

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
<b>i</b>	<b>PURPOSE OF THE TERMS OF REFERENCE</b>			
	This document identifies for Coal Valley Resources Inc. (CVRI), Aboriginal communities and appropriate stakeholders the information required by government agencies for an Environmental Impact Assessment (EIA) report prepared under the Environmental Protection and Enhancement Act (EPEA) for the Robb Trend Project (Project).			
<b>ii</b>	<b>SCOPE OF THE EIA REPORT</b>			
	CVRI shall prepare and submit an EIA Report that examines the environmental and socio economic impacts of the Robb Trend Project. The EIA Report shall be prepared considering all applicable provincial and federal legislation, codes of practice, guidelines, standards and directives. The EIA Report shall be prepared in accordance with these Terms of Reference and the environmental information requirements prescribed under EPEA and associated regulations, and the <i>Canadian Environmental Assessment Act</i> if applicable. The EIA Report will form part of CVRI's application to the Energy Resources Conservation Board (ERCB). An EIA Report summary will also be included as part of the ERCB Application.	Section E Section F	CR #1 to #14	
<b>1.0</b>	<b>PUBLIC ENGAGEMENT AND ABORIGINAL CONSULTATION</b>			
	[A] Describe the concerns and issues expressed by the public and the actions taken to address those concerns and issues, including how public input was incorporated into the Project development, impact mitigation and monitoring.	Section G Appendix 7		ERCB SIR#2 Q1 AER SIR#3 Q2, 4 CEAA Panel IR#1 Q6 AER Application Binder Attachement 16
	[B] Describe the concerns and issues expressed by aboriginal communities and the actions taken to address those concerns and issues, including how aboriginal community input was incorporated into the Project development, impact mitigation and monitoring. Describe consultation undertaken with aboriginal communities and groups with respect to traditional ecological knowledge and traditional use of land.	Section G	CR #12	ESRD SIR#1 Q10, 11, 12 ESRD SIR#2 Q1, 2 AER SIR#3 Q2 CEAA Panel IR#1 Q5 AER Application Binder Attachement 11 to 15

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	[C] Describe plans to maintain the public engagement and aboriginal consultation process following completion of the EIA report to ensure that the public and aboriginal peoples will have an appropriate forum for expressing their views on the ongoing development, operation and reclamation of the Project.	Section A.7 Section G	CR #12	ESRD SIR#1 Q116, 202  CEAA Panel IR#1 Q5, 6
<b>2.0</b>	<b>PROJECT DESCRIPTION</b>			
<b>2.1</b>	<b>THE PROPONENT</b>			
	[A] Provide:			
	a) a corporate profile; and	Section A		CEAA Panel IR#1 Q1
	b) the name of the legal entity that will develop, manage and operate the Project and hold the operating approvals.	Section A.4		CEAA Panel IR#1 Q1
	[B] Describe the Proponent and its history in Alberta, with specific reference to existing operations, compliance with its regulatory authorizations, proposed operations, mineral resources, environmental studies and community involvement.	Section A Section C		ERCB SIR#1 Q2, 3
<b>2.2</b>	<b>PROJECT DEVELOPMENT</b>			
<b>2.2.1</b>	<b>RELATIONSHIP TO THE EXISTING COAL VALLEY MINE</b>			
	[A] Describe the history of development of the overall Coal Valley Mine.	Section A Section C.1.0		
	[B] Provide maps showing the EIA study areas for previous assessments and the proposed Robb Trend Project Area. Discuss the implications of any overlaps in the mapped areas, including the confidence CVRI has in the data and assessments from previous assessment as they apply to Robb Trend Project and the need for additional field studies to fill any gaps.	Section D	CR #1 to #14	
	[C] Describe, for each EIA discipline, the lessons learned from the planning, design, construction, operation, mitigation and monitoring at the existing CVRI.	Section E	CR #1 to #14	
	[D] Describe, for each EIA discipline, the lessons learned from the public engagement and Aboriginal consultation process and the approvals process for the Coal Valley Mine.	Section C Section E Section G	CR #1 to #14	ESRD SIR#1 Q202  ERCB SIR#1 Q2
	[E] Describe how the lessons learned have been incorporated into the design of the Robb Trend Project.	Section C Section E	CR #1 to #14	
<b>2.2.2</b>	<b>PROJECT SCHEDULE</b>			
	[A] Provide a development plan that includes:			
	a) the phases of development;	Section A.6		ERCB SIR#1 Q34

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		Section C.3		
	b) transportation, infrastructure and access routes; and	Section C.5		ERCB SIR#1 Q34
	c) activities associated with each stage of the Project.	Section C		ERCB SIR#1 Q44
	[B] Provide a schedule outlining the proposed phases of development and the sequence and duration of key project components, including the timing of key steps in the construction, operation, decommissioning and reclamation.	Section A.6 Section C.3		ERCB SIR#1 Q5, 34, 37, 48  ERCB SIR#2 Q3  ESRD SIR#2 Q18  AER SIR#3 Q5  CEAA Panel IR #1 Q3
	[C] Discuss the key factors controlling the schedule, restrictions for conducting certain development activities, and uncertainties.	Section C.3		
	[D] Discuss the implications of a delay in proceeding with the Project, or any phase of the Project, or not going ahead with the Project.	Section A.3	CR #9	
<b>2.3</b>	<b>EVALUATION OF ALTERNATIVES</b>			
	[A] Discuss the need for the Project including:			
	a) any alternative means of carrying out the Project that are technically and economically feasible and where applicable indicate their potential environmental impacts;	Section A.3.2		ERCB SIR#1 Q29, 30, 42  AER SIR#3 Q1, 5  CEAA Panel IR#1 Q7
	b) a comparison of identified alternatives to the Project or components of the Project and the anticipated impacts of the alternatives. Discuss reasons for not selecting any identified alternatives; and	Section A.3.2		ERCB SIR#1 Q30  CEAA Panel IR#1 Q7
	c) potential cooperative development opportunities (e.g., shared infrastructure).		CR #9 Section 3.2.2	ERCB SIR#1 Q72
	[B] Discuss the route or site selection criteria for any linear or other infrastructure development or modification and provide the rationale for selecting the proposed alignment and design.	Section A.3 Section C.1, C.3, C.5		CEAA Panel IR#1 Q7
<b>2.4</b>	<b>PROJECT PROCESSES AND FACILITIES</b>			

