



Office of Chief and Council Government of Siksika Nation

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FOR IMMEDIATE RELEASE

Press Release: Siksika Nation is pursuing a legal challenge against the Government of Alberta's decision to rescind the Coal Policy

Siksika Nation is pursuing a legal challenge against the Government of Alberta's hasty decision to rescind the Coal Policy. Under the Policy, open pit mining was not permitted in "Category 2" lands in the Rocky Mountains to protect the headwaters of several major river systems and critical fish and wildlife habitat, particularly in highly sensitive areas of the Crowsnest Pass Region. The legal challenge was filed jointly with the Kainai Nation (Blood Tribe) on November 25, 2020 and will be heard by the courts sometime in 2021.

In 1976, after considerable engagement and studies, the Government of Alberta under Premier Lougheed introduced the Coal Policy to protect critically important areas of the Rocky Mountains and foothills, also known as the Eastern Slopes. The Coal Policy designated most of the Eastern Slopes from Jasper to Waterton under four land categories. Mining was allowed with conditions in areas designated as Categories 3 & 4. In Categories 1 & 2 areas open pit mining was banned in large areas of the Eastern Slopes to protect the head waters of major rivers and critical habitat for Grizzly Bears, Bighorn Sheep, Elk and Bull Trout. The Coal Policy has stood the test of time because it has worked and has been broadly supported. However, earlier this year in response to proposed coal projects in the Crowsnest Pass Region, the Government of Alberta hastily and secretly decided to remove the ban on open pit mines in formerly protected Category 2 lands.

Several coal mine projects are being proposed in very sensitive and mostly undisturbed areas of the Crowsnest Pass Region that have the potential to impact Grizzlies, Big Horn Sheep, Bull Trout, the largest herd of Elk in Alberta, as well as the headwaters of the Oldman and Livingstone Rivers which are source water to Kainai and Piikani reserve lands. Over the past few years, Siksika has clearly and strongly communicated to the Government of Alberta and the coal sector that open pit mining in the areas protected under the Coal Policy would be opposed by Siksika.

Alberta's regulatory system is limited to assessing the environmental impacts of projects in isolation from one another and other regional factors. Siksika is deeply concerned that without a rigorous assessment of cumulative impacts and robust protection of river basins, the approval of mining in formerly protected Category 2 lands will be an environmental disaster that cannot be undone. Similar mining developments just a few kilometers to the west in BC's Elk Valley have decimated the Fording and Elk Rivers and had major impacts



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on the environment. Many communities in the Elk Valley now truck in their water supply because the rivers are not safe for human consumption.

Siksika has a connection to the Crowsnest Pass region that dates back time immemorial. The headwaters of the Oldman River Basin are sacred to the Blackfoot Nations and our way of life. Alberta acknowledges this reality in its land use plans for the region and committed to consulting Siksika and other First Nations on key decisions. Even so, the Government of Alberta made its hasty decision to strip protection of the area without any consultation.

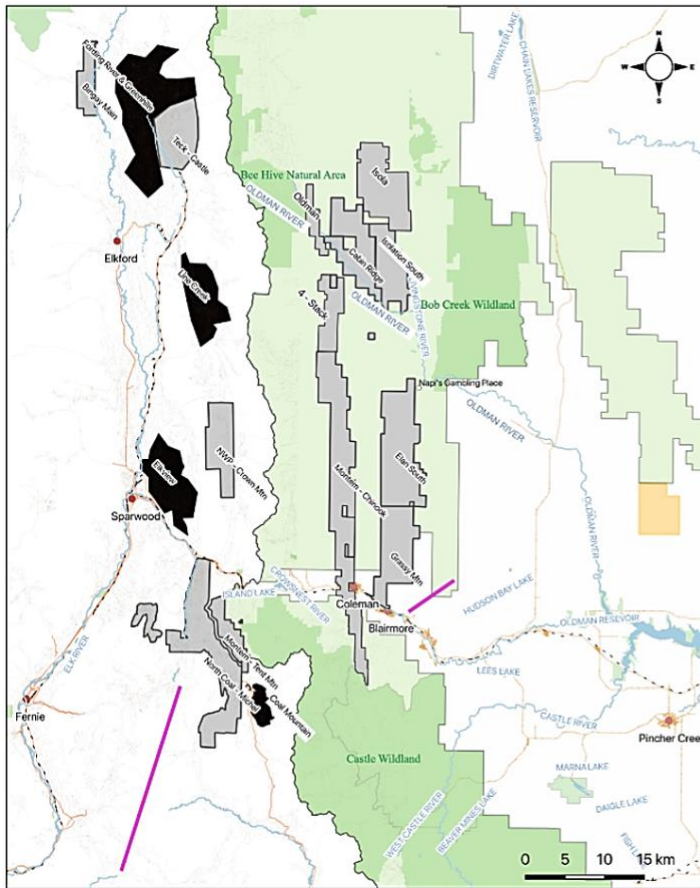
Recent announcements by the Minister of Energy cancelling a handful of coal leases and other general assurances from the Minister of Environment about “responsible development” are merely political gestures and will not protect these fragile and highly valued areas of the Rocky Mountains.

The attached map provides a sense of the massive scope of the current and planned coal mines in the region and the areas stripped of protections.

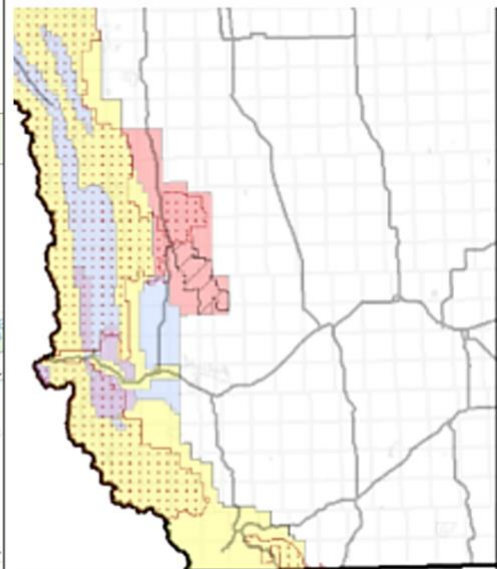
Benga Resource’s Grassy Mountain Coal Project was not affected by Alberta’s decision to rescind the protection of **Category 2** lands under the Coal Policy because the Project is located on **Category 4** lands where mining is permitted.



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- Grizzly Bear Habitat**
- Core
 - Secondary
- Coal Policy Category (1976)**
- Category 1
 - Category 2
 - Category 3
 - Category 4



Black – existing mines
Grey – proposed mines