout our Indigenous engagement sessions, the Committee heard that, in addition to the necessity for full and proper Consultation associated with the exercise of aboriginal and Treaty rights on Crown and traditional lands, any modernized coal policies must also consider issues associated with the cumulative effects of proposed mining developments that affect Indigenous peoples and their rights and interests.

Detailed Review of the Engagement Findings

Here we set out the major concepts and themes that emerged from participants in our engagement with Indigenous communities.

The need for proper and early Consultation.

A recurring theme heard in our engagement was that a new coal policy would have impacts on land use, resources, and the use of Treaty lands. Consequently, participants asserted, the creation of a new coal policy should involve early and meaningful consultation with Indigenous peoples.

“We, the eight Métis settlements, have the right to and expectation of free, prior, and informed consultation on matters that impact Métis: our people, communities and our relationship with Alberta and Canada. This did not happen when Alberta rescinded the previously existing Coal Policy on May 22nd, 2020. Nor was there any advance notice of the policy being reviewed. We consider this a missed opportunity, not only for the Métis, but for any Albertans who had an interest in this policy area.”

-Métis Settlements General Council

The Committee took note of the fact that Indigenous communities each have an individual voice. Each of which needs to be respected and consulted in a consistent and thorough manner. Also noted was an assertion from participants that tribal, regional and community distinctions need to be respected and reflected, such that multiple representatives are recognized as being at the table. Some also said that Indigenous youth should also be represented in consultations, since future generations have interests in what happens on the land.

Participants in the engagement stressed that any consultation needs to be genuine and meaningful, rather than a checkbox on a to-do list. Many who spoke with our Committee reflected on past instances where they have felt governments, or many others, do not always approach consultation genuinely. Rather than having an opportunity to provide input meaningfully and walk alongside government as partners, it was said, Indigenous people are simply informed very late in the process. This, many people said, needs to change.

“Cumulative impacts are what must be taken in to consideration when approving resource projects. Alberta’s various Land Use Frameworks as well as the AER’s policies talk about focusing on cumulative impacts rather than individual impacts of each project in question. Cumulative impacts also necessarily include language and cultural loss. As land is lost, as access to land is lost, as the ability to survive off the land is lost, language and cultural access is also lost. There are numerous court cases and studies now which address the disastrous effects of the cumulative impacts of numerous industries on First Nations’ abilities to practice their Inherent and Treaty rights.”

-Niitsitapi Water Protectors

Many individuals expressed that there is a legal requirement for consultation on this issue and that this consultation must follow the legal precedents that have been set at both the Provincial and Federal levels.

The 1976 Coal Policy did not consider Indigenous peoples.

Our Committee consistently heard the views that the 1976 Coal Policy failed to take into consideration, or to reflect, Indigenous interests because the government of the day did not consult Indigenous communities in the development of the 1976 Coal Policy. As a consequence, people argued, the 1976 Coal Policy did not incorporate Indigenous knowledge or acknowledge Indigenous people’s interests in, or connections to, their lands. It was noted that the legal landscape has also significantly shifted since the 1976 Coal Policy was created. Section 35 of the *Constitution Act* passed in 1982 stated that “existing aboriginal and

treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.” Courts have since made rulings about Treaty and Indigenous rights, clarifying the expectations of Indigenous peoples for governments when policies about land and natural resources are being formulated. Participants said that any new coal policy will need to be constructed in a way that fulfills Treaty obligations and that any new policies should incorporate Indigenous knowledge and science.

“Neither the Government of Alberta nor the Committee have sufficiently considered the impacts of changes to the Coal Policy on Treaty rights. There have been some discussions (through surveys, public forums, roundtables, and this opportunity for submissions) but there has not been funding made available nor any evidence-based study into any effect of proposed or hypothetical changes to the Coal Policy.”

-Siksika Nation

The ability of Indigenous communities to participate in decision-making.

Also emerging as a recurring issue was the ability of Indigenous communities to participate in policy-making and decision-making processes. Participants explained that Indigenous communities are often contacted about proposed resource projects and asked to provide comments or perspective. This is difficult for communities to do when they do not have the means to undertake necessary analyses of the impacts on their traditional lands and Treaty rights. It was noted that resource projects such as coal mines are technically complicated projects with many moving parts. Hence, participants stressed the importance of sufficient capacity funding being provided to Indigenous communities so that they can undertake the necessary analysis. This is needed for engagement of Indigenous communities to be genuine and meaningful.

“...[W]e are not supportive of any coal development. There is lack of supporting evidence that the issues associated with the proposed development will be addressed in a meaningful proficient manner. Due to the extremities of impacts associated with this development, we are not supportive of Alberta gaining market share revenues at the cost of our water quality, animal contamination, plant contamination, environment as a whole related to climate change challenges.”

-Kapawe'no First Nation

Diverse perspectives about Indigenous participation in the benefits of development.

Our Committee heard differing perspectives about the extent to which coal developments could bring benefits to Indigenous communities, and about whether any such benefits would be valued by communities.

“Alberta must share the economic benefits of coal development on Indigenous lands with Indigenous peoples. It has been far too long that resource companies and the Crown have benefitted from Indigenous lands and resources without equitable contributions to Indigenous communities, including receiving no compensation for the impacts to their livelihoods and culture.”

-Lac Ste. Anne Métis

Several participants stressed their desire to more broadly share in the benefits that flow from resource extraction projects. These voices said that their communities recognize the potential local economic opportunities that can result from coal projects. If the projects can be done safely and in ways that mitigate impacts to the environment, it was said, then their communities would expect and want to participate. Some noted that their communities could be direct and indirect beneficiaries of the day-to-day operations of a coal mine, through benefits such as employment, training, business opportunities and community investment.

“First Nations are self-determining nations who require a functioning economy in order to exercise their sovereignty. As entrepreneurs, workers and business men and women, we trust that you understand that Indigenous peoples intend to be project proponents in the future: owners and equity stakeholders that need to go out and attract our own investment, be competitive, and have clear and predictable processes in order to do so. As such, the choice here isn't between whether or not coal mining should be allowed in certain areas of the province. It is about ensuring that environmentally responsible resource projects have the framework and certainty to proceed so that Indigenous people can participate in the associated economic opportunities, while ensuring the protection of the environment for generations to come.”

-National Coalition of Chiefs

Several other participants took a different perspective, arguing that there would be few or little benefits resulting from coal development flowing to their communities. These voices said that experience has shown that economic opportunities do not flow to their people, and instead that many communities only experience the negative impacts of a development. Some said that even if there were benefits to be shared, their community would not be interested in participating in any coal developments. In this regard, they would make the conscious choice to forego development opportunities in order to preserve their way of life.

Ecological impacts of coal mines.

Regardless of whether or not they saw potential benefits flowing to their community, most participants expressed concerns about the potential ecological impacts of coal mining. It was said that coal exploration and development activities cause disturbances on the land, which interfere with habitats and that can cause wildlife to move away from their communities’ traditional hunting grounds.

“Coal mining in areas protected under the Coal Policy is fundamentally at odds with the practice of Aboriginal rights. Mine footprints disrupt wildlife corridors for key species and restrictsAWN members from accessing important harvesting grounds.”

-Aseniwuche Winewak Nation of Canada

Similarly, concerns were expressed about the potential impacts of coal mining on water supplies. Some spoke about the risks of selenium contamination in waters, and noted that such an occurrence could have dramatic impacts for fish and wildlife, as well as the safety and health of their community members.

Our Committee also heard about the experiences that certain communities have had with nearby coal mines. Representatives of these communities said that they must travel to nearby communities to obtain water because of the level of coal dust in local streams blown in by winds. It was said that trees and other vegetation around the coal mines have also been darkened by coal dust, leaving families worried about whether it is even safe for their children to play outside. These past experiences, it was argued, make people wary about new coal developments.

Reduced access to traditional lands.

A key concern raised by Indigenous participants was their ability to access and use their traditional lands. Many expressed frustration that their communities’ access to traditional lands has been gradually eroded or restricted over time due to many different kinds of developments and activities on those lands. This includes several varied landscapes in the Rocky Mountains. Participants emphasized that the mountains hold special spiritual and cultural significance for Indigenous peoples as traditional areas of travel, gathering and ceremony.

“It is critical that the Government of Alberta recognize the full scope of our Inherent and Treaty rights. Once this happens the Government of Alberta can take steps to amend current regulatory process along with legislation, regulations, policies, and other initiatives related to lands, resources, and development to facilitate proper consideration and protection of Inherent and Treaty rights in all government actions and decision moving forward. Without this occurring, any new coal policies and subsequent potential coal activities will continue to result in unaccommodated impacts to our Inherent and Treaty rights.”

-O’Chiese First Nation

Coal mining, it was said, would further impede the ability of Indigenous people to access their traditional lands for traditional uses such as hunting, fishing, gathering and ceremony. Participants from some Métis communities said that their harvesting rights are still not properly recognized and respected and that this would be made worse by new coal developments in Alberta.

“Whitefish traditional territory reflects their historical connection to the land and remains important to Whitefish. However, over the past century the pressure of resource and other kinds of development have changed our pattern of land use for Treaty rights, requiring our people to increasingly rely on the Eastern Slopes of the Rocky Mountains as far south as the Ya Ha Tinda Ranch near Banff National Park.”

-Whitefish Lake First Nation #128

Concerns around reclamation.

Participants discussed the importance of reclaiming lands that have been disturbed by development, including lands disturbed by historic and existing coal mines. Several expressed a view that reclamation needs to be undertaken sooner and more rapidly than has been done in the past. If properly reclaimed, it was said, lands in the foothills could generate landforms that help bring more wildlife back to traditional areas.

Some other participants took a different view, saying that land should not be disturbed by either coal exploration or coal development. Several expressed skepticism about reclamation, saying that reclamation does not return the land to its natural state. It was said that previous reclamation efforts by industrial operators have failed to restore berry patches, sages, sweet grasses and other types of vegetation that are used for ceremonies and traditional medicines. People also wondered how reclamation could repair spiritual lands.

Cumulative effects need to be considered and monitoring needs enhancement.

Several participants expressed views that government departments and regulatory bodies are failing to consider the cumulative impacts of development when they make policies or decisions about projects. As a result, they argued, there is too much disturbance on the landscape already and coal development activities would place even more pressure on various landscapes.

It was suggested that the Government of Alberta take a broader and more inclusive lens with Indigenous peoples when developing policies and decisions. Some said that regional planning efforts could help and expressed concern about whether those efforts are moving quickly enough. Participants noted that regional planning must meaningfully incorporate Indigenous people's perspectives, particularly when it comes to acceptable levels of impacts and disturbance. These plans should be informed by Indigenous knowledge and science.

“Any decision to open up lands to this disruptive industry will further reduce the limited area available for the practice of Treaty rights. Doing so without understanding the cumulative impacts on Treaty rights throughout Alberta is to proceed recklessly towards an unjustified infringement of Ermineskin’s Treaty rights.”

-Ermineskin Cree Nation

Also emphasized was the importance of environmental monitoring, to ensure that projects comply with rules and expectations. Some suggested that Alberta does not suffer from a lack of environmental regulation, but rather from a lack of enforcement. Participants questioned whether baseline measurements have been taken for values such as air, water and biodiversity, and wondered whether monitoring happens early or regularly enough. It was also said that Indigenous communities could play key roles in environmental monitoring.

PERSPECTIVES FROM ENGAGEMENT

As expected, our Committee's engagement with stakeholders involved conversations about a variety of issues. Participants offered us considered input about the existing coal industry, the outlook for coal resources, the regulatory process around coal exploration and development activities and the impacts that coal development have on our province.

In this section, we identify the major concepts and recurring themes that emerged from our engagement with stakeholders. These concepts and themes revolve around eight key areas:

- The Economics of Coal
- The 1976 Coal Policy and Events Subsequent
- Water Management and Selenium
- Public Health
- Conservation of Landscapes and Biodiversity
- Reclamation
- Coal Management and Approval Processes
- Land Use Planning and Decision-Making
- Municipal Issues

The Economics of Coal

The Committee was not constituted as a regulatory body nor any other kind of quasi-judicial decision-maker. Therefore, the Committee cannot render any judgements about the economics of coal in Alberta, or whether coal development projects would yield sufficient benefits to justify their impacts.

However, what the Committee can say is that our engagement process revealed two very different views about the economics and benefits of coal development. Those views are in stark contrast to one another, with advocates of each view citing their own variety of supporting information. In this section, we have attempted to present the major concepts advanced in each view.

Many Albertans appear to have difficulty understanding the cost analyses prescribed in the 1976 Coal Policy. Other Albertans pointed out that coal mining contributes little to the GDP of the Province.

The Economic Benefits of Coal

■ *Alberta's metallurgical coal is an industry and economic opportunity needed by the world.*

Participants largely focused their arguments on Alberta's metallurgical coal resources. Relative to other types of coal in Alberta (i.e., subbituminous and thermal bituminous), metallurgical coal has higher energy value and therefore is the type of coal that has attracted the attention of international investors.

Our Committee learned that metallurgical coal is mainly used for the production of steel. Participants observed that steel is not going out of fashion anytime soon, since it is used in countless everyday applications and a wide array of industrial applications, including the production of solar arrays, wind turbines and hydroelectric generators. It was argued that steel also stands to be in high demand for quite some time as the world rebounds from COVID-19 and governments pursue infrastructure investments to stimulate their economies.

For many participants, the logic was simply that the world will need more steel, and hence, more metallurgical coal. Alberta's metallurgical coal would therefore be in demand.

"Atrium has spent the last six months speaking with stakeholders about their thoughts on metallurgical coal development in southwestern Alberta. We wanted to ensure that we addressed not only the opportunities present in a future metallurgical coal industry in Alberta but also any concerns raised by Albertans. We put forward the position that a future policy should be balanced, embracing strong environmental regulations with an ability to promote responsible resource development. Steel continues to be in great demand globally, it is vital to our everyday lives and is a significant component in building green energy generation facilities including wind turbines and solar farms. A metallurgical coal industry in southwestern Alberta can bring economic benefits to the Crownsnest Pass region as well as to Canada, providing jobs, royalties, and tax revenues."