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[A]	Provide maps and/or drawings of the Project components and activities including:			
	a) existing infrastructure, leases and clearings, including exploration clearings;	Section A Section C.1, C.2, C.3 Section E.16		ERCB SIR#1 Q6, 7, 9, 10, 13, 14, 44, 45  ERCB SIR#2 Q2, 6
	b) proposed mining excavation(s);	Section C.2, C.3		ERCB SIR#1 Q23, 24, 27, 28, 32
	c) proposed coal processing facilities;	Section C.1.4, C.1.5		
	d) other buildings and infrastructure (pipelines, conveyors and utilities);	Section C.1.5, C.1.6 Section E.16		
	e) temporary structures;	Section C		
	f) transportation and access routes;	Section C Section E		
	g) on-site hydrocarbon storage;	Section C.1.5		
	h) containment structures such as retention ponds and storage ponds;	Section C.1.6	CR #6 Section 4.1, 4.2	ESRD SIR#1 Q92, 192  ERCB SIR#1 Q33
	i) water wells/intakes, pipelines, and storage structures;	Section C.1.5, C.1.6		
	j) dewatering and water control facilities;	Section C.1.6	CR #3, CR #6, CR#11	ERCB SIR#1 Q62
	k) sources of aggregate resources, borrow material and other construction material and locations of any stockpiles that will be developed;	Section B Section C Section E.16		
	l) waste storage, transfer treatment and disposal sites; and	Section C.1.7, C.1.8		
	m) recycling and/or salvage facilities.	Section C.1.8		
[B]	Provide a list of facilities for which locations will be determined later.	Section C.1.5, C.1.6, C.3.2		

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[C]	Describe the primary resource recovery process, any proposed follow-up recovery process and other related processes and process facilities of the Project.	Section C.1		
[D]	Discuss the amount and source of energy required for the Project.	Section A, C.5.6		
[E]	Describe the proposed method to transport product to markets.	Section C.1, C.5.3		
[F]	Provide a list of chemical products to be manufactured, processed or otherwise used for the Project and describe, in general terms, how these products will be stored and managed. Identify products containing substances that are:			
	a) <i>Canadian Environmental Protection Act</i> , 1999 toxics;	Section C.1.5, C.6		
	b) listed on the National Pollutant Release Inventory;	Section C.1.5, C.6	CR #1 Section 2.3	
	c) dangerous goods as defined by the federal <i>Transportation of Dangerous Goods Act</i> ; and	Section C.1, C.6		
	d) on the Domestic Substances List and categorized as requiring further assessment under Canada’s Chemicals Management Plan.	Section C.15, C.6		
[G]	Describe the nature and amount of on-site hydrocarbon storage. Discuss containment and other environmental protection measures.	Section C.1.5, C.6		
2.5	<b>TRANSPORTATION INFRASTRUCTURE</b>			
[A]	Discuss the traffic implications of the Project, including the anticipated changes to traffic (e.g., type, volume) on highways. Consider other existing and planned uses of the same highway.	Section C.1, C.2, C.5	CR #9 Section 3.1.7, 3.2.2	ESRD SIR#1 Q13, 14, 39, 40
[B]	Describe and map the locations of any new road or intersection construction, or any improvements to existing roads or intersections, related to the development of the Project, from the boundary of the Project Area up to and including the highway access point, and		CR #9 Section 2.1.4, 3.2.2, 4.0	
	a) discuss the alternatives and the rationale for selection of the preferred alternative;		CR #9 Section 3.2.2	
	b) describe the impacts to local communities of the changes in transportation infrastructure;		CR #9 Section 3.2.2	
	c) provide a proposed schedule for the work;		CR #9 Section 4.0	
	d) provide the estimated cost of the work; and		CR #9 Section 4.0	
	e) provide a summary of consultation with Alberta Transportation and the local authority, including their views on the compatibility of the proposed work with their own local or regional infrastructure development plans.		CR #9 Section 4.0	

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	[C] Identify the type, volume, location and availability of road construction and reclamation materials for all road construction and road improvement work, related to the development of the Project, within and outside of the Project Area.	Section E.16, C.1.6.2		ESRD SIR#1 Q107
	[D] Describe access corridors needed and/or planned by other resource development stakeholders including those responsible for Forest Management Areas and other timber quota holders, and	Section C.1.5	CR #9 Section 3.2.2	
	a) describe how their needs are accommodated to reduce overall environmental impact from resource development; and	Section C	CR #9 Section 3.2.2, 4.0	
	b) describe opportunities for cooperation in access development.		CR #9 Section 3.2.2	
	[E] Indicate where Crown land dispositions may be needed for roads or other infrastructure for the Project.	Section A.4.3.1		
	[F] Describe crossings of watercourses or waterbodies required and provide example diagrams of each type of crossing. Discuss:	Section C		
	a) timing;	Section C.3	CR #6	
	b) construction standards or methods; and	Section C.3, C.4, C.6	CR #6 Section 4.1.4, 4.4.1	ESRD SIR#1 Q177
	c) environmental protection plans.	Section C.3, C.4, C.6	CR #6 Section 4.1.4, 4.4.1	
<b>2.6</b>	<b>LAND MANAGEMENT</b>			
	[A] Provide a description and timing of land clearing activities.	Section C.3.1 Section E		
	[B] Provide a timber salvage plan, highlighting end users and identifying proposed volumes for removal (by species and year) for all stages of the Project.	Section F.4.1		
	[C] Identify any access restrictions including where appropriate, measures taken to control access to the Project Area while ensuring continued access to adjacent wildland areas.	Section C.1.5 Section G	CR #9	
	[D] Provide a fire control plan highlighting:			
	a) measures taken to notify authorities, the public and surrounding facilities in the event of a fire;	Section C.6.6		
	b) measures taken to ensure continued access for firefighters to adjacent wildland areas;	Section C.6.6		
	c) forest fire prevention, detection, reporting, and suppression measures, including proposed fire equipment;	Section C.6.6		
	d) measures for determining the clearing width of power line rights-	Section		

