



MUNICIPAL DISTRICT OF RANCLAND NO. 66

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02 July 2020

Grassy Mountain Coal Project
Impact Assessment Agency of Canada
160 Elgin St. 22ⁿd Floor
Ottawa, ON. K1A 0H3
Telephone 613-0700 or 1 866-582-1884
Fax 613-957-0862
[Email: iaac.grassymountain.aeic@canada.ca](mailto:iaac.grassymountain.aeic@canada.ca)

Authorizations Branch
Alberta Energy Regulator
Suite 1000, 250 - 5 Street SW
Calgary, Alberta
T2P 0R4

via email: <email address removed>

Benga Mining Limited
PO Box 660
12331 - 20 Avenue
Blairmore, Alberta
TOK 0E0

via email:

Dear Sir/Madam

Re: Statement of Concern to Applications No. 1844520 and 1902073 by Benga Mining Limited for Approval of its Grassy Mountain Coal Project

The M.D. opposes these applications for several reasons:

1. First, the M.D. is concerned about the effect of the Grassy Mountain Coal Project on the M.D.'s mandate to pursue development in accordance with its Land Use Bylaw, which states that the M.D.'s purpose is to "conserve agricultural land, including grassland, while permitting activities associated with agricultural production on privately held lands or leased lands".

While we understand that in the event of a conflict a permit issued by the AER takes precedence over a municipal land use bylaw, municipal councils like the M.D. have an interest in passing and enforcing land use bylaws that regulate and control the use of land within their boundaries. The land used for the construction and the operation of the Grassy Mountain Coal Project will interfere with that mandate as it will no longer be conserved or used as agricultural land.

2. The M.D. is concerned about the eradication and control of invasive weeds, which the M.D. must monitor and enforce pursuant to Alberta's Weed Control Act, SA 2008, c W-5.1. The M.D. has significant concerns about the spread of prohibited noxious and noxious weeds on reclaimed and disturbed areas in and around the mine site and new releases attributed to the activities related to this project.

The M.D. knows that the presence of coal and coal dust in the area will further complicate the effectiveness of chemical herbicide used to kill invasive weeds because the carbon neutralizes the chemical. The M.D. already has significant decades long experience trying to control the noxious and prohibited noxious weeds on the site of the mine with much of the problem attributed to the physical characteristics of the site (terrain, reduced effectiveness of chemical because of coal residue, soil conditions), the length of time the weeds have been present (volume of historic seedbank and weed banks that existed prior to the M.D.'s founding). At best we have been holding them on site, limiting the spread to the rest of the M.D. Needless to say, this is expensive and time consuming.

Because many of the weeds on the site do not exist in the rest of the M.D. it is critical from an agricultural, land management and ecosystem protection perspective that they do not increase. Once invasive weeds are established, it is very difficult to control their spread and to eradicate them. The M.D. is concerned that it will be required to allocate additional resources to monitor and enforce the control and eradication of weeds in the area in and around the mine.

The disturbance of soils in an area already proven to have a significant seed bank, and extra challenging conditions for control of already existing noxious and prohibited noxious weeds, poses a significant concern on all disturbed areas, spoil piles, roads and reclamation sites on the mining area, the surrounding municipalities, and spread by any contaminated equipment traveling to do other work.

3. The industry road that provides access to certain private properties in the M.D. will be shut down as the Grassy Mountain Coal Project proceeds. This road is currently the only reasonable access road to these properties. The loss of this historical access for the private landowners at best limits their ability to enjoy their land and at worst lowers property values.
4. The M.D. is concerned about impacts and disturbances to landowners, grazing disposition holders in the forestry, and grazing lease holders on the surrounding lands. The proximity of private land to the mine site will significantly impact the enjoyment, quality of life, land value, aesthetics, and possibly even create impacts to agricultural production, pose health and safety issues, and ecological impacts for the owners of those lands. Impacts related to water quality and quantity, access, additional management challenges, weeds, fencing, dust, noise, blasting are all potential issues for stakeholders in the surrounding area.
5. Benga Mining Limited has identified that there will be an increase in the population in the neighbouring Municipality of Crowsnest Pass. This increase will lead to higher demand

for recreational space and activities, which, in turn, will place greater demand on the land within the M.D. and thus on the M.D.'s resources.