-Atrium Coal

■ **Alberta’s metallurgical coal is of high quality and value.**

To further support their view that Alberta’s metallurgical coal would be in demand, participants said that laboratory testing indicates Alberta’s metallurgical coal resources are of very high quality. Some characterized the quality using terms such as world class or describing it as the best they had seen in their career.

Our Committee heard presentations from proponents of specific coal projects, which laid out detailed analyses about the lab results of their exploration work. The details go beyond the scope of this report, but they were cited by participants to demonstrate that the metallurgical coal found in parts of Alberta is of a calibre that steel producers would want. It was stated that steel producers would appreciate Alberta’s metallurgical coal because it would enable them to lower the amount of carbon dioxide emissions they emit per tonne of steel produced.

“The only conclusion supported by the data is that the Cabin Ridge property would be a profitable and reliable mining operation producing a steel making coal of a high and superior quality as compared to peers throughout the world. It will be shown that the CRPL project:

- Would produce very high quality hard coking coal (which would reduce the emissions intensity of steelmaking)
- Will be highly profitable, on account of its low operating costs and high quality coking coal.”

-Cabin Ridge Project Ltd.

Participants also said that metallurgical coal resources in the world are scarce, with only a handful of locations on earth serving as suppliers, and that high-quality metallurgical coal is even rarer. This, they argued, would place Alberta in a very select league of metallurgical coal producers.

■ **Canada’s infrastructure offers advantages.**

Participants indicated that the development of Alberta’s metallurgical coal would be advantaged by the infrastructure that Canada offers, including world-class deep-water ports. Since the vast majority of Alberta’s metallurgical coal would be exported to Asian markets, overseas shipping constitutes a significant portion of transportation costs. It was said that Canada’s deep-water ports accommodate larger vessels, which translates into lower fuel costs per unit of coal shipped and, as a result, translates into better economics for projects.

Canada’s rail lines were also cited by participants as advantageous. It was said that the major rail carriers in Canada are able to move commodities much better compared to peer rail lines. The rail lines also already connect with the deep-water ports, meaning that coal developments could make use of already-established transportation linkages.

■ **Coal can be developed safely because it is comprehensively regulated in Alberta.**

“Alberta and Canada’s stringent environmental legislation delivers leading protections and sustainable land use practices. Many of the applicable pieces of legislation were enacted after the 1976 Coal Policy.”

-Atrium Coal

Several participants observed that the coal industry is significantly regulated in Alberta and Canada. Our Committee heard that in addition to the obligations set out in seven Alberta statutes and associated regulations, coal developments also must follow a variety of requirements under manuals, regulatory directives, guidelines, handbooks, information letters and land use guidance. There are also a variety of expectations under federally-established legislation and policy documents that must also be followed.

Consequently, participants asserted, coal mining in Alberta is among the most comprehensively and stringently regulated in the world. It was argued that coal development in Alberta can therefore be undertaken in ways that will protect the health and safety of people and the environment.

“Reclamation has made steady progress in Alberta since the first legislation was passed in 1963. Formal academic research as well as on site empirical experiments have resulted in increasingly sophisticated practice in terms of planning, soil salvage, soil handling and placement, establishment of native vegetation ground cover, establishment of shrub and tree growth, and provision of wildlife and fisheries habitat. These efforts have resulted in final landscapes that are topographically complex and biologically diverse. Many sites are positioned to become community assets once reclamation is finalized, the lands become certified, and the Mineral Surface leases are returned to the crown.”

-Coal Association of Canada

Proponents pointed to the demonstrated success of reclamation at several coal mining sites in Alberta some of which have received international attention. One example, the Luscar Mine reclamation, was recognized by the Alberta Government through the “Order of the Bighorn” conservation award for its success in reclaiming environmentally sustainable landscapes.

The Coal Association recommended that any new policy framework for coal should not only explicitly recognize the rights of Indigenous peoples but should help to contribute to Alberta’s efforts to address climate change – this while creating certainty for investors. The Association recommended implementation of a three-pillar coal policy established to provide more protected lands and with other mechanisms designed to increase protected lands in consultation with leaseholders, Indigenous communities and other stakeholders.

■ Coal development generates jobs, economic activity, and revenues for governments.

Proponents of coal made the case that the coal industry’s contributions to local communities can be significant. While a few hundred jobs may not seem like much to Albertans in large urban municipalities, to a small town or county it can represent a huge share of total local employment, making a huge difference in terms of a community’s sustainability.

“Yellowhead County supports Coal Mines in Alberta, specifically on the Eastern Slopes. They provide employment and diversification for industry.”

-Yellowhead County

Our Committee heard from some participants that, in 2019, the coal industry employed 1520 Albertans, and that the average annual mining salary was \$123,000. Participants stressed how those high wages translate into spending across a local community, helping to support a range of stores and services. Moreover, each of those salary earners often has a family, translating into additional residents who help sustain local schools, local hospitals and health clinics and other public services. Those families also have homes in the community and pay property taxes, which support their municipality’s ability to invest in local roads, playgrounds, other infrastructure and municipal services.

Representatives of the coal industry submitted information supporting the view that coal production contributes to the Canadian economy. It was said that in 2019, Canadian exports of coal were valued at \$7.1 billion. According to Statistics Canada, the total value of coal exports from Alberta to the rest of the world for calendar year 2020 was \$445 million.

The Committee also heard that over the past five years, coal royalties paid to the Government of Alberta have ranged between \$8 million and \$23 million per year. Representatives of the coal industry asserted that new coal developments in Alberta could employ approximately 400 to 500 workers during its construction and could create approximately 300 to 400 full-time jobs during its operational life.

Contrary Assertions of the Economics of Alberta Coal

■ Alberta’s metallurgical coal is not going to be needed by the world.

A number of participants expressed a view that the outlook for Alberta’s metallurgical coal is not good. They pointed to a number of factors that suggest global demand for metallurgical coal will decline. For example:

- International emissions reductions commitments are leading to policy changes in many countries, which are leading to changes in all industries, including steel.
- Climate change concerns are driving international investors to incorporate environmental, social and governance (ESG) criteria in their investment decisions, which lowers the prospect of securing foreign investment in coal development.
- Canada’s climate change commitments mean that in both the near and far terms, it may be very difficult for any coal operator to undertake a development.

“Given its mandate, AWA thinks the Committee has no choice but to look into the future of metallurgical coal markets and prices. To allude to Warren Buffet’s quote again, your task is to look years, not minutes, down the road and recommend policy accordingly. Your task is to weigh what future markets for metallurgical coal, based on a balance of probabilities, will look like.”

-Alberta Wilderness Association

In the course of making these arguments, some people cited analyses undertaken by energy analytics and forecasting bodies. For example, reference was made to the International Energy Agency’s *World Energy Outlook*, which forecast a 25% decrease in global metallurgical coal production between 2019 and 2040 in a conservative “Stated Policy” scenario. In a scenario that contemplates a surge in clean energy policies across the world, the forecast drop in metallurgical coal production is more pronounced – a 53% decline from 2019 levels.

The Committee heard that technological developments in the steel industry stand to significantly reduce or eliminate the need for metallurgical coal as a feedstock. For example, electric arc technology was described by some participants as a game changer. It was brought to our Committee’s attention that, during the months of our engagement, a Swedish steel company delivered its first order of steel made without the use of metallurgical coal. The Federal Government announced two large investments in Canadian steel makers to deploy this technology which may take decades to become widespread.

■ **Alberta’s metallurgical coal is not of high quality and value.**

Our Committee heard contrary assertions about the quality of Alberta’s metallurgical coal with some characterizing its quality as being lower than that of other jurisdictions. Some pointed to examples in British Columbia and expressed a belief that many mines on that side of the Continental Divide have a better quality of coal than that found in Alberta. Others argued that major coal producers have ceased coal mining at certain locations in Alberta because of lower quality coal that was inferior to other global competitors in the international metallurgical market.

Some people expressed a view that while metallurgical coal producers in Alberta might have some premium product, it would not represent the bulk of their production. Our Committee heard opinions that a second tier coking coal would likely be produced for most of these mines’ lives. It was said this second tier coal would realize a discounted price relative to premium metallurgical coal, thereby hampering the profitability of the mines in Alberta. It was contended that this lower quality would diminish market share for Alberta coal.

■ **Coal developments in Alberta will not be economical.**

Several participants raised doubts about whether metallurgical coal developments in Alberta would be economic because of the distance from major metallurgical coal markets with associated transportation costs.

Some participants pointed to the history of coal mines in Alberta as evidence of the cost challenges facing Alberta producers. They asserted a belief that certain coal operations in Alberta have been discontinued, and certain proposed developments have been shelved due to their inability to compete with global coal producers. Others were concerned about the “boom and bust” history of coal mines in Alberta.

■ **Coal developments would not generate significant employment and economic activity.**

The Committee heard skepticism about the extent to which coal developments would contribute to employment and economic activity in the province, and automation may contribute to a decline in employment. Some pointed to Statistics Canada data that indicated that coal mining contributed 1,850 jobs in 2020 in Alberta. It was argued that this figure is not a large proportion of Alberta’s total employment of over 2 million. Coal developments were not viewed as a major potential driver of Alberta’s overall job growth.

It was argued that under Alberta’s royalty framework any new metallurgical coal mines would generate annual royalties between \$6 million or \$65 million which was viewed as being insignificant in the context of Alberta’s overall revenues.

■ **The benefits of coal tend to be examined in isolation.**

Several participants argued that the employment and revenue benefits that are touted about coal development are calculated in a vacuum and fail to consider the financial implications for other sectors. For instance, while a coal development might result in an incremental increase in tax revenues, it could result in greater costs to municipal water treatment systems downstream (to effectively guard against potential water contamination) and reduced revenues from tourism and recreation. Others were concerned about potential impacts on the productivity of the agriculture industry. It was argued that these impacts are not included in net benefit calculations. Some also argued that since the removal of Directive 061 companies are no longer required to undertake a cost benefit analysis of a potential mines that can be reviewed by public interests.

“A cost and benefit analysis encompassing employment in the industry, economic revenue, and the effect on tourism and potential recreational development, ought to be considered. Any decision regarding Open-Pit Coal Mining should also consider the potential impact on our beautiful and pristine, natural and culturally rich region, popular for those who enjoy outdoor pursuits such as camping, hiking, canoeing and fishing.”

-Town of Rocky Mountain House

The 1976 Coal Policy and Events Subsequent

In the course of providing their thoughts about what a new coal policy for Alberta should look like, participants discussed the 1976 Coal Policy. There were strong feelings expressed about the legacy of that original policy and its place in the overall suite of laws, policies and processes that dictate how resources in Alberta are developed.

The input we received on this topic demonstrated that there are gaps in the public understanding of the 1976 Coal Policy, its place in history and the erosion of public confidence about Alberta’s approach to coal development applications and approvals.

Rescission of the 1976 Coal Policy took Albertans by surprise.

Widespread concerns were raised about the Government of Alberta’s move to rescind the 1976 Coal Policy. It was clear that stakeholders had no idea that rescission of the policy was being contemplated by the government.

Moreover, participants expressed confusion as to why the government had rescinded the policy. With the multitude of other issues facing the province, Albertans did not regard the rescission of the 1976 Coal Policy as a priority. Many, in fact, signalled they have serious reservations about how the decision came about and questioned what facts and considerations were used in making the decision to rescind the policy.

There is skepticism about government’s intent.

Many participants expressed deep skepticism about the government’s stated rationale for having made the decision to rescind the policy. The rationale given by government was that the 1976 Coal Policy was outdated and that its rescission was largely an administrative decision.

“Rescinding the 1976 Coal Policy was inherently a decision driven by the vested interests of coal mining proponents. Much can be said about the suspicious timing of the rescission – the Friday of a long weekend during the pandemic shutdown – and much can be said about who was and was not consulted.”

-MD of Ranchland No. 66

We heard that skepticism may have been compounded by regulatory decisions taken around the time of the policy’s rescission. Participants asserted that the Alberta Energy Regulator issued a variety of authorizations shortly after the rescission of the 1976 Coal Policy, which they said allowed companies to undertake coal-related activities in Category 2 lands. Many expressed concerns about the perceived timing and speed of these authorizations. At the same time, it was noted that the limits for selenium discharge were increased while Directive 061 was replaced by a guideline (Manual 020).

Some observed that coal exploration and development activities on Category 2 lands had been permitted under the previous government while the 1976 Coal Policy was in place.

Concerns about authorizations issued in the period between rescission and reinstatement.

The 1976 Coal Policy was reinstated after considerable concerns were raised by Albertans. However, a number of participants took issue with the reinstatement, noting that it did not amount to a reversal and rollback. During the time period between the rescission of the policy and its reinstatement, various coal-related activities were authorized and undertaken. They noted, that meant that the rescission of the 1976 Coal Policy led to real, on-the-ground impacts in the form of disturbances that may not otherwise have been allowed had the policy not been rescinded in the first place.

“...[T]he 1976 Policy has been reinstated, but a lot of activity has occurred between June 1, 2020 and February 8, 2021, and none of that has been rolled back.

...
This is not reinstatement; it is reinstatement-minus what has happened since June 1.”

-Nigel Bankes, University of Calgary

Several said that a proper reinstatement of the 1976 Coal Policy ought to have been accompanied by the cancellation of the coal activities authorized between June 1, 2020 and February 8, 2021. The government’s failure to do this was perceived as further evidence that it did not rescind the 1976 Coal Policy in good faith because it allowed coal companies to continue to pursue exploration activities.

Albertans do not have a shared understanding about the 1976 Coal Policy.

Our Committee heard mixed interpretations of the 1976 Coal Policy, what it contains and the impacts it has. In many ways, Albertans have a more consistent and shared understanding about the ‘legend’ of the 1976 Coal Policy than the actual policy itself. Participants of many different backgrounds referred to the 1976 Coal Policy as the “Lougheed Legacy”, but described that legacy in several different ways.