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	of-way; and	C.6.6		
	e) required mitigative measures for areas adjacent to the Project Area based on the FireSmart Wildfire Assessment System.	Section C.6.6		
	[E] Describe how land management planning (end land use) initiatives in the area may be incorporated into the mine planning process.	Section E Section F		
<b>2.7</b>	<b>AIR EMISSIONS MANAGEMENT</b>			
	[A] Identify the type, volume and source of air emissions for the proposed Project:			ESRD SIR#1 Q151  ESRD SIR#2 Q3, 42
	a) identify all potential sources of emissions (total particulates, PM10, PM2.5, CO (carbon monoxide), NOx (oxides of nitrogen) and SO2 (sulphur dioxide)) from the Project, including, but not limited to, mining activities, coal handling facilities, vehicles, roadways, and other related activities;	Section E.1.3	CR #1 Section 4.0	ESRD SIR#1 Q17, 18, 20, 22, 26, 27, 31, 187, 213, 218, 223, 225  ESRD SIR#2 Q10
	b) describe any mitigation, monitoring and control systems that CVRI proposes to reduce potential impacts from emissions;	Section E.1.5.1, E1.5.2	CR#1 Section 6.3	ESRD SIR#1 Q24, 25, 30, 32, 34, 35, 54, 217, 219  ESRD SIR#2 Q44
	c) describe the air management program to address all relevant fugitive dust and other emissions;	Section E.1.15.2.2	CR #1 Section 6.6	ESRD SIR#1 Q23, 24, 30, 32, 37, 38, 43, 216  ESRD SIR#2 Q4, 5, 6, 7, 8, 43
	d) describe the annual and total greenhouse gas emissions during all stages of the project. Identify the primary sources and provide examples of calculations; and	Section E.1, E.15.3.1, E.15.3.2	CR #1 Section 4.1	ESRD SIR#1 Q28, 59, 187
	e) describe CVRI's overall greenhouse gas management plans.	Section E.15.2.1	CR #1 Section 4.1.6	

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2.8	<b>WATER MANAGEMENT</b>			
2.8.1	<b>WATER SUPPLY</b>			
	[A] Describe the water supply requirements for the Project.	Section C.1.7		
2.8.2	<b>SURFACE WATER</b>			
	[A] Describe the surface water management strategy for all stages of the project, including:			ESRD SIR#2 Q20 ESRD SIR#3 Q6
	a) design factors considered, such as:			
	i) site drainage,	Section C.1.7.2, Section E.11	CR #11	
	ii) run-on management,	Section C.1.7.1, Section E.11	CR #11	
	iii) road and plant run-off,	Section C.1.7.2, Section E.11.4.1	CR #11	
	iv) erosion/sediment control,	Section C.1.7, Section E.11.4.1	CR #11	
	v) geotechnical stability concerns,	Section B.6.3.3, B.6.3.4		ESRD SIR#1 Q191, 212 ESRD SIR#2 Q19, 27 ERCB SIR#1 Q50, 51 ERCB SIR#2 Q7
	vi) groundwater and surface water protection,	Section E.3.3.2, E.3.3.4, E.3.4.2, E.6.3.3, E.11.4.1	CR #3, CR #6, CR#11	ESRD SIR#2 Q28
	vii) muskeg dewatering,	N/A	N/A	ESRD SIR#2 Q31
	viii) mine pit dewatering,	Section	CR #3, CR	ERCB SIR#1 Q62



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		C.1.7.2	#6, CR#11	ESRD SIR#2 Q11, 14
	ix) groundwater seepage, and	Section E.3.2.4	CR# 3	ESRD SIR#1 Q206 ESRD SIR#2 Q17, 22
	x) flood protection;		CR #6 Section 4.1, 4.2, 4.4	
	b) permanent or temporary alterations or realignments of watercourses, wetlands and other waterbodies;	Section C.1.6, C.1.7.3, C.4.3 Section E.6.3.1	CR #6 Section 4.2, 4.4	ESRD SIR#1 Q195, 196 ESRD SIR#2 Q31, 36
	c) the pre and post-disturbance alignment and condition of all ephemeral and permanent streams, wetlands and waterbodies including those created by the Project; and	Section C.1.6, C.1.7.1, C.1.7.5, C.4.2, C.4.3 Section E.6.3.1	CR #6 Section 4.2, 4.4	ESRD SIR#2 Q13
	d) factors used in the design of water management facilities with respect to the Canadian Dam Safety Association Dam Safety Guidelines, including expected flood and flood protection.	Section C.4.1 Section E.6.3.1	CR #6 Section 4.1, 4.2, 4.4	
	[B] Describe navigable waterways and the results of navigability assessment(s) provided by Transport Canada’s Navigable Water Protection Program for waterways that may be affected by the Project.	Section A.4.3.3, A.4.3.4, A.8.6	CR #6 Section 4.1.4	ESRD SIR#1 Q199 ERCB SIR#1 Q56
<b>2.8.3</b>	<b>WASTEWATER MANAGEMENT</b>			
	[A] Describe the wastewater management strategy for the Project, including:			
	a) the source, quantity and composition of wastewater streams from each component of the proposed operation (e.g., coal mining, coal processing) for all Project conditions, including normal, start-up, worst-case and upset conditions;	Section C.1.7, C.1.8, C.4.1		ERCB SIR#1 Q15
	b) the design of facilities that will handle, treat and store wastewater streams and the type and quantity of any chemicals used in wastewater treatment, including measures taken in the design to	Section C.1.7.1, C.4.1	CR #6 Section 4.1	

