

September 13, 2020

Dear Panel Manager:

We strongly oppose the project for the following reasons:

Impacts to water quality, air quality, noise, wildlife, devaluation of property and recreational appeal and economic impacts such as wear and tear on the infrastructure (bridges, roads), extra costs for snow removal, schools and medical care. The overuse of the term mitigation in Riversdale's application shows a lack of commitment to resolve the serious issues stated above. There is no actual indication that it is .5 % mitigation or 100 % mitigation. For example, (by .04 of a teaspoon of coal dust for 362 train loads of coal) - See Volume 3, Issue 3 Summer 2016 The Conveyor - Riversdale's Community Newsletter. We have elaborated with specific details in the rest of this letter.

We believe if this mining project is permitted to go ahead, it will open the floodgates and make it easier and faster for other mining companies lined up and waiting to receive permits to develop in this area, increasing the detrimental impacts on the area.

We are permanent residents of the Municipality of Crowsnest Pass. Our house is situated 4.5 km west of the proposed project. We will be affected by this project because of the light, noise, and dust pollution caused by the operation. This project will impact the value of our property, our quality of life, health and enjoyment of the area.

Our questions in numerous letters of concern were not adequately addressed, specifically about the aesthetics and dust and noise control around the load out system. Details about wildlife crossings or buffer zones for wildlife or the Fisheries Offsetting Plan haven't been explained.

Our first comments are related to passages in Addendum 12 and concern water quality:

From an article in the Crowsnest Herald dated December 2, 2015, and titled "*Council updated on Grassy Mountain mine project*",

*"Environment Canada has said the project will use one of the community's most important resources: its water. There will be a degradation of water quality in both Blairmore and Gold Creeks, which will receive waste rock waters...long term water concerns include both the release of both sulphate and selenium into watercourses that have valued populations and critical habitat for west slope cutthroat trout. "We will see fish populations of both streams decline and for threatened cutthroat trout probably disappear," said Lorne Fitch, provincial fisheries biologist. Environment Canada said "any predictive water quality modelling may possibly utilize release rates derived for the Elk Valley Mines," Selenium is being released in levels dangerous to aquatic life in the Elk Valley by huge piles of waste rock produced by coal mining. Riversdale has no plans to build a water treatment facility for the Grassy Mountain project..."*

In Riversdale's (Benga Mining) Addendum 12 dated June 2020, Under Section A, Human and Wildlife Health on Page 3

*“...if there is an indication that removal rates will not achieve the targeted 99% or that selenium concentrations in untreated water are higher than expected, Benga will have several years to resolve the situation...or to implement another contingency plan...”*

Does this mean “we’ll figure this problem out when/if it happens?”

On Page 87 in Addendum 12

*“...Benga has committed to implementing additional supporting measures including gravel bed reactors...alternative sites to construct additional SBZ’s and or constructing an active treatment facility...”*

In an article titled “Ottawa to review Teck’s Castle Mountain coal mine in B.C. amid concerns over fish habitat”, dated August 19, 2020, in The Narwhal, “But Sander-Green said selenium pollution will continue to flow from mine waste rock for centuries to come. Teck’s “hideously expensive” water treatment plants are not a long-term solution, he added.”

In a Fernie Free Press article dated October 11, 2018, “Lake Koocanusa Under Microscope” by Kimberley Classic, - we quote: “Teck’s efforts to address water quality, which include \$900 million allocated over five years to building water treatment facilities...”

The question needs to be asked of Benga: Is the company committed to spending money on a “hideously expensive” treatment plant?

On Page 85 in Addendum 12, under Hydrology

*...in the unlikely event...flow from the SBZ to Blairmore Creek is suspended, Benga would augment flows in Blairmore Creek by pumping stored water from select sedimentation ponds...*

What safeguards would Benga have in place to ensure that the sedimentation ponds water is clean enough to pump into Blairmore Creek? Whose safety levels would they be adhering to?

In the report, *Environmental hazard assessment of Benga Mining’s proposed Grassy Mountain Coal Project* by A. Dennis Lemly, Mr. Lemly lists specific hazards of the Grassy Mountain Coal Project and we agree with all of these, “*exposure of waste rock to leaching, fish and wildlife poisoning, pollution of aquatic habitats, lack of proven mitigation measures and regulatory compliance, downstream transport of contaminants*”.

In a letter received from Alex Bolton, Chair of the Joint Review Panel dated May 22, 2020, we quote:

*“The Panel has determined that the concerns raised in the public comments can be addressed effectively through the hearing process...”*

We understand that because of Covid-19 restrictions, this process is limited to an online procedure. We question how effective the hearing will be. All parties concerned will not have the expertise or technology to participate or even be informed. We weren’t given the opportunity to voice concerns over the details in Addendum 12 and many of our concerns in previous letters were not addressed. They are the following:

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#### The Train Load Out:

In February 16, 2018, Riversdale's (Benga's) response about the train load out was:

*"...a noise barrier will also be established in the form of trees, between the train load out and the highway..."*

In a letter dated May 3, 2018, Riversdale's response to us was:

*"...the tree screen is currently in the planning stage. A phased approach will be implemented in conjunction with the construction of the load out..."*

To date, there have been no details or descriptions or drawings of a visual/noise screen or any data on how effective a tree screen would be as a visual/dust/noise barrier. The only information given by Riversdale are the photos in Addendum 10, of similar train load outs and they are 30 meters tall. This "enclosed" load out still has to be open on both ends to allow the rail cars to go in and out.

