



September 30, 2024

The Honorable Steven Guilbeault MP
Minister of Environment and Climate Change
200 Sacre'-Coeur Boulevard
Gatineau QC K1A 0H3

Sent via email: ministre-minister@ec.gc.ca

Impact Assessment Agency of Canada
22nd Floor, Place Bell
160 Elgin Street
Ottawa ON K1A 0H3

Sent via email: Information@iaac-aeic.gc.ca

Re: Response to designation request on expansions of the existing Vista Coal Mine Phase 1 (Phase 1)

Dear Minister Guilbeault and Impact Assessment Agency of Canada,

Alexander First Nation is aware of the August 7, 2024 request for designation with regards to the Vista Coal Mine Phase 1 ("**Phase 1**") expansion which includes:

- the westward expansion of Phase 1 ("**Vista Coal Mine Phase 2 Expansion**"), and
- an underground coal mine ("**Vista Underground Mine**").

Further, Alexander First Nation is also aware that the IAAC Vice-President has responded to the **Vista Underground Mine** portion of the expansion (updated September 11, 2024) and made a decision that this is a non-designated project for the following reason:

Pursuant to subsection 9(7) of the IAA, the Minister must not exercise their power to designate if a) the carrying out of the physical activity has substantially begun; or b) a federal authority has exercised a power or performed a duty or function conferred on it under any Act of Parliament other than the IAA that could permit the physical activity to be carried out, in whole or in part. Therefore, the Minister cannot designate the Project for the following reason:

- *The Vista Underground Mine Project has substantially begun as physical undertakings have been carried out that have a direct linkage to the Project, are an essential part of the Project that are long-lasting, and occurred over an extended period of time, including:*
 - *excavation of the underground mine pit which began in January 2024;*
 - *underground mining which began March 16, 2024, and since then approximately 250,000 bank cubic metres of material has been removed; and*
 - *construction of project infrastructure has begun on the highwall face portal, power cables have been installed and powerlines rerouted, and a power center has been moved and established underground.*



Lastly, Alexander First Nation is also aware of the request for designation of the **Vista Coal Mine Phase 2 Expansion** and the **Vista Underground Mine** by Yellowstone to Yukon Conservation Initiative (updated September 16, 2024).

At this time, Alexander First Nation has no objection to the “non-designated” status in regards to the **Vista Underground Mine**, provided by the Vice-President (updated September 11, 2024). As such, this letter pertains only to the matter of the **Vista Coal Mine Phase 2 Expansion**.

That said, Coalspur Mines (Operations) Ltd. Is actively consulting with Alexander First Nation to address the potential impacts on Alexander First Nation and its members’ Treaty and Aboriginal rights regarding the Phase 2 application. Coalspur has continued to conduct proper consultation with Alexander First Nation regarding their operations and proposed expansions over the past several years. For example, Coalspur held a community open house for our Elders and members on March 30, 2022; hosted several tours of the mine site, and allowed for a Traditional Land Use Study to be completed (December 2021). Alexander First Nation confirms that we continue to consult with Coalspur to mitigate potential adverse impacts, as well as potential accommodation and benefit measures arising from the **Vista Coal Mine Phase 2 Expansion** and the **Vista Underground Mine**.

Alexander First Nation respectfully requests that the Impact Assessment Agency of Canada and the Honorable Steven Guilbeault to not move to designate the “Vista Coal Mine Phase 2 Expansion” and/or the “Vista Underground Mine”.

Sincerely,

<Original signed by>

✓ Chief George Arcand Jr. ✓
Alexander First Nation

cc: Council Members, Alexander First Nation
Colette Arcand, Tribal Administrator, Alexander First Nation
Ken S. Arcand, Executive Director, Alexander Community and External Relations Department
Ian Arcand, Chief Executive Officer, Alexander Business Centre
Ian Shaw, Coalspur Mines (Operations) Ltd.