

Grassy Mountain Coal Project Joint Review Panel

September 4, 2020

By email only

Mr. Martin Ignasiak
Partner, Osler, Hoskin & Harcourt LLP

Subject: Request for Preliminary List of Witnesses

Dear Mr. Ignasiak:

On August 26, 2020 Canadian Parks and Wilderness Society (CPAWS) Southern Alberta Chapter requested the Joint Review Panel (the Panel) require Benga Mining Limited (Benga) to place a list of their expected witnesses on the hearing registry as soon as possible (CIAR #510). CPAWS noted that “it is procedurally inefficient to require other hearing participants to select, prepare, and co-ordinate their witnesses prior to seeing a list of Benga’s anticipated witnesses.”

The panel understands from Benga’s September 1st letter (CIAR #516) that Benga will not be able to finalize its list of witnesses until it has had an opportunity to view the contents of the other parties’ submissions. However, Benga should be able to anticipate which witnesses will likely be required based on the issues identified through the review process to date. In order to support an efficient and transparent process, the Panel requests that Benga provide a preliminary list of witnesses, in addition to Mr. Gary Houston and Mr. Mike Bartlett, for each of the proposed witness panels identified in Benga’s initial hearing submission (CIAR #502). This preliminary list should be provided no later than Friday September 11, 2020. The Panel understands that Benga may wish to adjust this preliminary list in their response filing, once they have had the opportunity to view all participant submissions.

If you have any questions regarding this letter, you are encouraged to contact Tracy Utting, Acting Panel Manager at IAAC.GrassyMountain.EAIC@canada.ca.

Yours truly,

<Original signed by>

Alex Bolton
Chair, Joint Review Panel

cc: Mike Bartlett, Senior Project Manager, Millennium EMS Solutions Ltd.
Sarah Nossiter, Senior Legal Counsel, Riversdale Resources
Drew Yewchuk, Staff Lawyer, Public Interest Law Clinic, CPAWS