



December 20, 2019

**SUBMITTED ELECTRONICALLY**

Grassy Mountain Coal Project Joint Review Panel  
Canadian Environmental Assessment Agency  
160 Elgin Street, 22nd Floor  
Place Bell Canada  
Ottawa, ON K1A 0H3

Attention: Tracy Utting, Acting Review Panel Manager

**Re: Benga Mining Limited (“Benga”), CEEA Reference 80101, Grassy Mountain Coal Project  
The Inclusion of Planned Coal Mines in the Cumulative Effects Assessment**

The Canadian Parks and Wilderness Society Southern Alberta Chapter (CPAWS) writes to seek clarification on whether the Elan South Coal Project proposed by Atrum is within the scope of the EIA as an activity that will be carried out. CPAWS believes an advance determination would be efficient for all parties involved. CPAWS takes the position that the EIA must include consideration of the Elan South Coal Project as a project that will be carried out.

The inclusion or non-inclusion of Elan South has become an important issue in light of Information Request Package #6 of November 28, 2019, which requires Benga to assess the impacts of “potential long-term selenium loading and bioaccumulation from the Project on aquatic receptors (algae, invertebrates and fish), birds, amphibians, and mammals in the Oldman Reservoir.” Elan South is alongside Daisy Creek within the Oldman Watershed, and Selenium contamination from Elan South would ultimately flow into the Oldman Reservoir. CPAWS submits that whether the Elan South project is within the temporal scope of the EIA is a question which is administratively efficient to resolve before any party must seek expert reports relating to Selenium and other contamination in the Oldman Reservoir. CPAWS is concerned about the cumulative impacts of proposed coal projects in the Eastern slopes of the Rockies

The proponent’s previous comment on Elan South Coal Project is found in Addendum 8, Appendix A-1 to their EIA. They state that the Elan South Coal Project “is in the preliminary exploration phase. It has

not been added in quantitatively as the project has not been defined or officially announced by the proponent.”

CPAWS takes the position that Elan South has been a foreseeable development prior to the August 17, 2018, and that Elan South’s water and air contamination impacts can be reasonably estimated by the proponent, given that the proponent employs experts in the environmental impacts of metallurgical coal mines and are currently proposing a nearly identical and directly adjacent coal mine. If the specifics of a project had to be known prior to requiring the inclusion of a project, the scope of projects ‘that will be carried out’ would be unduly narrowed. Further, since the proponent has not yet produced any EIA for impacts on the Oldman River, directions for the inclusion of the Elan South project at this point would not require them to redo work, as they are preparing that information for the first time now.

Sincerely,

<Original signed by>

Drew Yewchuk  
Staff Lawyer