6. The M.D. is very concerned about the overall impact to the aesthetics of the area, loss of habitat and impact on the environment, water quantity and quality, disturbances, noise and activity perturbing wildlife, releases in extreme weather events, and declines in threatened or endangered species that depend on the area.
7. The M.D. is very concerned with the reclamation of the Grassy Mountain Coal Project land and associated liabilities. Specifically, the M.D. is concerned as to who will bear the responsibility of future liabilities and reclamation, and costs in the event that Benga Mining or a future owner is non-compliant. The condition of reclamation, or lack of reclamation of the historic mining site, and other industrial sites in Alberta do not create confidence in the M.D., that promises of reclamation in the future will be kept or even enforced, leaving the area stakeholders, the M.D., and the environment with the aftermath of the disturbance.
8. The M.D. does not want to see a precedent set for further mining in the M.D. There are more areas within the M.D. that hold the potential for additional mining project proposals along the eastern slopes. The M.D. does not believe that the economic benefit from coal mining offsets the damage to the environment both locally, and in the effect on global carbon emissions.
9. The M.D. is concerned with the increased demand for water associated with industry in the M.D. and placing further demands on the South Saskatchewan basin. In a environment challenged by water stress such as the south Saskatchewan River Basin and uncertainty of additional challenges poised by climate change, moving the area towards a climate similar to Colorado, it is the M.D.'s concern that possible constraints today will be exacerbated to critical levels in the next generation.
10. The M.D. is concerned that day to day activities such as blasting, mining, lighting, dust, noise and general disturbance will have a significant impact on the area. The entire length and breadth of the M.D. of Ranchland is in some form or another in the midst of a cornucopia of land use planning because of the South Saskatchewan Regional Plan (SSRP). In addition, recently within the M.D. we have seen the biggest conservation easement in Canada's history placed by the Nature Conservancy of Canada (NCC) on the Waldron Grazing Co-op, and the (former) King Ranch and many acres of land conserved by the Southern Alberta Land Trust Society (SALTS).

Because of the special significance of the landscape within the M.D. the area is being conserved, preserved and regenerated. Bob Creek Wildland, Black Creek Heritage Rangeland, Pekisko Heritage Rangeland and the Special Management area, Porcupine PLUZ, Livingstone PLUZ, Chain Lakes Provincial Park, Beehive Natural Area, and expansion of Don Getty Wildland Park and other pending land designations on public land in the M.D. basically means that there isn't any land within the M.D., outside a fraction that is in private hands (10-15% of 660,000 acres less all conservation easements), that isn't under conservation or some special management restriction.

There are many moving parts underway with new Recreation Management Plans, Land Use Planning (formerly Linear Footprint Plan), Biodiversity Framework Planning, finalizing Pekisko Heritage Rangeland planning and associated vegetative management planning as well as Livingstone PLUZ and Porcupine Hills PLUZ. This is just a testament to the value that the M.D.'s, provincial government, Albertans, Landowners, residents and Canadians place on this rare landscape.

Several highways bisect the M.D. that have the potential to separate habitat into fractured units similar to problems associated with highways 3, 1 and 22 north of Black Diamond with increased traffic. Highway 22, designated as "cowboy trail" is of particular concern as it cuts off the Porcupine Hills from the Whaleback, Bob Creek Wildland, Black Creek Heritage Rangeland, Chain Lakes Provincial Park and Pekisko Heritage Rangeland.

Rather than planning how to mitigate a moving wall of metal on "cowboy trail" through an area where every effort is being made by the Alberta Government, three M.D's., NCC, SALTS, Miistakis Institute, Yellowstone to Yukon Conservation Initiative (Y2Y), Pekisko Group, Livingstone Landowners Group, Porcupine Hills Coalition, Alberta Wilderness Association, Canadian Parks and Wilderness Society, and many other stakeholders, to protect, preserve and regenerate the surrounding land.

The M.D. would rather reduce the disturbance associated with industrial developments and the amount of traffic on highway 22 and connecting highways. The communities and developments associated with the highway 3 corridor already pose a significant barrier to wildlife movement and division of contiguous landscapes. The highway 3 corridor plays a significant role in cutting off the Waterton Biosphere from the M.D. of Ranchland, Kananaskis, and all the parks and protected areas in the M.D. The M.D. does not see enough benefit in the proposal to further disrupt the environment.

As a result of these concerns, the M.D. is requesting that the AER deny Applications No. 1844520 and 1902073. Please forward any further correspondence regarding this matter to

<email address removed>

Yours truly,

<Original signed by>

Ron Davis
Reeve

cc Nicholas Ramessar
Carscallen LLP