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	prevent or minimize potential impacts to the environment;	Section E.6.5.1		
	c) the options for wastewater treatment, including the rationale for selecting the preferred options, including a discussion of options not chosen and the rationale for their exclusion;	Section C.1.7, C.4	CR #6 Section 4.2	
	d) the options for the disposal of wastewater in the context of best management practices and best available technologies, including the rationale for choosing the preferred option and the measures taken to prevent impacts on potable groundwater, aquatic ecosystems and vegetation;	Section C.1.7.1, C.1.8, C.4.3	CR #6 Section 4.2	
	e) discharges to the surrounding watershed from existing and reclaimed sites, including end pit lakes and the management strategy for handling such releases; and	Section C.1.7.1, C.4	CR #6 Section 2.6	
	f) a monitoring plan for wastewater releases, including the rationale used to determine the frequency of sampling and the parameters to be measured.	Section E.6.5.1 Appendix 6	CR #6 Section 6.0	ESRD SIR#1 Q172, 178  ERCB SIR#2 Q10
<b>2.9</b>	<b>WASTE MANAGEMENT</b>			
	[A] Characterize and quantify the anticipated dangerous goods, and hazardous, non-hazardous, and recyclable wastes generated by the Project, and:	Section C.1.7, C.1.8, C.6.6		
	a) describe the composition and volume of specific waste streams and discuss how each stream will be managed. Include a discussion of the physical and chemical characteristics of waste streams from the existing Coal Valley projects and explain any differences that are expected for waste streams from the proposed project;	Section C.1.5.2, C.1.7, C.3.4.2, C.3.9.4, C.6.6.3		ERCB SIR#1 Q11, 12
	b) describe the management plan for exploratory drilling wastes, overburden and other mining wastes, as well as any by-products;	Section C.1.4.6, C.1.7, C2.1.2, C.6.6.3, Section F.4.1.3, F.4.2	CR #10	ESRD SIR#1 Q3  ESRD SIR#2 Q38
	c) describe how any disposal sites will be designed, constructed, operated and decommissioned; and	Section C.5.1, C.6.6.3, C.6.6.9, Section F.4.2.1		
	d) describe plans for pollution prevention, waste minimization, recycling, and management to reduce waste quantities over the	Section C.6.2,		

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	life of the Project.	C.6.6.3		
<b>2.10</b>	<b>CONSERVATION AND RECLAMATION</b>			
[A]	Outline CVRI’s reclamation work to date at its existing operations. Include a discussion of changes that have been made over time to its reclamation programs and why, and any anticipated improvements that will be incorporated into reclamation plans for the Robb Trend Project.	Section F.2.3		ESRD SIR#1 Q1, 89, 93, 169, 171
[B]	Provide a conceptual conservation and reclamation plan for the Project considering:			
	a) any existing Conservation and Reclamation Plan;	Section F.2.3 Appendix 6		
	b) existing information with respect to land capability, vegetation, commercial forest land base by commercialism class, forest productivity, recreation, wildlife, aquatic resources, aesthetics, traditional land uses and land use resources;	Section E.10.3.6, Section F.2.4, F.2.5.7	CR #2, CR #7, CR #12, CR#13, CR#14	ESRD SIR#1 Q5, 126, 176  ERCB SIR#1 Q69  ESRD SIR#2 Q30
	c) integration of operations, decommissioning, reclamation planning and reclamation activities;	Section C.2.1.3, C.3.11		ESRD SIR#1 Q124
	d) anticipated timeframes for completion of reclamation stages and release of lands back to the Crown including an outline of the key milestone dates for reclamation and how progress to achieve these targets will be measured;	Section F.4.4		ESRD SIR#1 Q125
	e) constraints to reclamation such as timing of activities, availability of reclamation materials and influence of natural processes and cycles including natural disturbance regimes;	Section F.4.1.2		ESRD SIR#1 Q106
	f) post-development land capability with respect to:			ESRD SIR#1 Q139
	i) self-sustaining topography, drainage and surface watercourses representative of the surrounding area,	Section F.2.5.6, F.4.2		ESRD SIR#1 Q94
	ii) existing traditional use with consideration for traditional vegetation and wildlife species in the reclaimed landscape,	Section F.4.2.4	CR #13, CR #14, CR #7	ESRD SIR#1 Q117  ERCB SIR#1Q 66, 67
	iii) end pit lakes,	Section F2.4.3, F.5.6	CR #6	ESRD SIR#1 Q75, 79, 84, 86, 88, 95, 111, 112, 122, 168, 181, 183, 185

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	iv) wetlands,	Section F.5.5	CR #13	ESRD SIR#1 Q137, 196 ESRD SIR#2 Q35
	v) self-sustaining vegetation communities representative of the surrounding area, and	Section F.5.2, F.5.3	CR #13	ESRD SIR#1 Q113, 114, 117, 147, 173 ERCB SIR#1 Q65, 66, 67
	vi) reforestation and forest productivity;	Section F.5.2	CR #13	ESRD SIR#1 Q 115, 121, 147 ERCB SIR#1 Q65 ERCB SIR#2 Q12
	g) a revegetation plan for the disturbed terrestrial and aquatic areas;	Section F.2.3, F.4.2, E.10.2.3	CR #13	
	h) water supply capability of post-mine landscape;	Section F.4.2.5	CR #6	
	i) reclamation material salvage, storage areas and handling procedures;	Section F.4.1.1	CR #10	ESRD SIR#1 Q107, 108, 109, 110, 118, 123, 128, 133, 138, 141, 142, 143, 144 ESRD SIR#2 Q26
	j) reclamation material replacement indicating depth, volume and type;	Section F.4.1.2, F.4.2.2	CR #10	ESRD SIR#1 Q107, 119, 120, 127, 140 ESRD SIR#2 Q26
	k) existing and final reclaimed site drainage plans;	F.2.4.3, F.3.4	CR # 6	ESRD SIR#1 Q132

