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March 12, 2021

ELECTRONIC MAIL

Michael Shepard
Executive Project Director
Michael.Shepard@gov.bc.ca
PO BOX 9426 STN PROV GOVT
VICTORIA BC

Subject: Designation Request for the Proposed Tent Mountain Mine Redevelopment Project under the *Impact Assessment Act*

Dear Michael Shepard:

On March 3 and 5, 2021, the Minister of Environment and Climate Change (the Minister) received requests to designate the proposed Tent Mountain Mine Redevelopment Project (the Project) under subsection 9(1) of the *Impact Assessment Act* (IAA).

The purpose of this correspondence is to inform your ministry of the designation requests and to seek your input regarding provincial regulatory processes in relation to the Project, and any associated assessment of effects and public and Indigenous consultation.

The Proposed Project

The Project would be located approximately 16 km west of the town of Coleman Alberta. The Project involves the construction of an open-cut metallurgical coal mine at the former Tent Mountain Coal Mine that ceased operations in 1983. The Project may span the Alberta-BC border during its 14 year mine life. The Project as proposed is not a designated project as described in the *Physical Activities Regulations*. The impact assessment process under IAA only applies to designated projects.

Publicly available information can be accessed on the proponent's website for the Project at the following link: <http://montem-resources.com/projects/tent-mountain/>.

The proposed Terms of Reference and associated documents for the required Alberta environmental assessment can be found on the Government of Alberta's website and can be accessed at the following link:

<https://open.alberta.ca/publications/environmental-assessment-montem-tent-mountain>

Designation Request

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 a federal decision), or public concerns related to those effects warrant the designation. In accordance with subsection 9(4) of IAA, it is expected that the Minister will respond, with reasons, to the request by June 1, 2021.

The Impact Assessment Agency of Canada (the Agency) will review information about the Project; any concerns expressed from the public and Indigenous groups; and expert advice from federal authorities and input from provincial ministries in order to inform the Minister on whether the Project should be designated. If designated, to proceed with the Project Montem Resources Alberta Operations Ltd. 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.

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>.

Seeking Provincial Input

The Agency is requesting the following information by **March 30, 2021**:

1. Please confirm or provide the role and contact information for the appropriate person or persons responsible for your Ministry's oversight of this Project or associated regulatory framework;
2. Describe the provincial legislative or regulatory permits, processes, or authorizations that are in place or under consideration;
3. Describe any mechanisms or approvals that may be required, should mining or activities related to mine operations be undertaken within BC for this Project. For each mechanism or approval, please provide information regarding the following:
 - a. Name of the process or authorization (e.g. certificate, licence, permit or approval) and the associated legislative framework;
 - b. Whether (for each) the authorization would set conditions and if yes, what issues would those conditions address;

- c. Whether (for each) the authorization would require public and/or Indigenous consultation and if yes, provide information on the approach to be taken; and
 - d. Whether (for each) your ministry has guidance material that would be helpful to the proponent or the Agency (please provide these as attachments or hyperlinks in your response).
4. Have you received public comments/concerns in relation to the Project? If yes, provide an overview of the key issues and the way in which (in general terms) your ministry intends to address (or would normally manage) these matters if the issues raised are within your jurisdiction.

A Registry page is be available on the Canadian Impact Assessment Registry Internet site: <https://iaac-aeic.gc.ca/050/evaluations/proj/81436>. Please note that information received will be uploaded to this site.

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* – will be considered public and may be released.

Should you wish to provide 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 before submitting the information. Information marked as confidential will not be accepted without prior contact made with the Agency.

If you have any questions regarding the designation process or the response sheet, please do not hesitate to contact Greg Bosse by telephone or email (-personal info or greg.bosse@canada.ca).

Sincerely,

<original signed by>

Greg Bosse
Project Manager, Prairie and Northern Region