For example, many people described the policy as effectively prohibiting any industrial development of any kind on the Eastern Slopes. Others characterized the policy as one that prohibits coal developments on any Category 1 or Category 2 lands in the Eastern Slopes. Still others spoke about the policy as being akin to a regulatory instrument that is used by the Alberta Energy Regulator and the government to decide whether specific coal projects should be approved.

While their characterizations of the 1976 Coal Policy varied, participants consistently expressed strong belief in the importance of the document. There is a widespread sense that the 1976 Coal Policy stands as a profoundly important testament to Albertans’ desire that the Eastern Slopes be protected.

The influence of the 1976 Coal Policy has been weakened over time.

One perspective relayed by several participants was that the 1976 Coal Policy has been weakened over time. Describing it as “the death of a thousand cuts”, people lamented how the commitments in the policy have been watered down or abandoned by governments over time. Their understanding was that, at one time, the 1976 Coal Policy was a crucial tool in deciding what kinds of coal activities could occur, where they could occur, and the ways in which those activities had to be done.

Other participants took a slightly different view, suggesting that many parts of the policy have been overtaken by changes in provincial and federal laws since 1976. For instance, people pointed out that commitments in the policy about compensating landowners for surface access are now governed by Alberta’s *Surface Rights Act*. This legislation, they said, makes those parts of the 1976 Coal Policy effectively obsolete. As another example of this, sections of the 1976 Coal Policy lay out expectations for coal companies to source local labour and materials. These kinds of commitments, it was said, would also be considered obsolete given the commitments Canada has made in international trade agreements.

The common sentiment behind these divergent views was that 1976 Coal Policy no longer has the level of influence that it once had. Rather than being a key document that informs government and regulatory choices, the policy seems to be hardly referred to by decision-makers, regulatory bodies or developers.

The 1976 Coal Policy is due for an update.

Despite the considerable acrimony over the sudden, unexpected and unwelcome rescission of the 1976 Coal Policy, there was acknowledgement amongst many types of stakeholders that the policy is due for an update. While the way in which the review came about is unfortunate, people indicated there is a bright side in that the question of ‘coal in the Eastern Slopes’ is going to be addressed.

Many pointed out that the 1976 Coal Policy was progressive for its time. Its development involved significant public consultation and work on the part of multiple Government of Alberta ministries. The policy’s success in delineating different categories of landscapes in the Eastern Slopes provided clarity to industry and stakeholders alike about where coal-related activities were not allowed or unlikely to be authorized.

“The indirect effects of coal mining on the environment and watersheds due to road building, clearcutting and erosion were also not as well understood 40 years ago as they are now. And, although the 1976 policy was developed by extensive, public consultation with a wide range of experts it did not address the concerns of First Nations peoples, which were not recognized at the time. Nor were the effects of selenium bioaccumulation in living organisms understood, then. We don’t have those excuses any longer.”

-Shelagh Campbell, University of Alberta

At the same time, it was noted the 1976 Coal Policy has drawbacks that have come to be more noticeable over time. For one thing, Alberta’s population has significantly increased since 1976. Consequently, we heard there is a higher level of recreational and industrial activities in the Eastern Slopes, leading to more and competing land-use demands on those landscapes. Science has also advanced since 1976, such that there is better understanding of the long-term impacts of human activities, including climate change.

Many respondents pointed out that the categories were not designed with a modern understanding of environmental impacts and cumulative effects. Specifically, allocations for open pit mines to allow future mining does not take into consideration issues of species at risk, habitat destruction and issues associated with re-introduction of native vegetation.

“Until such time as regional planning for all lands encompassed by the Coal Policy is complete, it is not appropriate to rescind the land categories and even then it should not occur without significant and meaningful public participation. The land use categories and accompanying restrictions under the Coal Policy should remain in place until such time as regional planning under the *Alberta Land Stewardship Act (ALSA)* is completed. That is, on Category 1 lands neither coal exploration or development activities are allowed and on Category 2 lands only limited exploration is permitted (with strict controls) and there is no open pit mining allowed (only underground or in-situ development).”

-Environmental Law Centre

Furthermore, the 1976 Coal Policy was developed at a time when Treaty rights and Indigenous rights were not as well recognized or protected in law. Indigenous communities were not robustly included in the development of the 1976 Coal Policy. The policy therefore was not informed by, and does not reflect, Indigenous knowledge.

Given the evolution of provincial laws, participants said it makes sense to modernize Alberta’s policy on coal development. While they expressed divergence on certain aspects of how a modern policy should look, there was acceptance that the 1976 Coal Policy will not adequately meet the current or future needs of Alberta.

Water Management and Selenium

Almost unanimously, participants pointed to Alberta’s water supplies as a major issue of concern in relation to coal exploration and development activities. Concerns about water contamination are especially pronounced in southern Alberta, where water management decisions and water uses are of great significance to communities and agricultural users.

Our Committee was hard pressed to hear any positive comments from participants when it came to the water implications of coal exploration and development. On the contrary, the major themes that emerged from our engagement process suggest that most Albertans, especially in southern Alberta, perceive coal development as a significant threat to southern river basins.

There is not sufficient water to support coal developments in the south.

Water management is a chronic challenge in the South Saskatchewan River Basin, including the Oldman River watershed, where misalignments between water supplies and water demands are among the greatest in the province. In addition to providing the drinking water needs of two-thirds of Alberta’s residents, we were told the water in this basin also must support farming, ranching, tourism and recreation, other economic activities and the health of aquatic ecosystems.

“The headwaters of the Oldman watershed are a small area, only about 25km wide, but provide about 90% of the water in the Oldman River, through many tributaries. The mountains are sacred to Indigenous people, who continue to use the area for ceremonies, spiritual renewal, and gathering and hunting food. The headwaters are treasured by all Albertans. The area is well used for recreation, forestry, cattle grazing, and other types of industry, and these pressures have contributed to a decline in watershed integrity. In 2014 we completed the Oldman Watershed Headwaters Indicator Project, which included an assessment of watershed integrity and found that only 5% of the headwaters of the Oldman watershed have high integrity...Adding new coal mines to the area would add additional pressure to an already busy landscape that is facing high pressure from multiple uses.”

-Oldman Watershed Council

It was noted that the South Saskatchewan River Basin is effectively over-subscribed when it comes to water allocations and is largely closed to new allocations. This raises serious questions about how coal developments located in the basin would secure the water needed for

their operations. Some people observed, however, that a coal development proponent could in theory secure water allocations from existing water rights holders, since transfers of water allocations within the basin are possible.

The risk of selenium contamination is a concern among Albertans.

Across the province, participants expressed serious apprehension about the possibility of water supplies being contaminated by coal developments. This concern was especially prominent in southern Alberta, with many people citing the geographic area within the Oldman River Sub-basin where eight coal exploration projects are occurring. From this area also emerges the headwaters of the South Saskatchewan River Basin that, as noted earlier, serves a large proportion of the province’s population, economy and ecosystems.

“In 2014, a selenium expert declared the Elk River watershed to be at a tipping point. Any further increase in selenium could lead to only one outcome: ‘total population collapse of sensitive species such as westslope cutthroat trout’. In the same year, Teck introduced the \$600 million Line Creek water treatment plant. There was an accidental fish kill six months later, and by 2017 the plant was taken off-line. It turned out that the treated selenium was in a form more toxic to fish than the original form. By the fall of 2019, the dire prediction of five years earlier had come to pass; there was a 93% drop in the adult population of this genetically unique species downstream from the Elk Valley coal mines.”

-Brian Hitchon

We were told that contaminated waters are a concern with any human activity. Coal mining presents a risk of selenium leeching into water. Although it is naturally occurring in water and required by humans in small amounts, selenium is poisonous at higher concentrations. Selenium has been linked to mutations in aquatic life and the collapse of native fish populations.

We heard that selenium leeching can occur as rain or snow melt passes through overburden that has been removed as part of the coal mining process. It can also happen if failures occur in liners or other mitigation systems at coal developments. Even coal developments that use underground mining can pose selenium leeching risks. Any coal development in the Eastern Slopes therefore poses a risk that selenium could enter the headwaters of a river system on which millions of Albertans, fish and wildlife depend.

“Ram River Coal understands the concerns around elevated selenium downstream of mines and potential impact on aquatic resources in Alberta. We further acknowledge that we still have more work to do to better understand the current site conditions and potential impacts, before we can develop a water management plan, which will also address selenium mitigation.”

-Ram River Coal Corp.

In addition to the potential risks from new coal mines, there were serious concerns expressed about existing and inactive mines in the province. It was said that selenium leaching is known to have occurred in certain rivers, including the McLeod River, raising questions about whether the government is taking the issue of selenium as seriously as it should be. Participants urged the government to enhance selenium monitoring efforts, particularly in those rivers that may be impacted by existing or inactive mines. The Committee was also told that strategies for selenium management and control are under development.

Most concerns about water quality emanated from participants who live or work within the South Saskatchewan River Basin. However, interested parties in the North Saskatchewan River Basin also took issue with water quality. It was noted that the headwaters of the North Saskatchewan River originate from the Saskatchewan Glacier in the Columbia Icefield in Banff National Park. So, although that basin serves people and ecosystems in the north-central part of the province, it originates in the southern part of the Eastern Slopes.

One of the largest communities served by the North Saskatchewan River is the City of Edmonton, which sources its drinking water from the river through its city-owned water utility provider, EPCOR. The City of Edmonton and EPCOR acknowledged that impacts to water quality from new coal mines were likely to be small. However, in the event of a large selenium release into the river, the impacts could be very substantial for the province’s capital city.

“Mines would presumably install tailings dams/ponds in order to capture flows and reduce suspended solids and some adsorbed metals. With these control measures in place, it is assumed that impacts to water quality will be relatively small and localized. Given the anticipated government requirements, the distance downstream of EPCOR’s WTPs, the small relative watershed area impacted, it is not expected that significant water quality impacts from mining activities would be observed in Edmonton. However a basin-wide water quality model with appropriate loading exports would be needed to validate that assumption.

...

Due to emerging science of selenium fate and transport; the long-term mining effects that can be set in motion by the physical alteration of the headwater areas; and costly and inconsistent remediation potential, it is critical that scientifically rigorous cumulative effects modelling assessments be completed before any mining activity is permitted. This should be completed at both the major basin scale (ex. North Saskatchewan Basin) and local scale (sub-watershed, ex. Ram River) where the cumulative effects of mining need to be considered as multiple companies submit applications for mines on the same landscape.”

-City of Edmonton/EPCOR

Public distrust in approaches to mitigate selenium contamination.

The issue of selenium in water evoked widespread commentary. Many participants pointed to mining in the Elk Valley as an example of the serious damage that can occur from coal mines leaching selenium into water systems. The consequence can include the contamination of drinking water, the deformation of fish, and collapses in fish populations.

“Despite numerous installations, selenium treatment technologies have not reached full maturity and should still be regarded as developmental.”

-Golder Associates Ltd.,
Selenium Working Group (2020)

One comment was that jurisdictions have inconsistent standards for the monitoring and control of selenium in effluents emanating from coal mining operations. By comparison, U.S. states downstream from Canadian coal mining operations have higher standards in their regulations for selenium.

Another key point we heard was that although large established coal mining operators in British Columbia have expended considerable sums for technology development of selenium in effluents, the Committee was told that these expensive research projects have not yielded favourable results for selenium control. This raised questions as to whether other smaller companies could reliably mitigate selenium risks.

“The direct footprint (mine pit, waste-rock dumps, access roads, coal cleaning facilities, exploration drilling, conveyor system, coal load out, settling ponds) associated with coal mining will reduce both area and connectivity of streams and associated riparian habitat in the headwaters of the ORW (Oldman River Watershed)...

The best available information indicates that the magnitude of long-term liabilities to water resources (quality, quantity) are likely to exceed any short-term economic benefits. There is the risk that local adverse effects to water quantity (flow) and quality (selenium toxicity), streams, riparian habitat, and natural plant communities will be profound.”

-Livingstone Landowners Group

Other participants noted that the Elk Valley coal mines reflect issues associated with the control of selenium in effluents. There were comments that these existing mines were not designed and constructed with mitigation technology, and efforts to control selenium contamination. It was suggested that new coal mines could be designed with multiple mitigation methods to include the best available technology, such that it could pose much lower risks of selenium contamination than older mines in the Elk Valley. In that regard, participants from the industry expressed a belief that the use of new technologies can prevent selenium concentrations reaching beyond acceptable levels. However, many said that selenium mitigation technologies are not foolproof and may rely on containment in perpetuity.

Until such technologies are proven, many contended that it would be far too risky to allow coal development in the headwaters of a watershed that is so critical for so many people, fish and wildlife. For the Eastern Slopes, and particularly the headwaters of the Oldman River Sub-basin, the consequences of selenium contamination were seen as too great a risk. It was suggested a new coal

policy for Alberta should, at the very least, set out specific expectations with respect to selenium management. Those expectations should recognize and reflect differences between inactive, existing, closed and new mines.

“I encourage this committee to treat submissions about selenium management from industry and industry lobbyists with great care. I believe internal government records show industry lobbyists have put a great deal of time and effort into resisting effective regulation for selenium, and often rely on a small stable of industry-friendly experts. I encourage the committee to make a statement against the biggest and most absurd change industry lobbyists have sought – the excessive grandfathering period that would allow mines built until 2024 to count as existing mines and be permitted to release double the selenium under the forthcoming regulations.”

-Drew Yewchuk, University of Calgary

Calcium carbonate from coal mining also poses risks.

Our Committee also heard about calcium carbonate as another contaminant risk. While not a toxic pollutant, it can cause calcite to build up downstream. This can coat the bottom of a stream bed like concrete, making the stream bed uninhabitable to invertebrates that form the base of the aquatic food chain. The result is disruption throughout that food chain, leading to knock-on effects in aquatic, riparian and broader ecosystems.

The safety and security of water supplies is paramount.