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	l) integrating surface and near-surface drainage within the Project Area; and	Section C.1.4.4, C.1.6.2, C.1.6.8, C.1.7.1, C.4.3, Section F.4.2	CR #6	ESRD SIR#1 Q132
	m) promotion of biodiversity.	Section E.2.2.2, E.13.2.4, E.13.3.12, Section F.4.1.2	CR #6, CR #7, CR #10, CR #13, CR #14	ESRD SIR#1 Q135
[C]	Describe objectives for the function of end-pit lakes and describe the specific criteria that will be used to gauge the attainment of those objectives.	Section F.4.2, Section F.5.6	CR #6 Section 4.4.4	ESRD SIR#1 Q86, 95
[D]	Provide a predicted Ecological Land Classification map for the post-reclamation landscape.	Section F.3.4.4, F.4.2.1, F.4.2.5		
[E]	Provide a conceptual plan to monitor reclamation performance and success (including soils, vegetation, wildlife and aquatic resources). Describe criteria that will be used to track vegetation development to demonstrate that reclamation targets will be met, including how sensitive habitat types may be replaced through reclamation.	Section F.5.2, F.5.4, F.5.5		
[F]	Discuss uncertainties related to the conceptual reclamation plan.	Section F.5		
<b>2.11</b>	<b>REGIONAL AND COOPERATIVE INITIATIVES</b>			
[A]	Discuss the Proponent’s involvement in regional and cooperative efforts to address environmental and socio-economic issues associated with regional development, including:		CR #9	
	a) potential cooperative ventures that the Proponent has initiated, could initiate or could develop with other operators and other resource users;		CR #9 Section 3.2.2	
	b) how the Proponent will work to develop and implement such cooperative opportunities;		CR #9 Section 3.2.2, 5.0	
	c) the Proponent’s participation in any regional forums;		CR #9	
	d) how the Proponent would design and implement research programs; and	Section C.7		

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	e) how regional environmental management initiatives will be incorporated into the Proponent’s management practices.	Section C.6.6.1		
<b>3.0</b>	<b>ENVIRONMENTAL ASSESSMENT</b>			
<b>3.1</b>	<b>AIR QUALITY, CLIMATE AND NOISE</b>			
<b>3.1.1</b>	<b>BASELINE INFORMATION</b>			
	[A] Discuss the baseline climatic and air quality conditions including:			
	a) the type and frequency of meteorological conditions that may result in poor air quality; and	Section E.1	CR #1 Section 3.2	ESRD SIR#1 Q51, 52, 53, 54, 55, 56, 62, 66, 80, 210  ESRD SIR#2 Q39
	b) appropriate ambient air quality parameters.	Section E.1	CR#1 Section 3.1	ESRD SIR#1 Q17, 19, 29, 33, 41, 45, 61, 67, 68
	[B] Provide representative baseline noise levels at receptor locations.	Section E.8	CR #8 Section 5.0	ESRD SIR#1 Q227, 228, 230
<b>3.1.2</b>	<b>IMPACT ANALYSIS</b>			
	[A] Identify components of the Project that will affect air quality, and:			
	a) describe the potential for reduced air quality resulting from the Project and discuss any implications of the expected air quality for environmental protection and public health;	Section E.1.3	CR #1 Section 4.1, 4.2, 4.3	ESRD SIR#1 Q153
	b) estimate ground-level concentrations of appropriate air quality parameters;	Section E.1.3	CR #1 Section 5.0	
	c) discuss any expected changes to particulate deposition or nitrogen deposition patterns; and	Section E.1.3.7	CR #1 Section 5.0	ESRD SIR#1 Q154, 188
	d) discuss interactive effects that may occur resulting from co-exposure of a receptor to all emissions.	Section E.1.4	CR #1 Section 5.0	
	[B] Identify stages or elements of the Project that are sensitive to changes or variability in climate parameters, including frequency and severity of extreme weather events. Discuss what impacts the change to climate parameters may have on elements of the Project that are sensitive to climate parameters.	Section E.6.2.1	CR #1 to CR #14	
	[C] Summarize the results of the noise assessment conducted for the ERCB and:		CR #8	ESRD SIR#1 Q229
	a) identify the nearest receptor used in the assessment; and		CR #8 Section 3.0	

