



Prairie and Northern Region
Canada Place
Suite 1145, 9700 Jasper Avenue
Edmonton, Alberta T5J 4C3

Région des Prairies et du Nord
Place Canada
Pièce 1145, 9700 rue Jasper
Edmonton (Alberta) T5J 4C3

July 8, 2020

ELECTRONIC MAIL

Sara Louden
Barrister & Solicitor
Rae and Company
slouden@raeandcompany.com

Dear Sara Louden,

Thank you for your letter dated June 30, 2020, concerning the Vista Coal Mine Phase II Expansion Project and the Vista Underground Mine and Expansion Activities Project proposed by Coalspur Mines (Operations) Ltd. (the proponent).

On behalf of the Stoney Nakoda Nations, you have requested that the Projects be assessed together with respect to the thresholds of the *Physical Activities Regulations* pursuant to the *Impact Assessment Act* (IAA). Alternatively, if these activities do not meet the thresholds of the *Physical Activities Regulations*, you have requested that the Minister of Environment and Climate Change (the Minister) consider the proposed Projects together for designation under Section 9(1) of the IAA.

As you are aware, the Phase II Expansion Project was previously considered for designation pursuant to the IAA in December 2019, and the Minister determined that the project did not warrant designation.

Under subsection 9(1) of IAA the Minister may, by order, designate a physical activity that is not prescribed in the *Physical Activities Regulations*. The Minister may do this, if, in the Minister's opinion, the physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects (resulting from federal decisions), or public concerns related to those effects warrant the designation.

The Impact Assessment Agency of Canada (the Agency) has received two other designation requests regarding these Projects and a Registry page is available on the Canadian Impact Assessment Registry Internet Site at the following link: <https://iaac-aeic.gc.ca/050/evaluations/proj/80731>.



The Agency is reviewing information about the Vista Underground Mine and Expansion Activities Project to advise the Minister on whether it should be designated. If designated, to proceed with the Project, the proponent would be required to submit an Initial Project Description, thereby commencing the planning phase of IAA. In that case, the planning phase would include the Agency determining whether a federal impact assessment is required.

In accordance with subsection 9(4) of IAA, it is expected that the Minister will respond to the requests, with reasons for the decision by July 30, 2020.

Additional information regarding the process for designation requests can be found at the following link: <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/designating-project-impact-assessment-act.html>

Important Note: All records produced, collected or received in relation to the designation request process – unless prohibited under the *Access to Information Act* or *Privacy Act* – are considered public and may be released. If you have provided any comments or documents that contain confidential or sensitive information that you believe should be protected from release to the public, please contact the Agency as soon as possible. The Agency does not accept information marked as confidential without prior contact.

Further questions regarding the Project and the Agency's analysis can be directed to Shelly Boss at ^{<personal information removed>} or shelly.boss@canada.ca.

Sincerely,

<original signed by>

Barbara Pullishy
Regional Director, Prairie and Northern Region