There was a clear sense from many participants that coal developments are not the best use of water, especially in river basins where water supplies are limited. Some raised concerns about the government’s ability to make discretionary allocations in the Oldman River sub-basin. They said using this mechanism to provide a coal development with a water allocation would not only be a foolish use of water, but also be an affront to all other important social, economic and environmental values in the sub-basin.

Agriculture was especially cited in this respect. Irrigation is one of the biggest uses of water in southern Alberta. The availability of secure supplies of water is crucial for ranchers and farmers to be successful and what enables our province to have a high-value agri-food industry. Moreover, the health of that water is vital. If the water is contaminated with selenium and made unusable for any point in time, it will wreak havoc with communities and undermine billions of dollars in economic activity. The Committee was told that, in Alberta, the current Beef Industry is made up of about 18,000 producers with \$13.6 billion in sales and that contributes \$4 billion to the provincial GDP. The industry generates 55,125 full-time jobs.

“The beef industry is Canada’s second largest single source of farm income, contributing \$21.8 billion to gross domestic product at market prices and supporting almost 350,000 full-time equivalent jobs. The sustainability of Canada’s beef farms and ranches, the vast majority of which are family-run operations, relies critically on the secure access to plentiful supplies of safe good quality surface and ground water. Many of our producers rely on water supply for their livestock, domestic consumption, irrigation and so on, that originates either as surface water or as ground aquifer recharge water in the western stretches of Alberta, notably the Eastern Slopes of the Rockies. Some of our producers in Saskatchewan tell us the chemical signature of their groundwater indicates it originated in the western landforms of Alberta. It likely goes without saying that protecting these ground and surface water resources is of utmost importance to our producers.”

-Canadian Cattlemen’s Association

Participants stressed that the safety and security of water is of paramount importance across the province and particularly in the south. This factor should weigh extremely heavily in the creation of a new policy and, some said, make the government think twice before entertaining the expansion of coal development generally.

Public Health

Another area discussed by participants pertained to public health, with people identifying issues related to the safety and well-being of humans and domestic animal life.

Concerns about chronic diseases.

Some participants expressed concerns about associations between coal mining and diseases in humans within the vicinity of coal mines. Citing studies, they indicated that coal mines have been associated with increased incidents of cancers, cardiovascular diseases, respiratory diseases and congenital diseases.

“We urge a full, detailed, independent review of the potential for increased open pit coal mining to cause adverse health consequences with a public release prior to any further approval of open pit coal mining.”

-Alberta Medical Association

Concerns about the effects of coal mines on air and soil quality.

There were also concerns raised by participants about the cumulative impact of coal mines on the quality of air and the quality of soil. Both of these, it was said, could have negative repercussions for surrounding and downstream communities, including individual Albertans and domestic animals such as cattle.

“Duration of benefits are short term; perhaps 20 years or less (as international policy, and investor sentiment shifts away from metallurgical coal to direct reduction supply chains and production.)

Assets: We compromise watershed Eternal agriculture and forestry, and their stewards. We compromise quality of life and industry for all who depend on clean reliable water.”

-Gordon Cartwright, Pekisko Group

Relying on studies and modelling, some participants made assertions that coal mining in the southern Eastern Slopes would create dust and dirt particles that can be carried by winds. This particulate matter would not only impact the quality of air for surrounding communities, it was said, but would also find its way into water and soil, having impacts for food chains. When it comes to air quality changes, it was argued that infants, children, elderly, and those with chronic heart and lung conditions could be particularly affected.

Some told our Committee that they have undertaken modelling of the scenario in which all eight existing coal exploration programs result in the construction of fully operational coal mines. It was said that the integrated effects of these eight mines would include broader dispersions of sulphur dioxide, nitrogen dioxide, and large and small particular matters. Participants said that this could result in soil acidification, affecting nearby grazing lands that are used by ranchers. This, they argued, would present risks of increased ingestion of various metals by cattle, and by the ranchers themselves.

“In the example provided below for the annual daily total suspended particulate predictions, the areas inside the red contour are predicted to exceed the annual Alberta Ambient Air Quality Objectives identified for the protection of adverse effects on the pulmonary system (i.e. lung effects) by AEP (2019). Therefore, any human receptors present within these areas could be at risk of pulmonary effects.”

-Mandy Olsgard, Pekisko Group

Conservation of Landscapes and Biodiversity

The sentiment was expressed in many of the submissions and presentations that any coal mining in the Eastern Slopes should not be allowed. Many considered that the Eastern Slopes and Rocky Mountains are unique and a quintessential part of the Alberta identity.

Furthermore, aside from their beauty these lands are of significant ecological importance. As identified in the following themes, many participants expressed concerns about the impacts of coal development on landscapes, fish and wildlife.

The Eastern Slopes are important and unique.

Our Committee was struck by the extensive agreement amongst Albertans about the special, unique and rich values that the Eastern Slopes provide. There is a widely shared sense that coal development is difficult to reconcile with most portions of the Eastern Slopes, especially in southern Alberta. We heard that globally, the amount of undisturbed and unfragmented land is dwindling very quickly and governments are increasingly taking note of this fact. The G7 nations, for instance, have made commitments to aim for conservation of 30 percent of their waters and landscapes. Against this backdrop Alberta’s Rocky Mountains are an outlier. We were told these mountains, and the Eastern Slopes, represent some of the last vestiges on earth of relatively undeveloped and contiguous landscapes. Covering approximately 90,000 square kilometres, the Eastern Slopes serve as an important ecological reserve for all of North America.

“Alberta’s Eastern Slopes represent a core area of the entire Yellowstone-to-Yukon region, one of the last intact mountain ecosystems left on earth. In many ways, the Eastern Slopes are also the front lines of ecological integrity between heavily used and impacted grasslands and the protected mountain parks. The Eastern Slopes still have same complement of large ranging mammals, including grizzly bears, bison, elk, and wolves, that existed before European settlers arrived. The importance of this landscape for ecological integrity and connectivity cannot be overstated. The thin strip of rolling foothills between the grasslands and the mountains provides critical habitat and essential movement corridors. While we see different behavior from different species, including seasonal migrations or large home ranges to search for food and mates, decades of research on animal movement have given us a broader understanding of the need to protect wide tracts of land that support this movement.”

-Canadian Parks and Wilderness Society

This importance of the Eastern Slopes stretches well beyond being the source of headwaters for several major Canadian rivers. It provides a vital range of ecosystem services and economic activity. We heard it philosophically compared to other critical regions on the planet such as the Amazon Rainforest.

“Over 77% of land (excluding Antarctica) and 87% of ocean have been modified by direct effects of human activities.”

-Yellowstone to Yukon Conservation Initiative

Significant research was cited to our Committee from the University of British Columbia. Researchers from Yellowstone to Yukon Conservation Initiative, Wildlife Conservation Society Canada, Carleton University and McGill University contributed to this research. It involved the modelling and mapping of the most important places in Canada for the benefits humans receive from nature – namely, outdoor recreation, carbon storage and fresh water.

The Committee heard that only 56,000 square kilometers of Canada are “hotspots” for delivering all three of these ecosystem services – that represents less than one per cent (0.6%) of the country’s total land area. The Eastern Slopes constitute an important part of that research zone. The Eastern Slopes are aligned with many of the designated hotspots, giving them outsized value in the provision of key ecosystem services.

“Coal exploration or development should not be permitted on the Eastern Slopes of Alberta. Having lived with and experienced the impacts of coal exploration and mining in west central Alberta that have happened over the last 50 years, the Athabasca Bioregional Society believes that the negative impacts of coal development on the environment, watershed integrity, climate justice, human health, biodiversity and a sustainable local economy outweigh any short-term benefits from coal development along Alberta’s East Slopes.”

-West Athabasca Watershed Bioregional Society

Participants said that the importance and uniqueness of the region deserves regulation over activities presently occurring on these lands. We heard that an implication is that any industrial activity would have disproportionately negative impacts. In the case of coal development – which involves a large footprint, the excavation of land, the creation of linear disturbances and risks to streams and rivers – those disproportionate impacts could be significant.

“Despite the large number of protected areas along the Eastern Slopes, its ecosystems are detrimentally affected by a wide range of industrial and commercial activities like forestry, oil and gas, ranching, and associated road development, and recreational activities. Protected areas in the central and northern portions of the Eastern Slopes enjoy substantial protection in parks, but the southern portion around the Crowsnest Pass does not have any substantial protected areas to maintain contiguity of habitat. The cumulative effects of human activities are also concerning from the effect on water quality and availability...Even if reclaimed to ‘equivalent site capability’, the ecosystem goods and services (EGS) provided by the mine site post-reclamation may be less or lower in quality than pre-mining. The definition of equivalent land capability does not ensure that all of the EGS previously provided by the site – such as maintenance of the water cycle and spiritual value – are provided afterwards.”

-Winter et al, University of Calgary

The biodiversity impacts from coal development would be significant.

With a focus on the Eastern Slopes, participants discussed the critical role that Alberta’s Rocky Mountains play in supporting healthy biodiversity. A compelling point is that the vast and diverse representation of native mammals has been retained in the Rockies, while such representation has dwindled significantly across most other North American landscapes. People pointed to the “Lougheed Legacy” embodied in the 1976 Coal Policy as a factor contributing to this achievement.

“The long-term environmental impacts from new and expanded coal mines in Alberta’s Eastern Slopes region will outweigh any short-term economic benefits from these operations and is inconsistent with the province’s commitment and federal obligations to protect and recover species at risk. Native fish populations are already threatened by existing and proposed mining operations in the province and the effects of coal mining has negatively impacted water quality and fish habitat in other jurisdictions as well, despite best efforts by industry to minimize and mitigate these impacts.”

-Trout Unlimited Canada

The Eastern Slopes was described as one of the most biologically diverse ecosystems in North America. Coal mining, it was said, would threaten this biodiversity in many ways, not the least of which would be linear disturbances created throughout the entire continuum of activities undertaken by coal companies.

For instance, roads are typically built as part of coal exploration activities, so that companies can access backcountry locations to determine their geological potential. The Committee was told that this linear disturbance would interrupt the connectivity of landscapes and, thereby, negatively impact the habitat of wildlife. Should coal mines be developed, the overburden removed as part of the mining process further disturbs the land. The overall ecological footprint of a coal development would be significant.

“Mine exploration and development would cause habitat loss and fragmentation for many important game species. Like Alberta’s native fish, many of these wildlife species are sensitive to high densities of roads as well as disturbance from human activities – particularly high impact activities such as large-scale mining exploration and development.”

-Alberta Chapter – Backcountry Hunters and Anglers

Coal mining would undermine the recovery of species at risk.

Considerable concern was raised about the serious impacts that coal development will have on species at risk. Particular mention was made of fish and wildlife represented in the Rocky Mountains that are already threatened, including caribou, wolverine, olive-sided flycatchers, grizzly bears and native trout.

With respect to land mammals, many have habitat ranges that are extensive, meaning their health and survival depend upon having access to large, continuous tracts of undisturbed land. In many cases these habitat ranges overlap the same areas in which coal companies are expressing interest.

For example, we heard that several coal mine proposals fall squarely within the Recovery Zone of grizzly bears. Grizzlies have large home ranges that sometimes span over 400 square kilometres. Participants said these home ranges have become increasingly fractured over time due to expanding human footprints from recreation and industrial development.

“In the face of new coal mine development it will be impossible for the province of Alberta to meet its obligations for species-at-risk protection and recovery actions will be affected negatively. Alberta stands to suffer reputationally and economically, through consumer and investor avoidance of Alberta products and businesses if species-at-risk are not taken seriously and accommodated at watershed and regional levels. Legal actions by concerned parties will become prevalent and the Federal government may be obligated to step in to exercise its mandate.”

-Lorne Fitch, Jeff Kneteman, Richard Quinlan, Kirby Smith, George Sterling

In respect of fish, populations of native trout such as bull trout and westslope cutthroat trout, have been under threat. Impacts to watercourses as a result of industrial activities, along with unmanaged and unsustainable recreational activities, have led to governments and stakeholders taking action to recover these populations. Such recovery efforts would be hampered by increased coal exploration and development, particularly if such activities lead to selenium contamination in water bodies.

Many participants argued that the expansion of coal activities in the Eastern Slopes would be irreconcilable with the recovery of species at risk. They stressed the importance of preserving the unique biodiversity values of the Eastern Slopes, including their contributions to overall ecosystem health. In this context, it was noted that grizzly bears and caribou serve as “umbrella species”. Policy choices that conserve and positively manage the habitats of these species have the corollary effect of conserving and positively managing the habitats of all other species under those umbrellas.

Many voiced the opinion that healthy biodiversity enables a variety of economic and social values. These include a strong tourism industry, hunting and angling, camping, hiking and other outdoor recreation, and better grazing lands that support agriculture. From a financial standpoint alone, these other values would be worth more than those realized from coal.

Coal development is inconsistent with Canada’s climate change commitments.

Climate change was noted by many participants who expressed concerns about coal development in Alberta. The most basic and straightforward argument is that providing any amount of coal, of any type, would result in that coal being burned somewhere in the world. Thermal bituminous coal would be burned to generate electricity, while metallurgical coal would mostly be used to make steel.

“ORCA believes there is no responsible pathway for development of coal mining in Alberta in any form and is opposed to continued coal exploration and development along Alberta’s East Slopes. The concept of a ‘modern coal policy’ being advanced by the government runs counter to what is required to achieve both national and international climate change and biodiversity objectives.”

-Outdoor Recreation Coalition of Alberta

Regardless of the end product, the use of coal would contribute to global carbon emissions, even if it would be a country other than Canada generating those emissions. Simply put, allowing the coal industry to expand in Alberta would enable activities that contribute to climate change.

Coal development would impact the climate refuge offered by the Eastern Slopes.

The Committee was told that the Eastern Slopes serve as a vital climate refuge for our planet. Offering huge amounts of forested lands and providing a range of ecosystem services, the Rocky Mountains present huge opportunities for climate change mitigation.