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	b) discuss the design, construction and operational factors to be incorporated into the Project to comply with the ERCB’s Directive 38: Noise Control.	Section E.8.2, E.8.3.2, E.8.3.4	CR #8 Section 3.5, 5.4	ESRD SIR#1 Q227
[D]	Describe how air quality and noise impacts resulting from the Project will be mitigated.	Section E.1.5.1, E.8.5.1	CR #1 Section 6.3, CR #8 Section 5.5	ESRD SIR#1 Q232, 233
[E]	Describe the residual air quality of the Project and the Proponent’s plans to manage those impacts.		CR #1 Section 6.3, 6.5, 6.6	
<b>3.2</b>	<b>HYDROGEOLOGY</b>			
<b>3.2.1</b>	<b>BASELINE INFORMATION</b>			
[A]	Provide an overview of the existing geologic and hydrogeologic setting from the ground surface down to, and including, the coal zones, and if applicable, to the base of any deeper strata that would be potentially impacted by mining. Document any new hydrogeological investigations, including methodology and results, undertaken as part of the EIA, and:		CR #3 Section 1.1, 2.1, 2.2, 2.3	ESRD SIR#1 Q70, 194  ERCB SIR#1 Q8, 59, 59, 61  CEAA Panel IR#1 Q11
a)	present regional and Project Area geology to illustrate depth, thickness and spatial extent of lithology, material (behavior) properties, stratigraphic units and structural features such as faults and fractures;	Section B.2, B.3.2, B.6.2.1	CR #3 Section 1.1, 2.1, 2.2, 2.3	
b)	present regional and Project Area hydrogeology describing:			
i)	the major aquifers, aquitards and aquicludes (Quaternary and bedrock), their spatial distribution, properties, hydraulic connections between aquifers, hydraulic heads, gradients, groundwater flow directions and velocities. Include maps and cross sections with the location of wells and/or control points,		CR #3 Section 2.3.1, 2.3.2, 2.3.3, 3.0	ERCB SIR#1 Q61  ESRD SIR#2 Q11
ii)	the chemistry of groundwater aquifers including baseline concentrations of major ions, metals and hydrocarbon indicators,		CR #3 Section 2.3.2, 2.3.3, 3.0	ESRD SIR#1 Q189  CEAA Panel IR#1 Q11
iii)	the potential discharge zones, potential recharge zones and sources, areas of groundwater-surface water interaction and areas of Quaternary aquifer-bedrock groundwater interaction,		CR #3 Section 3.4.2	ESRD SIR#1 Q71  ESRD SIR#2 Q16
iv)	water well development and groundwater use, including an		CR #3	ERCB SIR#1 Q58,

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	inventory of groundwater users,		Section 2.3.10	59, 60, 64 ERCB SIR#2 Q9 CEAA Panel IR#1 Q11
	v) the recharge potential for Quaternary aquifers, and		CR #3 Section 3.44	
	vi) potential hydraulic connection between coal zones and other aquifers resulting from Project operations.		CR #3 Section 2.3.1	
<b>3.2.2</b>	<b>IMPACT ASSESSMENT</b>			
[A]	Describe Project components and activities that have the potential to affect groundwater resource quantity and quality at all stages of the Project.	Section E.3.1, E.3.2.1, E.3.3.3, E.3.3.4	CR #3 Section 4.1	ESRD SIR#1 Q72 ERCB SIR#2 Q9 CEAA Panel IR#1 Q11
[B]	Describe the nature and significance of the potential Project impacts on groundwater with respect to:			
	a) inter-relationship between groundwater and surface water in terms of surface water quantity and quality;		CR #3 Section 3.2.2, 3.2.3 CR #11 Section 4.4	ESRD SIR#1 Q71, 74 ESRD SIR#2 Q12
	b) implications for terrestrial or riparian vegetation, wildlife and aquatic resources including wetlands;	E.3.3.6	CR #3 Section 3.2.5	ESRD SIR#1 Q97
	c) changes in groundwater quality and quantity;	Section E.3.3.3, E.3.3.4	CR #3 Section 3.2.4	
	d) conflicts with other groundwater users, and proposed resolutions to these conflicts;	Section E.3.3.5	CR #3 Section 3.2	
	e) potential implications of seasonal variations; and		CR #3 Section 3.2	
	f) groundwater withdrawal for Project operations, including any expected alterations in the groundwater flow regime during and following Project operations.		CR #3 Section 3.2	ESRD SIR#1 Q72
[C]	Describe programs to manage and protect groundwater resources including:			
	a) the early detection of potential contamination; and	Section C.6.6.5	CR #3 Section 7.0	ERCB SIR#1 Q58, 59, 60



**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
				ERCB SIR#2 Q11  ESRD SIR#2 Q28
	b) groundwater remediation options in the event that adverse effects are detected.	Section C.6.6.4	CR #3 Section 3.21	
<b>3.3</b>	<b>HYDROLOGY</b>			
<b>3.3.1</b>	<b>BASELINE INFORMATION</b>			
	[A] Describe and map the surface hydrology. Include flow regimes of streams in the Project Area.		CR #6 Section 2.0	
	[B] Provide surface flow baseline data, including:			
	a) characteristics of the average stream flow regime including mean monthly and annual flows and run-off depths (water yields), seasonal variation and year-to-year variability for all basins; and		CR #6 Section 2.5	ESRD SIR#2 Q15
	b) estimates of peak flows and low flows for all watercourses.		CR #6 Section 2.5	
<b>3.3.2</b>	<b>IMPACT ASSESSMENT</b>			
	[A] Discuss changes to watersheds, including surface and near-surface drainage conditions, potential flow impediment, and potential changes in open-water surface areas caused by the Project.		CR #6 Section 4.5	ESRD SIR#2 Q15
	[B] Describe the extent of hydrological changes that will result from disturbances to groundwater and surface water movement:			ESRD SIR#1 Q206
	a) include changes to the quantity of surface flow, water levels and channel regime in watercourses (during low, average and peak flows) and water levels in waterbodies;	Section E.6.3.1	CR #6 Section 4.5	ESRD SIR#1 Q76, 77, 78, 182, 184, 193
	b) assess the potential impact of any alterations in flow on the hydrology and identify all temporary and permanent alterations, channel realignments, disturbances or surface water withdrawals;	Section E.6.3	CR #6 Section 4.4	ESRD SIR#1 Q75, 76, 77, 78, 81, 86, 180
	c) discuss both the Project and cumulative effect of these changes on hydrology (e.g., timing, volume, peak and minimum flow rates, river regime and lake levels), including the significance of effects for downstream watercourses; and		CR #6 Section 4.5	ESRD SIR#1 Q148, 170, 180  ESRD SIR#2 Q21
	d) identify any potential erosion problems in watercourses resulting from the Project.		CR #6 Section 4.5	
	[C] Discuss changes in sedimentation patterns in receiving waters resulting from the Project.		CR #6 Section 4.5.15	
	[D] Describe impacts on other surface water users resulting from the		CR #6	ESRD SIR#1 Q82,

