



Vista coal mine expansion project must undergo federal impact assessment

Territories Of The Blackfoot And Peoples Of Treaties 6 And 7, Home To Métis Nation Of Alberta, Region III/Calgary – Ecojustice is in court on behalf of Keepers of the Water and the West Athabasca Watershed Bioregional Society to uphold the Minister of Environment and Climate

Change's decision to send the proposed Vista coal mine expansion for a federal impact assessment.

Ecojustice and its clients are also fighting back against Coalspur's attempt to relitigate a Federal Court decision on the Vista coal mine expansion. Coalspur is challenging a decision by the Federal Court that found its case moot.

If built, the Vista coal mine expansion could result in the extraction of up to 15 megatonnes of coal each year. When shipped and consumed abroad, burning this much coal would lead to the release of 33 megatons of carbon into the atmosphere annually – equivalent to the amount of carbon pollution produced by seven million passenger vehicles in one year.

In July 2020, the Minister of Environment and Climate Change found that the Vista coal mine expansion should undergo a federal impact assessment. This decision was challenged in two separate legal actions in the Federal Court by Coalspur and Ermineskin Cree Nation.

In the challenge brought by Ermineskin Cree Nation, the court found that the Minister had failed to consult prior to making a decision, and as a result found Coalspur's application to challenge the impact assessment designation moot.

Following consultation with Ermineskin Cree Nation, the Minister redesignated the Vista coal mine expansion for a federal impact assessment.

Coalspur is now attempting to challenge the moot ruling and relitigate the Minister's first decision in the Federal Court of Appeal.

Ecojustice and its clients are in court to ensure that the Vista coal mine expansion project undergoes a critical impact assessment by the federal government.

Daniel Cheater, Ecojustice lawyer, said:

"Thermal coal from the Vista coal mine expansion project is a 19th century fuel that has no place in a sustainable future.

"According to the UN Environment Program, global coal development must decline 11 per cent per year between 2020 and 2030 in order to keep global warming below 1.5 degrees Celsius.

“The federal government has already committed to a ban on the export of thermal coal by 2030 and the Vista coal mine expansion project should not be allowed to proceed.”

Jesse Cardinal, Executive Director, Keepers of the Water, said:

“We are going to court to protect water, our first and foremost responsibility. Knowing that Vista will jeopardize and impact freshwater sources is why we’re in this work – to make this corporation accountable and show that this massive mine application will have irreversible effects.

“Countries around the world recognize that burning coal is disastrous for the planet and for human health. We are working collectively with Ecojustice and West Athabasca Watershed Bioregional Society to help make positive changes and ensure we are taking care of future generations.”

Art Jackson, President, West Athabasca Watershed Bioregional Society said,

“West Athabasca Watershed Bioregional Society is totally committed to supporting all actions needed to uphold the Minister of Environment and Climate Change’s decision to send the proposed Vista coal mine expansion for a Federal Impact Assessment.

“Our Society has deep concerns with the ongoing and cumulative destructive impacts to our water, lands, air and wildlife habitat which must be addressed.

“All future generations will suffer the impacts from these destructive coal mining projects if allowed to proceed. Canada has committed to combating climate change and this means a strong No to any increased coal production domestically as well as stopping sales Internationally which just further add to the negative climate impacts happening all around the world.”

About:

The [Keepers of the Water](#) movement was born in Liidlii Kui, Denendeh/Fort Simpson, NWT during the late summer in 2006. Meeting on the shores of the great Deh Cho (Mackenzie River), a gathering of Elders from the North created the Keepers of the Water Declaration. Keepers of the Water are First Nations, Métis, Inuit, environmental groups, concerned citizens, and local communities working together for the protection of Water, air, land, and all living things within the Arctic Ocean Drainage Basin.

ecojustice Ecojustice uses the power of the law to defend nature, combat climate change and fight for a healthy environment. Its strategic, public interest lawsuits and advocacy lead to precedent-setting court decisions and law and policy that deliver lasting solutions to Canada’s most urgent environmental problems. As Canada’s largest environmental law charity, Ecojustice operates offices in Vancouver, Calgary, Toronto, Ottawa and Halifax.

The West Athabasca Bioregional Society (in Jasper/Hinton/Edson) is part of Alberta’s conservation community calling on government to take a strong stand on years of unchecked damage to our eastern slopes watersheds.