This is particularly compelling for Alberta due to the impacts of climate change on water supplies. As the source of water supplies for much of the province, especially southern Alberta, this unique potential of the Eastern Slopes takes on special significance. We also heard about the climate mitigation benefits of the Eastern Slopes. That research found that the Eastern Slopes store 12 per cent of the 19.6 Gt (Gigatonnes) of carbon in Alberta. This gives them significance as one of the best aboveground carbon storage hotspots in the country.

“Extractive industry simply liquidates natural capital. In other mining operations metals and materials can enter a circular economy, but coal consumption produces a string of liabilities from mining, transport stock piling, to combustion. We need to reinstate the Eastern Slope Policy commitment to watershed protection that also give regenerative resources priority over extractive industry, on our Eastern Slopes. Those principles were important 45 years ago, are now only more important.”

-Pekisko Group

We heard that this kind of “climate refuge” in our province is important. It was said that this may be a compelling value proposition for Albertans as the effects of climate change may have pronounced impacts globally. The potential of the Eastern Slopes to aid in climate change mitigation will require that they are maintained healthy and undisturbed. It was argued that their potential stands to be markedly reduced or entirely lost if their landscapes become fragmented and their ecosystem services are disrupted.

Reclamation

Concerns about the reclamation of coal mines were raised by many participants. There was a clear sense that Alberta’s current regulatory regime does not provide comfort for Albertans that lands disturbed by coal mines – new or existing – will be sufficiently reclaimed.

Reclamation requirements are not sufficient.

Although coal mines operate over long time scales, we learned the contemporary trend is for an operator to undertake progressive reclamation of a coal site. This approach involves reclaiming an area of disturbance once the operator is no longer using those lands. Progressive reclamation can help mitigate the extent and length of disturbances caused by coal activities and, in turn, mitigate their impacts. The Committee heard skepticism about reclamation programs at coal mines, including progressive reclamation.

It was noted that reclamation laws in Alberta require operators to return land to a state that enables comparable use, rather than its original status. Many considered this distinction to be critical; although the land can theoretically be used again for other activities, the level of ecosystem services provided by the land would be permanently altered. It was argued that this reclaimed land is not the same as the original landscape and that in the Eastern Slopes this would matter a great deal.

Biologists informed us that this is of particular concern in Southern Alberta where it is well understood that the native fescue cannot be regenerated. The native fescue is the life source for ungulates due to its year-round protein content and therefore critical to the food chain for predators. Cattle ranching in the area is equally dependent on this native fescue.

Some participants stressed that as part of a new coal policy, the government should enact stricter reclamation requirements for coal activities, such as:

- Ensuring tame species are not used for reclamation;
- Requiring monitoring of all former activity sites beyond the life of those activities;
- Using an adaptive management context for the monitoring and reclamation of sites;
- Making selenium management requirements part of reclamation requirements.

There are risks that companies will abandon mines and never reclaim them.

Another observation was that many inactive coal mines in the province are not being reclaimed and people reasoned that many Albertans have little faith that new coal mines would be reclaimed in a sufficient or timely fashion. On a related note, we heard skepticism about the long-term ability or commitment of coal companies to operate, remediate and reclaim their mine sites citing that coal is a risky and volatile business. Several participants took a view that companies would develop mines, go bankrupt, and leave behind messes to be cleaned up at substantial expense to taxpayers. Some said that the companies which have recently expressed interest in Alberta’s coal potential are poorly capitalized and have little experience. This led them to concerns that any coal mines operated by these companies may leave Albertans with material financial and environmental liabilities.

“Coal mines have no track record of reclaiming old mine sites to a level that fully restores previous ecological function. Reclamation often consists of re-sculpting topography and revegetating mine sites, which does not necessarily restore previous hydrology or habitat suitability. There is currently no technology to restore native high-elevation fescue grasslands, a significant habitat type within the footprint of the proposed mines. Coal mining companies, just like the oil and gas industry, have a troubled history of reclamation. Our simulation estimates suggest that only about 25% of disturbed mine area in the ORW will be reclaimed by the end of the 50-year study period, leaving a substantial reclamation bill for the future. Under the medium coal scenario, this future reclamation liability is projected at between ~\$30 M and \$210 M, while under the high-coal scenario, it is projected at between ~\$175 M and \$1.23 B.”

*-Brad Stelfox and William Donahue
Livingstone Landowners Group*

“Since 1999, more than 20 years ago now, Alberta’s Office of the Auditor General (OAG) repeatedly has raised serious concerns and questions about the sufficiency of Alberta’s mining reclamation regime. Those concerns centre both on program design and on whether provincial government agencies have the systems in place required to ensure that petroleum and mining companies provide the province with sufficient financial security to reclaim the lands they lease for mining.”

-Alberta Wilderness Association

Concerns about tailings dams.

Our Committee was told that municipalities fear the long-term consequences of mine site management. Some cited the previous failure of a mine site tailings pond as an example. It was said that the collapse of a tailings dam resulted in a huge amount of wastewater entering a nearby river. This had impacts on downstream waters and users of those waters. Participants said that tailings dam failures are not only a concern during the operational life of a coal mine, but for a considerable time afterwards. Even after a mine has halted operations, the tailings left behind from mining operations must be contained until they are reclaimed. As a result, it was said, any tailings dams would represent a significant risk to surrounding and downstream communities and ecosystems.

“Catastrophic failure of one of the berms at CVRI’s Obed mine on October 31, 2013 resulted in 670,000,000 L of fluid mine waste and 90,000 tonnes of sediment being dumped into Apetowun Creek, Plante Creek and ultimately the Athabasca River.”

-Jim Stelfox

The financial security and sufficiency of funds collected under the MFSP.

There were many questions about whether and how the Government of Alberta ensures that companies will pay for their cleanup costs. The Committee was told that under Alberta’s Mine Financial Security Program (MFSP), coal companies have typically contributed all of the estimated reclamation costs at the beginning of their development activities. Contribution of funds at the beginning of mining projects would mitigate the financial risk of liabilities to taxpayers. We learned that coal companies can elect to submit a portion of their reclamation costs, following the same process as oil and gas projects. In that case, the MFSP would collect a portion of expected reclamation costs based on complex asset-to-liability ratio calculations.

The Committee encountered serious misgivings in the public about the administration of the MFSP because many were concerned that funds in the MFSP might not be available for reclamation programs in cases where mines became insolvent. In discussions with the Alberta Energy Regulator, our Committee heard that developers may provide financial security in various forms stipulated under regulations. Cash is one of these means, but there are other forms such as government-guaranteed bonds, performance bonds, or “irrevocable letters of guarantee”. In light of recent environmental regulation liabilities in Alberta, some expressed skepticism as to whether or not these mechanisms would provide sufficient security for taxpayers.

“Before Alberta considers any new coal mines anywhere, the mine financial security program needs to be replaced with a system that fits an era of climate change and does not encourage reckless coal mining development. Contrasting the 6-year delay in fixing the problems with the MFSP to the speed with which the 1976 coal policy was removed helps to explain the public’s assessment that Alberta Energy and the AER have not been effectively protecting the public interest.”

-Drew Yewchuk, University of Calgary

The Committee also heard concerns that the MFSP underestimates total reclamation costs. Serious doubts were expressed that existing funds collected by the government will be sufficient to cover the actual costs of the reclamation. We heard that the MFSP has about \$547 million in security for existing coal developments. The Committee considered it to be beyond the scope of our report to examine in detail the liabilities associated with current or future mining projects. Many were concerned whether this amount of money would be adequate to fund reclamation of existing disturbances.

“In 2015, the OAG was concerned the design of the Mine Financial Security Program (MFSP) overestimated the value of the assets companies use to calculate their financial obligations under the program. That concern was expressed then in the context of oil sands mines. However, the technological and market futures used in this AWA analysis suggest this issue – overestimating asset values – applies just as importantly to metallurgical coal mining. Six years after the OAG’s 2015 recommendation that AEP improve the MFSP design, the Auditor General rates the department’s progress as ‘unsatisfactory’.”

-Alberta Wilderness Association

Participants recommended that any new policy on coal development should address and rectify these concerns. They also called for greater transparency about how reclamation costs are estimated in the calculation of financial security required under the MFSP.

Coal exploration activities are not included in the MFSP.

Another shortfall observed about the MFSP is that it does not apply to coal exploration. Consequently, an applicant can secure authorization and undertake exploration activities without providing financial security. Several participants noted that coal exploration activities are not low-impact. Between the construction of roads, the establishment of drilling pads, the cutting of trees, and other actions, a coal exploration program can create linear disturbances. Depending on their locations, those activities can also have impacts on water crossings and other environmental values.

The Committee was told that Alberta's legislation requires that an operator reclaim all disturbances from coal exploration activities, so the duty to reclaim is not at issue. However, without any financial security having been collected for exploration, participants expressed concern there is a much higher risk that an operator will leave their disturbances un-reclaimed so liabilities would accrue to Albertans. Some argued that the risk is high, because certain operators have 'nothing to lose' should they choose to abandon the site if their exploration program was discontinued. We heard from the Alberta Energy Regulator that an operator who is indebted to the Crown cannot secure future authorizations. However, the Committee was told that some operators might not be deterred by such a rule, particularly if they have no other interests in Alberta beyond the single play they explored.

With several coal exploration programs having been recently approved on Category 2 lands in the Eastern Slopes, this issue has particular significance for many stakeholders who advocated clear expectations that operators who undertake exploration programs should be required to reclaim lands impacted by their activities in the near term.

Continue and accelerate current reclamation activities.

While many people felt that existing coal mines should be allowed to continue operating to end-of-life, they stated that progressive reclamation of existing operating mines should commence as soon as possible. Many called for the government to outline clear timelines for when Albertans can expect to see progress made on the reclamation of inactive mining areas.

At the same time, our Committee learned about successful efforts by coal companies to reclaim some mine sites in west-central Alberta. Indeed, some of these reclamation projects have been recognized with awards. The Committee observed sites where reclaimed areas had successfully returned native fish and wildlife populations.

The Committee learned that in 2006 the Alberta Chamber of Resources presented a major reclamation award to Cardinal River Operations for Sphinx Lake reclamation work. The award stated: "The five year post-reclamation fisheries habitat and population assessment indicates a surging Rainbow Trout population, high growth rates and enhanced habitat conditions as compared with the pre-mine cold-water lotic system."

As part of this consideration for reclamation standards, the Committee was also told that Alberta Environment and Parks has high standards for reclamation at mining sites and that these activities must meet the regulatory standards before the reclamation is certified and funds released by Alberta.

Some participants raised concerns that not all industrial operators reclaim to the same standard as those who have won reclamation awards. They observed that it can take many years before the quality and outcomes of the reclamation is known.

Concerns about historic inactive coal mines.

Our Committee heard concerns about historic abandoned coal mines that commenced operations prior to the establishment of current reclamation laws and the MFSP. These mines are no longer operational but have yet to be reclaimed. As a consequence, people said, these mines continue to represent disturbances on the landscape that impact biodiversity and prevent the lands from being used for recreation or other purposes.

Participants posed questions about the status of reclamation at these abandoned mine sites and what the Government of Alberta intends to do about these mine sites. Many urged that adequate steps be taken to reclaim these abandoned mine sites. Some suggested that one way to finance proper reclamation of abandoned mines may be achieved through re-mining of the sites recognizing that this would significantly increase the development footprint.

Coal Management and Approval Processes

The department's initial survey revealed public apprehensions about Alberta's regulatory process. In this regard, the Committee heard numerous concerns about the processes for evaluation and regulation of coal exploration and development.

Public participation is difficult.

Many stakeholders expressed frustration with the Alberta Energy Regulator's current standards concerning public participation in assessments of coal projects. Many were concerned that the test used to determine public participation is too limiting. Procedures that allow public participation in the regulatory process require parties to demonstrate that they are directly and adversely affected by a proposed development.

“The Alberta government often has a narrow and thus flawed definition of who has standing during various regulatory processes – you must be ‘directly affected’. This language is open to interpretation and can significantly reduce who can file a ‘statement of concern’ and participate in the decisions made on behalf of Albertans.”

-Nordegg Sustainability Coalition

Participants advocated that a new coal policy should seek to remedy this problem by expanding the list of eligible parties to participate in the regulatory process. They said that the current test might be workable for many other types of resource projects on other Crown lands, but the nature, scale and potential impacts of coal developments puts them in a different class that demands a more robust level of public participation.

The regulatory process is viewed as flawed.

Other aspects of the Alberta Energy Regulator’s review process for coal developments were questioned by participants. The Committee heard that stakeholders experienced barriers in learning about or engaging with review processes for certain applications.

“My submission concludes with three basic recommendations. The first is to acknowledge the scope and the severity of the problem. Contrary to common political and industry talking points, Alberta’s regulators have largely failed to protect the public interest. Second, in order to rebuild trust, Alberta’s regulators need to become much more transparent in all aspects of regulation, including policy development. Third and finally, our regulators need to be less subject to the whims and wants of politicians and industry; they need to be more independent.”

- Martin Olszynski, University of Calgary

The Committee heard that stakeholders attempting to submit a Statement of Concern to the Alberta Energy Regulator about a proposed activity find their Statements rejected because the ‘proposed activity’ had already been approved and that the statement of concern had been submitted too late. Many commented that such challenges are compounded by the fact that most stakeholders do not fall under the Alberta Energy Regulator’s public participation test, and so are not automatically notified about proposed activities.

The Committee heard several concerns about administrative processes followed by the Alberta Energy Regulator:

- Albertans considered to be not directly affected about a proposed activity are not permitted to express concerns in the regulatory process.
- Authorizations for coal developments can be broken up into many individual pieces covering individual activities, with each applied for separately. This makes it difficult to consider the project ‘in the whole’ and very difficult for Albertans to understand which of myriad activities are related to which developments.
- There is no consistent timeline for public consultation and input.
- Locating information about applications is difficult and cumbersome, making it hard for the public to know what is going on.
- The Statement of Concern process is seen to minimize input from Albertans.