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	Project. Identify any potential water use conflicts.		Section 4.2.7, 4.5.14	83 ERCB SIR#1 Q64
[E]	Describe potential downstream impact if surface water is removed.		CR #6 Section 4.4.3, 4.5	ESRD SIR#1 Q82, 83
[F]	Discuss the impact of low flow conditions and in-stream flow needs on water supply and water and wastewater management strategies.	Section C.1.6.4, C.4.5	CR #6 Section 4.5	
[G]	Discuss how potential impacts of temporary and permanent roads on wetland hydrology will be minimized and mitigated.	Section C.1.6, C.4.4	CR #6 Section 4.1	
[H]	Describe mitigation measures to address impacts during all stages of the Project including:			
	a) alteration in flow regimes;		CR #6 Section 4.4, 4.5	ESRD SIR#2 Q21
	b) potential water use conflicts; and		CR #6 Section 4.2.7	ESRD SIR#1 Q82, 83
	c) increased sediment loadings.		CR #6 Section 4.5.15	ESRD SIR#1 Q87
<b>3.4</b>	<b>SURFACE WATER QUALITY</b>			
<b>3.4.1</b>	<b>BASAELINE INFORMATION</b>			
[A]	Describe the baseline water quality of watercourses and waterbodies. Discuss the effects of seasonal variations, flow and other factors on water quality.		CR #11 Section 3.3	ESRD SIR#2 Q37
<b>3.4.2</b>	<b>IMPACT ASSESSMENT</b>			
[A]	Identify Project components that may influence or impact surface water quality.	Section C.6.6.5	CR #11 Section 4.1, 4.2, 4.3, 4.4	
[B]	Describe the potential impacts of the Project on surface water quality:		CR #11 Section 4.0	
	a) discuss any changes in water quality resulting from the Project including impacts on drinking water quality;		CR #11 Section 4.1, 4.2, 4.3, 4.4	ERCB SIR#1 Q57
	b) discuss the significance of any impacts on water quality and implications to aquatic resources (e.g., biota, biodiversity and habitat);		CR #11 Section 4.1, 4.2, 4.3, 4.4	ERCB SIR#1 Q57
	c) discuss seasonal variation and potential impacts on surface water		CR #11	ESRD SIR#1 Q78

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	quality; and		Section 4.0	
	d) discuss the effect of changes in surface runoff or groundwater discharge on water quality in surface waterbodies.		CR #11 Section 4.1, 4.3	
	[C] Describe proposed mitigation measures to maintain surface water quality at all stages of the Project.	Section C.1.6, C1.7, C.4	CR #11 Section 4.1, 4.2, 4.3	
<b>3.5</b>	<b>AQUATIC ECOLOGY</b>			
<b>3.5.1</b>	<b>BASELINE INFORMATION</b>			
	[A] Describe and map the fish, fish habitat and aquatic resources, (e.g., aquatic and benthic invertebrates) of the lakes, rivers, streams, ephemeral water bodies and other waters. Describe the species composition, distribution, relative abundance, movements and general life history parameters of fish resources. Also identify any species that are:		CR #2	ESRD SIR#1 Q98, 100, 101, 102, 175  CEAA Panel IR#1 Q10
	a) listed as “at Risk, may be at Risk and Sensitive” in the Status of Alberta Species (Alberta Sustainable Resources Development);		CR #2 Section 4.2, 4.3, 4.4, Appendix B,C,D	ESRD SIR#1 Q86, 100, 102, 104, 167, 174, 182, 185
	b) listed in schedule 1 of the federal <i>Species at Risk Act</i> ; and		CR #2 Section 4.2, 4.3, 4.4, Appendix B,C,D	
	c) listed as “at Risk” by COSEWIC.		CR #2 Section 4.2, 4.3, 4.4, Appendix B,C,D	ESRD SIR#1 Q198
	[B] Describe and map existing critical or sensitive areas such as spawning, rearing and overwintering habitats, and seasonal habitat use including migration and spawning routes.		CR #2 Section 4.3, Appendix B,E,G	
	[C] Describe the current and potential use of fish resources by Aboriginal, sport or commercial fisheries.		CR #2 Section 3.2.3	AER Application Binder Attachement 11 to 15
	[D] Identify the key aquatic indicators that CVRI used to assess the Project’s impacts. Discuss the rationale for their selection.		CR #2 Section 3.2.3	
<b>3.5.2</b>	<b>IMPACT ASSESSMENT</b>			
	[A] Describe the potential impacts to fish, fish habitat, and other aquatic resources (e.g., stream alterations and changes to substrate conditions, water quality and quantity) considering:			ESRD SIR#3 Q6

