



The Honourable Steven Guilbeault MP
Minister of Environment and Climate Change
200 Sacré-Coeur Boulevard
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cc:
Impact Assessment Agency of Canada
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Emailed to: ministre-minister@ec.gc.ca
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September 16, 2024

RE: Request for Designation of the Vista Thermal Coal Mine Expansion under s. 9(1) of the *Impact Assessment Act*

Dear Minister Guilbeault,


Since 1993, the Yellowstone to Yukon Conservation Initiative (Y2Y) has actively promoted conservation along the Rocky Mountain corridor, working to connect and protect habitat so people and nature can thrive. We are concerned about the likely negative and significant impacts of the proposed expansion of an open-pit surface coal mine for extraction and export of thermal coal within the Eastern Slopes of Alberta's Rocky Mountains.

The Vista Underground Mine expansion would be located in the Vista Coal Phase 1 permit area, and is additional to the Phase II mine expansion, extending west from Phase 1. Following the December 20, 2019 decision to not designate the Phase II expansion of the Vista Thermal Coal Mine (hereafter, "Vista Mine") for an impact assessment, Vista Mine filed an additional provincial regulatory application for new underground operations that would significantly expand the size of the mining area. We request that you designate the two Vista Mine expansions for review under the Impact Assessment Act, and furthermore, that this review be undertaken by a panel.

A federal impact assessment is appropriate for several reasons:

1. These proposed expansions would far exceed the production threshold under the Regulations, at nearly four times the capacity of automatically designated new coal mines (5,000 t/day). The expansions are only not automatically designated as they fall narrowly below the second threshold for expansions – a 50% increase in the area of mining operations – in part because the underground area of the Vista Underground Mine is not captured by this threshold. The significantly expanded size

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and potential adverse impacts support the need to designate this project for full review under s. 9(1) of the IAA.

2. The potential impacts to the rights of Indigenous people are a matter for federal concern. Both Louis Bull Tribe and the Stoney Nakoda Nations have previously requested the Vista expansions be designated. Louis Bull Tribe is a signatory of Treaty No. 6 and has members who reside in the Smallboy Camp adjacent to the Vista Mine and exercise their treaty rights to hunt, fish and gather on the lands around the Vista Mine footprint. Potential for adverse effects on Louis Bull Tribe and other impacted Indigenous nations remain unaddressed.
3. Cumulative impacts from the mine expansion require consideration of the entire area of the Vista Mine expansion, including the area for underground mining, to be consistent with the wording of s. 19(a) of the Schedule to the Regulations. Splitting the project into discrete parts will not address the total impact of the mine expansion and the potential for adverse impacts to the environment. Under the IAA, Vista Phase II and the Underground Mine must therefore be considered together. Further, a federal assessment should consider the potential cumulative impacts of the proposed expansion in the context of other proposed coal mines on Alberta's Eastern Slopes.
4. The two expansions will have significant impacts on two federally protected fish species and their habitat, endangered Athabasca Rainbow Trout and threatened Bull Trout, both protected under the Species at Risk Act. The Vista Underground Mine involves mining under streams containing critical habitat for both species, while the open-pit Phase II will inevitably destroy fish and their habitat. Additional impacts to water quality (selenium, sediment) and on flows (including the impacts of underground mining on groundwater) have not yet been assessed. A federal impact assessment must be required to ensure impacts on these species and their long-term survival are fully understood and mitigated before work can begin.
5. The mine expansion may have long-term, lasting impacts on wildlife. Alberta's Eastern Slopes and the adjacent foothills are home to wide-ranging species including wolverines and provincially Threatened grizzly bears, and connectivity in the region is already compromised by historic industrial impacts and fragmented by intensive forestry operations in the area.
6. Addressing climate change is a federal commitment. The Vista Mine project produces thermal coal and would result in significant downstream greenhouse gas emissions (GHGs).¹ The project should be assessed in the context of potential impacts to Canada's ability to meet our national climate goals with full accounting of GHGs emissions associated with coal mining operations and the burning of that coal – even if the coal is exported and burned elsewhere.

Canada played a leading and critical role in securing the ambitious new Kunming-Montreal Global Biodiversity Framework (GBF) at COP 15; a historic global agreement to halt and reverse biodiversity loss. In June 2024, Canada released its national biodiversity strategic action plan, [Canada's 2030 Nature Strategy](#), which charts a roadmap to achieve the goals and targets of the

GBF. A global agreement and a national plan, however, are only as good as their implementation at home.

Considering the total expansion proposed for the Vista Mine project, the lack of provincial consultation with local First Nation communities and all Albertans on this project, the risk of cumulative environmental impacts, and Canada's commitment to meeting its national climate and biodiversity goals, we request that the federal government designate the Vista Mine expansion project for review under the Impact Assessment Act. We further request that this review be undertaken by an advisory panel.

Thank you for your review and consideration.

Sincerely,

<Original signed by>

Dr. Jodi Hilty
President and Chief Scientist
Yellowstone to Yukon Conservation Initiative