“It is not unreasonable for GOA authorities to be required to at least inform the municipalities of development proposals, including proposals that involve crown land, like the forestry or ‘green zone’ within a municipality’s boundary or close proximity to a boundary.

In failing to provide notice, provincial authorities destroy all the good will they are trying to cultivate by deciding to not inform or consult municipalities when development proposals are received. As it stands, the only way a municipality would be aware of a coal proposal within the green zone, is to be made aware of it by the party making the proposal, by the public, or by consistently monitoring a regulator’s website and trying to determine if applications were happening near or within a municipality.”

-MD of Ranchland No. 66

The Committee also heard concerns about the standards by which coal developments are evaluated by the Alberta Energy Regulator. Many pointed to the absence of a “public interest” test as a major gap in the regulatory process. Some considered that the measures for deciding whether a project is or is not in the public interest are unclear.

Exploration approvals

While coal developments (i.e., coal mines) understandably attracted the bulk of attention due to their large and intrusive nature, the approvals process for coal exploration activities was a concern for many participants, with the view that coal exploration activities could be approved so rapidly. Others expressed the view that coal exploration appears to be subject to minimal oversight by regulators.

Our Committee heard that the regulatory regime for coal exploration differs from that used for coal development. From a policy standpoint, it was said that the *Environmental Protection and Enhancement Act* takes the position that coal exploration is a lower-risk activity. The Alberta Energy Regulator thus does not require operators to go through comprehensive approval processes; operators were said to be able to seek a registration for their activities in accordance with the Code of Practice for Exploration Operations.⁵ Many considered that this means that coal exploration activities are not subject to as comprehensive a review, and they do not receive authorizations with lengthy terms and conditions attached. Instead, it was argued that an operator can receive approvals quickly and simply ‘follow the Code’.

“Since 2018, 235 km of new coal exploration roads and 724 test drill pits in southwest Alberta, and approximately 70 km of roads and 40 drill sites in central Alberta have been approved with exploration applications. It is unclear how many of these roads or drillpads have been built; however, many of these roads cross or come within the 30 m buffer on trout streams that is meant to limit development within proximity of critical habitat.”

-Canadian Parks and Wilderness Society and Yellowstone to Yukon Conservation Initiative

This differential treatment is of issue for exploration permits issued in the Eastern Slopes. It was said that applications for coal exploration activities are usually made in connection with a project that already has an approval. For example, coal exploration that is being conducted as part of plans to expand an existing mine. The more recent coal exploration applications have not been connected to existing projects, but are of a ‘standalone’ variety, akin to exploration programs that might be conducted by junior oil and gas companies to determine the viability of their plays.

Most Albertans are not familiar with the regulatory regime for coal exploration activities and there are concerns about current operations because of the level of disturbance that can be created from these exploration activities. Many suggested that a new coal policy should include more stringent review processes for coal exploration programs.

Freehold lands are treated differently from Crown lands

The Committee was told that, subsequent to the rescission of the 1976 Coal Policy, Alberta Environment and Parks issued a Directive essentially stating that the guidance previously provided by 1976 Coal Policy in respect of Category 1 lands would remain in effect on public lands. The Directive indicated that lands which had been designated as Category 1 were to be managed to preserve their watershed, biodiversity, recreation and tourism values. Notably, private lands and freehold minerals were exempt from these restrictions.

“There is no reason to exempt freehold minerals from the land category restrictions, the same environmental concerns apply regardless of whether the minerals are held by the Crown or by a freeholder. The Coal Policy indicates that it will compensate freeholders at fair value and we recommend that this same approach be adopted if (as we recommend) the land category restrictions are expanded.”

-Environmental Law Centre

Participants noted this and other examples where provincial land use planning and guidance applies to Crown lands but does not apply to freehold lands. People expressed concerns about this differential treatment, noting that the ecological values of a geographic area do not depend upon who owns the landscape. If an activity would be inappropriate for a particular parcel of Crown land under current land-use guidance, that same activity should also be inappropriate for an adjacent parcel of privately-owned land. Under the current treatment, it was said, a coal development could theoretically be allowed on freehold land that is completely surrounded by Category 1 land, solely because of its ownership. Participants suggested a new coal policy should rectify this differential treatment.

“One of the main subregional plans associated with the SSRP is that of the Livingstone-Porcupine Hills, which is still underway. While the Livingstone-Porcupine Hills Land Footprint Management Plan (LFMP; Albertan Environment and Parks, 2018) determines thresholds for motorized access, including industrial access roads, it does not assess non-linear disturbance footprints such as forestry or coal mines. To address these footprints, it specifies the completion of Spatial Human Footprint Targets to guide spatial human footprint until 2045. These targets are currently more than a year overdue.

-Canadian Parks and Wilderness Society and Yellowstone to Yukon Conservation Initiative

Cost-benefit analyses are weak

People raised concerns about the Alberta Energy Regulator’s rescission of Directive 061: How to Apply for Government Approval of Coal Projects in Alberta. It was said that Directive 061 offered lengthy and prescriptive direction to project proponents, including expectations for detailed information about the costs and benefits of their proposed developments. The Alberta Energy Regulator rescinded Directive 061 in April 2020 as part of red tape reduction efforts and replaced it with a guide (Manual 020).

5. https://www.qp.alberta.ca/570.cfm?fm_isbn=9780779798476&search_by=link

“About the same time that the Coal Policy was rescinded, the Alberta Energy Regulator (AER) rescinded a document titled ‘Directive 061: How to Apply for Government Approval of Coal Projects in Alberta’. Directive 061 dated back to 1978, not long after the Coal Policy was instituted. Including appendices it was over 300 pages long and laid out extensive and detailed information requirements for applications to develop coal mines as well as guidance for coal exploration.

Directive 061 has been replaced by AER ‘Manual 020 Coal Development’, which is 42 pages long and contains virtually no information requirements. It has scant guidance on coal exploration programs.”

-Lorne Fitch, Jeff Kneteman, Richard Quinlan, Kirby Smith, George Sterling

Participants stated a belief that the rescission of Directive 061 now enables coal proponents to provide minimal information as to the financial viability of economic benefit claims. As a result, they argued, the regulator is no longer considering a robust and comprehensive cost-benefit analysis when evaluating whether coal development activities should be approved.

Land Use Planning and Decision-Making

The subject of coal development raises questions about where, if anywhere, developments should be allowed. Controversy around the 1976 Coal Policy has shone an intense spotlight on these fundamental questions. As we heard in our engagement process, participants who have sought to answer such questions have found much work that is still undone.

The themes that emerged from participants point to a province that continues to grow in population and activity levels, yet also continues to lack sufficient land use planning.

There are widespread frustrations that land use planning has stalled.

Stakeholders expressed frustration about the state of work under Alberta’s Land Use Framework and the development of regional plans. We heard that in 2008, the Government of Alberta released the *Land Use Framework*. This set out a new approach for managing lands across the province in a way that balanced social, economic and environmental goals. Among other initiatives, the Framework called for the development of regional plans for each of seven new land-use regions.

In 2009, the government introduced the *Alberta Land Stewardship Act* to establish the seven land-use regions and govern the creation and implementation of the regional plans. The Eastern Slopes are represented in three of the seven land-use regions: the Upper Athabasca, the North Saskatchewan and the South Saskatchewan.

“It is our view that the land use categories and accompanying restrictions under the Coal Policy ought to remain in place until such time as regional planning under the *Alberta Land Stewardship Act* (ALSA) is completed. While the South Saskatchewan Regional Plan (SSRP) is complete, it does not encompass all lands that fall under the land use categories of the Coal Policy. Furthermore, the SSRP states with respect to the Coal Policy (page 61): As part of reviewing and incorporating the Integrated Resource Plans, the government will integrate a review of the coal categories, established by the 1976 A Coal Development Policy for Alberta to confirm whether these land classifications specific to coal exploration and development should remain in place or be adjusted.”

-Environmental Law Centre

Only two of the seven regional plans have been completed. The Lower Athabasca Regional Plan was completed and accepted as of 2012 and the South Saskatchewan Regional Plan (SSRP) was approved in 2014. It was amended in 2018 to incorporate newly established parks and sub-regional plans. These regional land-use plans were approved on the understanding that sub-regional plans would be completed, but they have not.

When it comes to land use guidance regarding coal in the Eastern Slopes, regional plans for two of the applicable land-use regions still do not exist. Moreover, in the case of the SSRP, guidance on coal has not yet been finalized.

Participants said slow progress on regional plans is worrying and problematic, because Alberta suffers from a lack of clear guidance on industrial development for many parts of the province. This is particularly the case for coal development in the Eastern Slopes which, people observed, is in need for much better and more consistent guidance. A widely shared view was that regional planning needs to be resumed and accelerated.

The coal categories need to be reconciled with other land use planning documents.

Participants told our Committee that when the 1976 Coal Policy was suddenly rescinded, it revealed a lack of clear and consistent land use guidance.

It was said that during the 1970s and 1980s, the Government of Alberta developed Integrated Resource Plans (IRPs) for various geographic areas of the province. These IRPs were intended to provide guidance to land managers and decision makers about which kinds of activities are allowed on certain landscapes. However, our Committee heard that the IRPs were not drafted consistently. Some of them refer to the coal categories in the 1976 Coal Policy, while others are written independently of 1976 Coal Policy. The result, people said, is a patchwork of land use guidance. For instance, one IRP explicitly contemplates the future development of coal on a landscape, even though that same landscape is designated as Category 2 land in the 1976 Coal Policy.

“Municipal priorities such as economic development, land use, water supply and quality and municipal infrastructure are all influenced by coal development. Coal developments often have local, regional, or even provincial impacts. For example, a growing population means higher demand for schools, housing, traffic, recreation, water, and wastewater treatment facilities. Municipalities provide services to mining companies and their employees. Projects cannot be successful without municipal services that include safe, affordable, and high-quality drinking water.

...

AUMA supports the concept and goals of the land use framework. We recognize the need for the province to engage municipalities and other stakeholders when making essential decisions about strategically coordinating land uses. We encourage the government to continue to move forward with the land use framework and the principles that support it when determining the long-term coal policy. The LUF needs to be reinvigorated through engagement with municipalities and integrated into coal policy development and future mining projects.”

-Alberta Municipalities

Our Committee heard that the creation of new regional plans under the *Alberta Land Stewardship Act* were intended to rectify these types of inconsistencies. However, this has not yet come to pass because regional plans have not been completed for most of the province, let alone for the Eastern Slopes.

People also noted that the only regional plan in existence that covers part of the Eastern Slopes, the SSRP, did not solve the land use policy inconsistencies, instead, as one person aptly described it, the SSRP “kicked the can down the road”. It included language stating that relevant IRPs and the coal categories in the 1976 Coal Policy would be reviewed and incorporated into the SSRP, but this was never done.

Consequently, the coal categories of the 1976 Coal Policy have never been fully reconciled with IRPs, the SSRP or other land use policy documents. Furthermore, none of the land use guidance pertaining to coal development in the Eastern Slopes has been enshrined in legislation. We heard that the commitments made in the SSRP about the coal categories are in the portions of the SSRP that are not incorporated as regulations under the *Alberta Land Stewardship Act*. This leaves the coal categories, and guidance about coal in the Eastern Slopes, in the less certain realm of ‘policy’, which can be changed easily by the government at any time.

Complete regional plans before allowing any new coal activities.

Many participants said that no new coal exploration or development activities should be allowed until regional land use planning is complete. Further, they stressed the importance of robust public and stakeholder consultation to inform land-use planning work, saying that previous efforts have fallen short.

Some participants noted that the creation of cut lines, access trails and roadways in forested regions of the Eastern Slopes has enabled unrestricted access by recreational and other users to large portions of the region. This has added pressures to the environment with a potential for increased conflict with disposition holders. There were calls for mandatory land use planning, before and after coal exploration and development, in which further considerations of recreation and other access is made, such as limiting OHV and other vehicle use on cut lines. There were also calls for the establishment of additional sub-regional plans under the SSRP to further land use planning and management.

Diverse views are held about the coal categories.

In the course of developing clear and modern land-use guidance, the coal categories in the 1976 Coal Policy are clearly an important factor. Yet participants expressed diverse views about the coal categories and how they should be reflected in a modern coal policy.

A common perspective is that the coal categories are outdated. They were designed in the mid-1970s when there were fewer people and activities on the landscape, and when technology was at a different stage. Yet this can have varying implications. On the one hand, it means that even more people and communities depend upon the landscapes and ecosystem services of the Eastern Slopes, suggesting the risk picture is higher and more landscapes should be made off-limits to coal development. On the other hand, advances in environmental technology may argue in favour of relaxing restrictions on certain landscapes.

Some people speculated that certain landscapes currently in Category 4 areas might very well be considered Category 1 or Category 2 areas nowadays. Likewise, it was suggested that some lands in Category 1 or 2 areas might very well be considered Category 3 or 4 areas under a modern analysis. The point was made by a number of individuals and groups that the current categories were essentially a straight line carve out of areas where old mines were located. This does not reflect modern environmental and ecological science.

Several called for abolishing the four coal categories and simplifying the system down to two kinds of areas: areas that are prohibited (i.e., where no industrial developments are allowed) and areas that are restricted (i.e., where industrial activity might be allowed with significant environmental controls). In a similar vein, it was suggested the government could move lands in the Eastern Slopes without metallurgical coal into the ‘prohibited’ class. This would increase the overall amount of protected land in the Eastern Slopes.

“International investments were made in the Alberta coal industry in Category 4 assets on the basis of their treatment within the Coal Policy. Any significant change to the treatment of these lands will fundamentally undermine the basis on which these investments were made in the Alberta economy. Montem asks that the treatment of Category 4 lands in any new, modernized Coal Policy reflect their existing treatment under the 1976 Coal Policy.”

-Montem Resources

The broadly shared opinion is that the categorization of lands should be completely and thoroughly reviewed, using a science-based approach. Although coal developments are a key consideration, the reviews of categories should be undertaken with a view to all landscape processes and activities.