#### Consents:

In Addendum 11, under the Section of Land Use and Land Management on Page 12, Benga says they will "work towards obtaining necessary consents". On Page 11 of Addendum 11, we quote: *"the JRP stated that if consents required by the relevant legislation are not provided by the close of the hearing, even if all other requirements are met, the JRP will not be able to issue dispositions in relation to applications where those consents are required."*

Addendum 11 listed the outstanding consents and Addendum 12 makes no mention of these consents being obtained.

#### Wildlife Habitat:

In Addendum 11 on Page 29 - Table 6.5-2 under *"Mitigation measures that will be implemented to reduce adverse effects on wildlife habitat include..."* it says, *"vegetated buffer zones will be maintained to the best extent possible..."* There have been no details given in either Addendum 11 or 12 on how these zones will be maintained and what "best extent possible" means.

In Addendum 11 on Page 30 under *"Mitigation measures to reduce adverse effects on wildlife health..."* it says, *"provide a water management program that ensures the surface water quality is maintained."* There are no details about the water management program. Under *"Mitigation measures that will be implemented...reduce adverse effects on wildlife movement include:"* it says: *"A minimum of six wildlife crossing (underpasses and overpasses) will be incorporated into the design of the conveyor:"* Again, there are no details or drawings on where these

crossings will be, how they will be designed and who will be responsible for the cost of maintenance of these crossings.

On Page 34 of Addendum 11 under “Changes in WSCT food supply will be mitigated by:” it says: “Develop a progressive reclamation plan to accelerate revegetation, reforestation and end land uses...” Again there are no details about this progressive reclamation plan given.

On Page 251 of Addendum 11 it says, “*Bull Trout...classified as “Threatened”*. Except for noting the Bull Trout’s presence in the Oldman Reservoir, there is no mention of Bull Trout in either the March 2020 or August 2019 Addendums. It isn’t just the WSCT that will be affected.

In the Supplemental Information Request Addendum #7 (May 2018) under Species at Risk Summary (E.9.3.8 Migratory Birds) it says:

*“...incidental flyovers of birds (e.g. golden eagles) are not included, unless accompanied by a sign of habitat usage...”*

To date, no mention of golden eagles or other raptors have been included in any subsequent Addendum, or the effects the project would have on their migration patterns.

Water quality:

In Addendum 10, Package 5, Page 7, it says:

*“If working properly, the elemental selenium will precipitate in the SBZ...above the proposed threshold would be a signal of improper function of the SBZ, which would require remedial engineering action.”*

Riversdale does not show confidence in the SBZ process if phrases like “if working properly” and “remedial action” are used.

In Addendum 11, Appendix 6.23-1, there is a draft Fisheries and Aquatic Monitoring Plan. To date, there has been no indication of when Riversdale commits to implementing this plan. Will it be at the start of construction of the mine, or later?

In Addendum 10, Package 2, Vegetation and Reclamation, Pg. 5, Section 2.3 says:

*“Benga has estimated that the proposed Project would disturb approximately 21,000 white bark pine and 1,000 limber pine trees”...“Benga stated that, as part of the closure and reclamation plan, it committed to planting three times the number of trees removed from mining...”*

Where are the details about where Benga plans to obtain the white bark and limber pine seedlings and details on how they are planning to ensure the survival of these species at risk seedlings?

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## Social/Economic Impacts

In Addendum 12, Page 106, it says:

*“Benga will construct a work camp...”*

A self-contained, supported work camp will not benefit the landlords, grocery stores, and restaurants of the Crowsnest Pass community. Even after construction, there is no guarantee that this camp won't stay in place to house temporary workers or those who can't find/afford suitable accommodations.

## Tax Revenues

In the document “Benga Mining Ltd. Grassy Mountain Coal Project Socio-Economic Impact Assessment” dated, November 2015, it says:

*“Once fully operational, the Project will add an estimated \$1.5 million annually in property taxes to Ranchland and Crowsnest Pass, which over the life of the Project has a net present value (NPV) of approximately \$11.2 million (NPV 2015) assuming no change in mill rates. An estimated 67% of these taxes will be paid to Ranchland and the balance will be paid to Crowsnest Pass.”*

How can that \$11.2 million be advantageous over a 20 year period, when in reality all that would buy us would be an intersection and a parking lot.

For the Municipality of the Crowsnest Pass, this means the annual property taxes would be approximately \$495,000 which equates to \$90 per resident per year.

Even at first glance, this amount is not profitable, since the Municipality has to maintain the roads and other vital infrastructure (water, sewer, schools, medical clinics) outside of the project area to accommodate the extra strain on the community. It will be up to the resident taxpayers to subsidize the shortfall of the maintenance costs of external infrastructure associated with a mine.

## Employment

*“385 long-term operations positions to be hired by 2020”*

Did this estimation of positions include the experts, consultants and administrators needed to compile the data for the permit application? If it did, that would definitely change the true numbers of “positions” made possible by this project.

Also, there is no guarantee that any employee will live or do business in the Municipality of Crowsnest Pass, even if he or she is employed at the mine.

There is also no guarantee that Benga mining will “do business” in the Crowsnest Pass or hire Crowsnest contractors/suppliers or maintenance companies if there are competitive, available resources elsewhere.

Benga is an Australian based company, which will benefit from the direct profits of this mine without having to suffer the environmental impacts, noise, dust, or light pollution, impact to quality of life or health or enjoyment of the area or devaluation of property, and costs of clean up?

Why should foreign investors benefit at the Crowsnest Pass residents’ expense when all we gain is equivalent to an intersection and a parking lot over the life of the project?

Eight months after we had bought our lot in the Crowsnest Pass, we found that Benga was doing exploratory drilling in this area. If we had known this was happening before the purchase, we would never have moved here. If the mine goes in, there’s a strong potential that we will be moving from the area.

Victor and Barbara Koch