At the same time, it was noted that existing coal assets may need to be ‘grandfathered’ in any new coal policy. Those assets were secured, approved and developed based on the understanding on all sides – government and investors alike – that they were located in Category 4 areas. It was argued that suddenly changing the legal treatment of these assets would send very negative signals in the international community about the stability of Alberta as an investment destination.

Cumulative effects need to be considered in planning and approval functions.

In the course of modernizing land use guidance and the coal categories, the cumulative effects of activities need to be considered, evaluated and integrated. A widely shared concern is that regulatory bodies continue to make decisions on a project-by-project basis, rather than a cumulative effects basis. Regulators are thus failing to examine the implications of a new coal project, or the expansion of an existing project, relative to all other existing industrial activities on the landscape. Consequently, coal projects are facing a much ‘lower bar’ than they ought to be when seeking regulatory approval.

“The key concept of cumulative effects is that small individual impacts can combine spatially and temporally to cause large changes to the environment. This is critical for the Eastern Slopes where multiple activities are already occurring, and already leading to various cumulative effects. Cumulative effect assessments (CEAs) examine landscape scale processes and impacts, and as such, are conducted at the regional scale. Conversely, Environmental Impact Assessments (EIAs) conducted by proponents often focus on a particular development’s footprint and impacts. While this information is useful, it neglects to consider impacts at meaningful spatial and temporal scales, thus EIAs are frequently inadequate to fully describe the potential impacts of a development.”

-Alberta Chapter of the Wildlife Society

Many participants pointed out that cumulative effects management is a tenet of the Land Use Framework. Accordingly, the government should be using this approach at every level, from high-level policy making, right down to granular regulatory decisions made by the Alberta Energy Regulator, Alberta Environment and Parks and other bodies.

In this same vein, people said that the coal categories should not be reviewed or revised with only coal in mind, but that such a review should be broadened to consider all land use activities and their cumulative effects. This would help provide better and more useful land use guidance about where and what kinds of industrial activities are allowed on which landscapes, having regard to everything that is on the landscape already.

Siloed decision-making is exacerbating land use conflicts.

Amid the calls for greater use of cumulative effects management were stories from participants about dispersed decision-making about specific land uses. Responsibility for authorizing various activities is distributed across a variety of Government of Alberta departments and regulatory bodies, depending on the nature of the authorization. Participants said that this is problematic because the various entities do not appear to collaborate in their decision-making. When two or more entities grant authorizations regarding the same landscape, it can lead to land use conflicts because each entity examines each authorization in isolation.

For example, our Committee heard about a stakeholder that had worked closely with a government department on ambitious plans for a tourism activity. While that was happening, it was said that Alberta Energy granted coal exploration leases right beneath them. In many areas of Crown land, agriculture, forestry, recreation, tourism, and non-renewable resource extraction activities can all be vying for the same landscape. Even if land use guidance is in place, participants argued, those who grant authorizations must collaborate more closely to manage activities at the landscape level in sensible ways that minimize conflicts.

There are better and more valuable land uses than coal.

Participants reminded our Committee that coal development does not happen in a vacuum. The approval of a coal mine has serious consequences for what else can be done on the same landscape and others that are adjacent. Due to its nature, coal mining is extremely hard to reconcile with other land uses such as tourism and recreation.

“Expenditures were estimated for both single- and multi-day activities, as well as the purchase of equipment... A notable portion of non-motorized recreation spending in the province is on equipment; approximately \$1.7 billion is spent per year for both single- and multi-day activities. Non-motorized recreation in Alberta results in approximately \$5.49 billion in GDP (1.7% of provincial GDP), including \$3.37 billion in labour income and the equivalent of 77,430 jobs. Provincial and federal income tax and GST that accrue from non-motorized recreation in Alberta are approximately \$685 million per year.”

-Outdoor Council of Canada

Hunters, anglers and outdoor enthusiasts, for instance, relayed stories about how existing coal exploration and development activities have curbed Albertans’ access to backcountry areas that previously supported these outdoor activities. This has negatively impacted Albertans’ ability to use and enjoy the Eastern Slopes. It also has a negative impact in respect of the province’s ability to market itself as an international destination. International visitors come to Alberta in large part to experience the Rocky Mountains and the promise of breathtaking scenery, pristine air, water and land, and sights of incredible wildlife. They do not come to see cut lines, linear disturbances and scarring across mountains.

A commonly held perspective is that, when all things are considered, coal development is not the highest and best use of land. One can reach this conclusion on a purely economic basis alone.

“In 2015, the Canadian Parks and Wilderness Society Northern and Southern Alberta chapters commissioned The Praxis Group to survey Albertans about their recreation activity and their behaviour, attitudes and values related to nature and outdoor recreation. Results of the random sample telephone survey of 1300 interviewees are presented in a report available on the CPAWS website.

...

Albertans’ Values and Attitudes toward Recreation and Wilderness: Final Report (September 2014). The findings clearly show that the large majority of Albertans are taking part in some form of outdoor recreation (76%). The results also show Albertans support land being set aside for wilderness and protection (94%) and they prefer non-motorized recreation (67%). Most Alberta campers choose designated campgrounds over random camping (77%).”

-Porcupine Hills Coalition

When one broadens the analysis to consider other values, people said, it becomes even clearer that coal is not the best use of landscapes in the Eastern Slopes. For example, the environmental benefits and natural beauty of the Eastern Slopes offer a compelling value proposition for living, working, and investing in Alberta. In a world where people can increasingly work from anywhere, factors such as environmental health and quality of life will be major draws. Undermining these factors by allowing more coal development in order to pursue incremental revenues and jobs would be the epitome of the phrase “penny wise and pound foolish”.

To that end, participants urged the government to bring in permanent legislated protections to ensure no new coal activities are permitted in the Eastern Slopes. Such legislated protections should apply to all existing coal categories, such that no further coal resources would be developed across any of the lands currently identified in the 1976 Coal Policy.

“We are four Albertans from all across the political spectrum, all with deep experience in the realm of resource policy and law and public consultation. Because of our diverse political leanings, we have many disagreements, but we have found common ground on issues posed by coal mining in Alberta. We have come together to advise the Coal Policy Committee that, in our collective view, coal surface mining has no place in the future of Alberta’s Eastern Slopes. The public interest is not served by surface coal mines in the Eastern Slopes. We say this for reasons of water security, conservation values, quality of life, economic costs and benefits, and the image of our province in the minds of its citizens and the world. Albertans from all walks of life and perspectives share a deep love of nature in the Rocky Mountains

...

We recommend a revised Coal Policy that prohibits new coal surface mines in Alberta’s Rocky Mountains and foothills (the Eastern Slopes). Currently active coal mines actually in operation may continue but should not be permitted to expand, and when retired they should be robustly reclaimed with special attention paid to long-term selenium pollution mitigation.”

-Ranier Knopff, Harvey Locke, Ted Morton, Kevin Van Tighem

Municipal Issues

We heard a great deal from representatives of municipal governments. As local leaders they have received considerable input at the community level, the complexion of which seems to largely reflect that heard by our Committee at a pan-Alberta level. That input reveals a stark divide between municipalities that cuts across the geography of our province.

Some municipalities are concerned about tourism and recreation.

The issue of the impacts of mining on tourism and recreation is a concern affecting numerous municipalities across Alberta, especially as they consider economic recovery strategies following the COVID outbreak.

“As the Coal Policy Committee develops their recommendations, the RMA would like them to consider the following question ‘Can tourism and open-pit mining work together?’ The RMA recognizes that new coal leases have the potential to bring in investment and revenue into communities who rely on coal development. However, it will be important to examine the revenue that tourism and recreation can bring into Alberta in the future and compare it to the revenue that coal development can bring in. As Alberta undertakes its recovery strategy, it will be important for the government to continue to diversify Alberta’s economy rather than relying solely on one industry.”

-Rural Municipalities of Alberta

Many Southern municipalities are largely against coal development.

Our engagement meeting with most municipalities in southern Alberta revealed an opposition to coal development in the province. The concerns were the same in practically every case. Water was the most significant, with representatives of municipal governments stressing that healthy water supplies are the absolute lifeblood of their communities. Many pointed to the fact that values such as agriculture and tourism have significant economic importance in their communities. Those economic values would be placed at risk by the potential of selenium contamination from a coal development in the Eastern Slopes, and this simply does not make sense.

Moreover, it was noted that many municipalities do not have the capacity to treat water supplies if they were to become contaminated with selenium. As pointed out during discussions with the Oldman Watershed Council, they have not been able to find water treatment mechanism to remove selenium from water. Many local representatives also made the point that southern Alberta suffers from a lack of recreational access as a result of misalignments between the size of the population and the available geography. Consequently, the Eastern Slopes serve as a vital playground and backyard for substantial numbers of southern Albertans. Going to the Eastern Slopes to recreate is much more difficult, if not impossible, when access to Crown lands is restricted due to coal exploration and development.

“The City of Calgary stands in solidarity with our fellow municipalities, the City of Lethbridge, the Town of High River, the Town of Nanton and Foothills County and their valid and legitimate concerns regarding the impact possible future coal development in the Eastern Slopes may have on their water, environmental and economic security.”

-Mayor Nenshi, City of Calgary

Another key point was that values amongst community residents are changing. It was suggested that when the 1976 Coal Policy was created, people were much more upbeat about industrial development. They were more willing to tolerate impacts on the landscapes, because Alberta was at a different stage of evolution. There were fewer land use conflicts as the population was much smaller. Today, many of the people who might have supported coal development in the 1970s are more economically secure, more experienced, more reflective about what they are leaving behind, and consequently place much greater importance on conservation.

Some municipalities have strongly mobilized to stop the expansion of coal development.

Our Committee would be remiss without noting the considerable grassroots organization that has been undertaken by the Town of High River in respect of coal. Representatives of High River, including Mayor Snodgrass, met with our Committee to discuss their efforts and their position. Put simply, High River sees no way of reconciling coal development in the Eastern Slopes with the growth and evolution of Alberta in the twenty-first century. As Mayor Snodgrass said, “Water is our life source. If we screw that up, we have a real problem.”

The High River Town Council has acted strongly on its view. This has included its unanimous approval of a Proposed Alberta Coal Restriction Policy on May 10, 2021. This proposed policy entails:

1. No further coal exploration or development will be permitted on the Eastern Slopes of Alberta. (There are no longer categories – there is only the area which is defined today as the Eastern Slopes.)
2. Existing coal mining operations in the Hinton / Grande Cache areas will be permitted to retire gracefully.
3. Reclamation of lands disturbed by coal exploration activities on coal exploration permits issued prior to February 8, 2021 must be reclaimed no later than December 31, 2025.

As stated in the proposed policy, the High River Town Council’s rationale includes three major points. One, the value of the Eastern Slopes only exists if the landscape remains intact. Two, the headwaters of the Eastern Slopes are critical for the province because they support all aspects of life. Three, no amount of jobs or money from coal is worth the potential damage to human health or ecosystems.

“Council approved the proposed Alberta Coal Restriction policy, which called for no new coal mines anywhere on the Eastern Slopes, and that all lands disturbed by coal exploration be reclaimed by the end of 2025...”

For the past several months, we also have documented the actions of 35 Alberta municipalities that expressed concerns with the provincial government about the coal issue. Combined with the 25 municipalities that endorsed High River’s proposed no-coal policy, that is 50+ municipalities that have voiced concerns about coal...

We can’t recall a single issue that has galvanized such a large number of municipalities, in addition to other interest groups and individuals.”

-Town of High River

High River Town Council did not stop with its approval of the proposed policy. Rather, it sent the policy to 344 municipalities in Alberta asking for support. In response, 25 municipalities endorsed the proposed policy, along with two First Nations, seven organizations and five businesses. A number of others wrote in support of this and raised similar concerns. In all, this represented 3.2 Million Albertans.

Municipalities relying on the industry are supportive of coal development.

By contrast, communities that have had active coal mining expressed a willingness to entertain coal development in Alberta. These communities are in close proximity to coal developments and have local economies that have benefitted from coal development. Representatives of these municipalities stressed the benefits of coal to their communities in terms of employment for individuals and families and spillover effects for local businesses.

They signalled a less risk-averse position regarding water quality, saying that the balanced approach would be for the Government of Alberta to demand the best technology, set strict water quality standards (including selenium standards) and enforce strict compliance. This would mitigate the risks posed by coal development in a way that enables their communities to realize economic benefits and enables the province to meet global coal demand.

“While mining brings socio-economic impacts to communities, notably related to population effects from in-migration such as increased demands on infrastructure and services, it also brings significant benefits, notably through employment, demand for supplies and services, and tax revenue. To be sustainable, communities need a diverse economic portfolio. Mining can contribute positively towards supporting diverse and sustainable communities, including services and infrastructure.

...

Any proposed metallurgical coal mine would undergo detailed economic analyses and socio-economic impact assessment. Mining present opportunities for collaboration between local communities, stakeholders, industry and governments to identify ways and means to reduce or minimize negative socio-economic effects and maximize benefits to local communities with the ultimate goal of having diverse and sustainable local communities and economies.”

-Mayor Painter, Municipality of Crowsnest Pass

CLOSING COMMENTS

As we reflect on the input gathered through our engagement process, we can say with certainty that Albertans care strongly about their communities, the natural environment and the future of our province. We were extremely impressed with the depth of thought and analysis that went into people's submissions and presentations to our Committee. At a time when hyperbole often plagues our media, it is heartening to see Albertans offer logical, reasoned and measured input on questions that have serious implications for them and their families.

Albertans have a history of careful, reasoned decision-making, with the result that Alberta has consistently been a major contributor to Canadian economic expansion and diversification through the development of resource extraction industries.

Our Committee expresses its profound thanks to all of those who participated in our engagement process. You gave us a lot to read and think about. Your gracious contributions of time, your patience with our questions, and your willingness to share your wisdom, have all helped enrich our work.

As our Committee moves forward, the rich input we've gained from Albertans will inform our deliberations and the development of advice.

"I think as an owner. When we were in government, I thought as an owner. The people of Alberta are the owner of the resource. Public policy in Alberta should reflect that ownership. We went through a number of years recently where the ownership was subjugated to the wishes of the petroleum industry, who are basically lessees."

- Honourable Peter Lougheed

APPENDIX A

Coal Policy Committee

Terms of Reference

A. Background

Alberta's government seeks to develop a twenty-first century natural resource development policy – a coal policy – by Albertans and for Albertans. It will take time to do this right. Future generations of Albertans will expect nothing less. With the input of Albertans, a modern coal policy will protect the areas Albertans cherish while allowing responsible resource development in the appropriate places.

Alberta's vast natural resources are owned by Albertans. While investment from all over the world is seeking to develop these natural resources responsibly, Albertans will determine where, when and how their resources are developed. The Minister of Energy is asking Albertans for their advice and recommendations about the strategic goals, considerations and desired outcomes for coal development in Alberta.

The Government of Alberta reinstated the 1976 coal policy (the "Coal Policy") after hearing concerns raised by Albertans about surface mining in the Eastern Slopes. This included reinstating the four coal categories, which indicate where and how coal leasing, exploration and development can occur.

Further, the Minister of Energy (the "Minister") has issued a directive to the Alberta Energy Regulator so that:

- No mountaintop removal will be permitted and all of the restrictions under the 1976 coal categories are to apply, including all restrictions on surface mining, in Category 2 lands.
- All future coal exploration approvals on Category 2 lands will be prohibited pending widespread consultations on a new coal policy.

This Coal Policy Committee (the Committee) is established by Ministerial Order under section 7 of the Government Organization Act.

B. Purpose: Mandate, Role and Scope

The purpose of the Committee is to conduct engagement as necessary to prepare a report to the Minister on the advice and perspectives of Albertans about the management of coal resources in connection with matters under the Minister's administration, including:

- Mines and Minerals Act, relating to coal tenure and royalty;
- Coal Conservation Act, relating to resource management and conservation; and
- Responsible Energy Development Act, relating to regulatory oversight of responsible coal development.

The Committee will prepare a report to the Minister that describes Albertans' understanding of coal development as it pertains to the Coal Policy and other areas under the Minister of Energy's purview. Additionally, the Committee will provide recommendations to the Minister about how to clarify the nature, scope and intent of the restrictions under the current Coal Policy.

The engagement, report and recommendations will describe Albertans understanding of the Coal Policy and consider their objectives for development of coal in Alberta. The engagement process will be guided by these questions:

- What is Albertans' understanding of the Coal Policy?
 - How do Albertans describe the Coal Policy?
 - Do Albertans perceive Alberta as one of the world's jurisdictions with responsible development?
- Do Albertans want to supply coal to meet global demand, and if so how do Albertans want to develop coal in Alberta?
 - How do Albertans describe Alberta's current coal development regime?
 - Are Albertans aware of the legislation & regulations that govern coal development?
- Under what conditions would Albertans support coal development?
- Is there a shared understanding of what the terms used in the Coal Policy and Minister's direction mean?

For example:

 - Open pit mining
 - Surface mining
 - In-situ mining
 - Underground mining
 - Mountain top removal
- What should be the nature, scope, and extent of the restrictions in the Coal Policy?

- Should surface mining ever be considered in Category 2 lands?
 - If so, what should be the nature, scope and extent of the “not normally be considered” restriction set out in the Coal Policy?
 - If not, what are the next steps government should take?
- What, if any, parts of the Coal Policy should be changed or removed and why?
- What parts of the Coal Policy should be clarified?
 - How and when should the enhancements and clarifications be made?

To achieve this mandate the Committee:

- Will focus only on matters related to coal that are under the administration of the Minister of Energy.
- Will conduct interviews, investigations, surveys, and meetings as the Committee deems necessary or desirable to ascertain the views of Albertans on the matters related to the purpose for which the Committee has been established;
- Will collaborate with the Ministry of Energy in establishing relationships with Indigenous knowledge-keepers who may help the Committee understand Indigenous Albertans’ advice and perspectives about the management of coal resources in connection with matters under the Minister’s administration;
- Will review, analyze, and summarize all written input received from Albertans; and
- May post summaries online of input received from Albertans on matters within committee scope.

C. Deliverables

Engagement

The Committee will conduct the engagement (for example, interviews, investigations, surveys, and meetings) between March 29, 2021 and September 15, 2021, having due regard for agricultural stakeholders’ busy periods and Indigenous communities’ scheduled ceremonies.

Progress Report

The Committee will provide regular reports on their progress including a summary of the number of surveys completed, the number of Albertans who have signed up for updates, and the number of interviews and meetings held.

Report on Engagement

The Committee shall submit its final report on the engagement on October 15, 2021, summarizing the perspectives and advice of Albertans about the management of coal resources.

Report and Recommendations

The Committee will file with the Department of Energy the Committee’s report on the strategic goals, desired objectives and recommendations to the Minister of Energy on November 15, 2021.

Support to Minister

The Committee shall provide any follow-up clarifications, explanations, or other advice as may be requested by the Minister.

D. Membership

The Committee will be chaired by a strong leader, a consensus builder, and consist of four more members.

Membership is established by the Minister of Energy under Ministerial Order 064/2021.

The secretariat, consisting of department staff, will participate in Committee interviews and meetings as guests of the Committee. Department staff do not have the ability to make motions, debate or make decisions on Committee business.

E. Term

Committee members are appointed for a one year term, from March 29, 2021 to March 28, 2022. Vacancies may be filled by the Minister, by order.

F. Committee Meetings

In delivering the engagement, report and recommendations, the Committee may meet by any method and at such frequency as it deems necessary or desirable.

Members will provide notification of absence to the Chair in advance. If more than two meeting absences are expected in the term, the member must notify the Chair. A minimum quorum of one committee member and the chair is required for any meeting.

Meeting materials will be provided by the Department of Energy secretariat in advance of each meeting. Summary notes from each meeting will be approved by the Committee and may be posted online.

G. Confidentiality and Conflict of Interest

The discussions and deliberation of the Committee are confidential and cannot be shared beyond Committee members, the Minister, and Department of Energy secretariat staff. Information gained through the course of participation on the Committee cannot be used for personal interest or gain, or that of a close family member. Members will be required to sign a Non-Disclosure Agreement.

Any real or perceived conflicts of interests must be disclosed to the Chair immediately.

Committee information is the property of the Government of Alberta, and will be managed in compliance with the Records Management Regulation, the *Freedom of Information and Protection of Privacy Act*, and applicable Information Management Technology Standards.

H. Remuneration and Expenses

Committee members may be reimbursed for reasonable expenses necessarily incurred in the course of performing their duties as Committee members in accordance with the Travel, Meal and Hospitality Expenses Directive, as amended. Travel must be pre-approved by the Department of Energy, by submitting a request to the secretariat support. Travel expense claims must be sent to the Department of Energy for approval before reimbursement. All other expenses must be pre-approved by the Department of Energy.

Virtual meetings will be encouraged to ensure safe physical distancing practices and adherence to any travel and meeting restrictions during the COVID-19 pandemic.

Committee members may be compensated for their service as set out in the Committee Remuneration Order (OC 466/2007), Appendix 3, Schedule 2, Part B.

I. Secretariat

The Department of Energy will provide secretariat support to the Committee, which will include the following:

- Arrange engagement and meeting logistics, recording engagement and meeting notes and assisting the chair with drafting and delivering meeting agendas and materials;
- Serve as the liaison between the Committee and the department;
- Arrange access to information as required, including in relation to other departments and agencies of the government;
- Arrange research and analysis on behalf of the Committee;
- Assist with engagement and meeting planning, arrange logistics for engagement, arrange engagement tools and discussion guides under the Committee's direction, and arrange for drafting of notes and summaries of Albertans' input;
- Arrange for the drafting of the engagement report and final report and recommendations under the Committee's direction.

APPENDIX B

List of Organizations Engaged

PHASE 1	
Date	Engaged Party
April 20, 2021	Livingstone Landowners Group
April 21, 2021	Lorne Fitch
April 26, 2021	Coal Association of Canada Ram River Coal Corp. Montem Resources
April 26, 2021	Canadian Parks and Wilderness Society
April 27, 2021	Mayor Snodgrass, Town of High River
April 27, 2021	Yellowstone to Yukon Conservation Initiative
April 28, 2021	Corb Lund
April 30, 2021	Kevin Van Tighem
April 30, 2021	Mayor Painter, Municipality of Crowsnest Pass
May 3, 2021	Cam Gardner, Bluebird Valley Ranch
June 8, 2021	Jim Pattillo
June 22, 2021	Jeff Gilmour

PHASE 2	
Date	Engaged Party
June 2, 2021	Town of Hinton Municipality of Crowsnest Pass MD of Pincher Creek MD of Greenview
June 9, 2021	Alberta Wilderness Association Environmental Law Centre
June 9, 2021	McKenna Geotechnical Inc. Borealis Environmental Consulting
June 11, 2021	Cornelius Kolijin
June 16, 2021	Atrum Coal
June 16, 2021	Ram River Coal Corp. Borealis Environmental Consulting
June 16, 2021	Cabin Ridge McKenna Geotechnical Inc. Borealis Environmental Consulting
June 18, 2021	Alberta Chapter –Backcountry Hunters & Anglers Alberta Fish and Game Association
June 23, 2021	Coal Association of Canada Westmoreland Mining LLC Montem Resources Mancal Coal Inc. Big Horn Wildlife Technologies Borealis Environmental Consulting
June 24, 2021	Yellowstone to Yukon Conservation Initiative Canadian Parks and Wilderness Society
June 29, 2021	Kevin Van Tighem Rainer Knopff Harvey Locke Ted Morton
June 30, 2021	Alberta Beef Producers Canadian Cattlemen's Association Alberta Grazing Leaseholders Association Alberta Stock Growers Association
July 5, 2021	Alberta Municipalities Rural Municipalities of Alberta
July 6, 2021	Shelagh Campbell, University of Alberta Rich Palmer, University of Alberta
July 7, 2021	Montem Resources ETCON Environmental Services
July 12, 2021	MD of Pincher Creek
July 13, 2021	Atrum Elan site tour
July 13, 2021	Cabin Ridge site tour
July 13, 2021	Rocking P Plateau Cattle
July 13, 2021	Livingstone Landowners Group ALCES Group Integrated Toxicology Solutions Pekisko Group Plateau Cattle
July 14, 2021	Montem Resources Tent Mountain site visit

PHASE 2	
Date	Engaged Party
July 14, 2021	Municipality of Crowsnest Pass
July 14, 2021	Coal Categories Tour with Alberta Environment and Parks
July 15, 2021	Lorne Fitch Kirby Smith
July 19, 2021	Nigel Bankes, University of Calgary Drew Yewchuk, University of Calgary Martin Olzynski, University of Calgary Sharon Mascher, University of Calgary
July 19, 2021	Outdoor Recreation Coalition of Alberta Alberta Hiking Association
July 20, 2021	City of Edmonton
July 21, 2021	Alberta Chapter of the Wildlife Society
July 23, 2021	Oldman Watershed Council
July 26, 2021	Brian Hitchon
July 27, 2021	City of Brooks City of St. Albert City of Lethbridge Brazeau County City of Calgary
July 27, 2021	Calgary Citizens on Climate Change
August 4, 2021	Livingstone Landowners Group (follow up) ALCES Group
August 10, 2021	Mayor Snodgrass, Town of High River (follow up)
August 10, 2021	Coal Association of Canada (follow up) Westmoreland Mining LLC Montem Resources Cabin Ridge Mancal Coal Inc. Big Horn Wildlife Technologies Borealis Environmental Consulting
August 16, 2021	Clearwater County Town of Rocky Mountain House
August 17, 2021	Yellowhead County
August 17, 2021	United Mine Workers of America Local 1656 International Union of Operating Engineers Local No. 955
August 17, 2021	Coalspur Vista Mine Tour
August 17, 2021	Athabasca Watershed Bioregional Society
August 17, 2021	Town of Hinton Hinton & District Chamber of Commerce
August 18, 2021	Teck Resources Ltd. – Cardinal River – Luscar and Cheviot Tour
August 18, 2021	Nordegg Sustainability Coalition
August 18, 2021	Misty Valley Community Member
August 24, 2021	Pekisko Group (follow up)
September 9, 2021	MD of Ranchland

INDIGENOUS ENGAGEMENT	
Date	Title
June 25, 2021	Participants in Alberta Energy Indigenous Coal Policy Meeting
July 12, 2021	Piikani Nation
August 26, 2021	Métis Settlements General Council
September 7, 2021	Mountain Child Valley Society
September 9, 2021	Aseniwuche Winewak Nation
September 13, 2021	Niitsitapi Water Protectors Keepers of the Water
September 14, 2021	Indigenous Roundtable – North
September 15, 2021	Indigenous Roundtable – Central
September 16, 2021	Indigenous Roundtable – South

APPENDIX C

List of submissions posted to the Committee’s website

The following list reflects submissions that were received and posted to the Committee’s website. These documents were posted, with permission, if they were submitted through the web portal and met stated criteria or were provided by a party who met with the Committee through an engagement activity. Submissions, including emails, which did not meet these criteria were not posted to the website. The Committee read and considered all submissions and emails as received.

Coal Association of Canada, More Protected Lands, Strict Regulation and Oversight, Greater Transparency	Oldman Watershed Council, A Coal Development Policy for Alberta
Gilmour, Jeff, New Coal Mining Policy 2021	Oldman Watershed Council, Submission for Coal Policy Engagement
Cabin Ridge, Selenium Management for Alberta Coal Mines State of Practice Review	Hitchon, Brian, The Price of Coal
Cabin Ridge, Responsible Metallurgical Coal Development in Alberta	Calgary Citizens on Climate Change presentation, summary
McKenna, Gord & Gilron, Guy, Written Submission on Selenium Management	Calgary Citizens on Climate Change, The Case for an Eastern Slopes Coal Moratorium
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