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	a) fish tainting, survival of eggs and fry, chronic or acute health effects, and increased stress on fish populations from release of contaminants, sedimentation, flow alterations, temperature and habitat changes;		CR #2 Section 5.1, 5.2, 5.3	ESRD SIR#1 Q105  ESRD SIR#2 Q21, 25
	b) potential impacts on riparian areas that could affect aquatic biological resources and productivity;		CR #2 Section 5.1, 5.2.1, 5.3.1	
	c) the potential for increased fishing pressures in the region that could arise from the increased workforce and improved access resulting from the Project. Identify the implications on the fish resource and describe any mitigation strategies that might be planned to minimize these impacts, including any plans to restrict employee and visitor access;		CR #2 Section 5.1, 5.3.1, 5.3.2	
	d) changes to benthic invertebrate communities that may affect food quality and availability for fish; and		CR #2 Section 5.1, 5.3.3	
	e) the potential for increased fragmentation of aquatic habitat.		CR #2 Section 5.1, 5.2.1, 5.3.1	
	[B] Discuss the design, construction and operational factors to be incorporated into the Project to minimize impacts to fish and fish habitat and protect aquatic resources.		CR #2 Section 5.4	ESRD SIR#1 Q168  ESRD SIR#2 Q23, 24
	[C] Identify plans proposed to offset any loss in the productivity of fish habitat. Indicate how environmental protection plans address applicable provincial and federal policies on fish habitat including the development of a “No Net Loss” fish habitat objective.		CR #2 Section 5.4.6	ESRD SIR#1 Q86, 99, 167, 174, 176  ESRD SIR#2 Q23
	[D] Describe the effects of any surface water withdrawals considered including cumulative effects on fish, fish habitat and other aquatic resources.		CR #2 Section 5.2.2, 5.3.1, 5.3.3	ESRD SIR#2 Q21
<b>3.6</b>	<b>VEGETATION</b>			
<b>3.6.1</b>	<b>BASEINE INFORMATION</b>			
	[A] Describe and map vegetation communities for each ecosite phase.		CR #13 Section 4.1	
	[B] Describe and map wetlands and discuss their distribution and relative abundance.		CR #13 Section 4.2	
	[C] Identify, verify and map the relative abundance of species of rare plants and the ecosite phases where they are found		CR #13 Section 4.3	
	[D] Discuss the potential of each ecosite phase to support rare plant		CR #13	

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	species, plants for traditional, medicinal and cultural purposes, old growth forests and communities of limited distribution. Consider their importance for local and regional habitat, sustained forest growth, rare plant habitat and the hydrologic regime.		Section 4.3.2	
[E]	Describe the regional relevance of landscape units that are identified as rare.		CR #13 Section 4.3.3	
[F]	Provide Timber Productivity Ratings for both the Project Area and the Local Study Area, including identification of productive forested, non-productive forested and non-forested lands.	Section F.4.1.1	CR #13 Section 4.1.4	
<b>3.6.2</b>	<b>IMPACT ASSESSMENT</b>			
[A]	Identify the amount of vegetation and wetlands to be disturbed for all stages of the Project.		CR #13 Section 5.1.1	ESRD SIR#1 Q196
[B]	Discuss any potential impacts the Project may have on rare plants or endangered species.		CR #13 Section 5.12	
[C]	Discuss temporary (include timeframe) and permanent changes to vegetation and wetland communities.		CR #13 Section 5.1.1	
[D]	Describe the regional impact of any ecosite phase to be removed.		CR #13 Section 5.1.1	
[E]	Discuss from an ecological perspective, the expected timelines for establishment and recovery of vegetative communities and the expected differences in the resulting vegetative community structures.	Section F.2.5	CR #13 Section 5.1.1	ERCB SIR#1 Q67
[F]	Provide a predicted Ecological Land Classification map that shows the reclaimed vegetation.	Section F.4.2	CR #13 Section 5.1.1	
[G]	Discuss the impact of any loss of wetlands, including how the loss will affect land use.	F.4.2	CR #13 Section 5.2	ESRD SIR#2 Q31
[H]	Provide a mitigation strategy that will minimize Project impacts addressing:			
	a) mitigation of the adverse effects of site clearing on rare plants, plant communities and plants for traditional, medicinal and cultural purposes. Identify any setbacks proposed around environmentally-sensitive areas such as surface waterbodies, riparian areas and wetlands; and	Section F	CR #13 Section 5.2.3, 5.3.3, 5.4.3, 5.5.3, 5.6.4	ESRD SIR#1 Q196 ESRD SIR#2 Q35 ERCB SIR#1 Q66
	b) measures and techniques that will be used to minimize the impact of loss of wetlands on land use.	Section F.4.2	CR #13 Section	ESRD SIR#1 Q196
[I]	Discuss weeds and non-native invasive species and describe how these species will be assessed and controlled prior to and during operation and reclamation.		CR #13 Section 4.1.3	
[J]	Discuss at multiple spatial scales, the predicted changes to upland, riparian and wetland habitats resulting from increased fragmentation.	Section F.4.2	CR #13 Section 5.1.1, 5.6	

Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project Cross Reference (Concordance) Table to Location in Application				
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<b>3.7</b>	<b>WILDLIFE</b>			
<b>3.7.1</b>	<b>BASELINE INFORMATION</b>			
	[A] Describe and map existing wildlife resources (amphibians, reptiles, birds and terrestrial and aquatic mammals) and their use and potential use of habitats.		CR #14 Section 5, 6, 7, 8	ESRD SIR#1 Q149  ERCB SIR#1 Q69
	[B] Identify key indicator species and discuss the rationale for their selection. Identify composition, distribution, relative abundance, seasonal movements, movement corridors, habitat requirements, key habitat areas, and general life history. Address those species:		CR #14 Section 3, 5, 6, 7, 8	
	a) listed as “at Risk, May be at Risk and Sensitive” in The Status of Alberta Species (Alberta Sustainable Resource Development);		CR #14 Section 3, 5, 6, 7, 8	
	b) listed in Schedule 1 of the federal <i>Species at Risk Act</i> ; and		CR #14 Section 3, 5, 6, 7, 8	
	c) listed as “at risk” by COSEWIC.		CR #14 Section 3, 5, 6, 7, 8	
	[C] Describe, quantify and map all existing habitat disturbance (including exploration activities) and identify those habitat disturbances that are related to existing and approved Project operations.		CR #14 Section 1, 4	
<b>3.7.2</b>	<b>IMPACT ASSESSMENT</b>			
	[A] Describe Project components and activities that may affect wildlife and wildlife habitat.		CR #14 Section 1, 2	ESRD SIR#1 Q145
	[B] Describe and assess the potential impacts of the Project on key indicator species and relate those impacts to wildlife populations and wildlife habitats, addressing:		CR #14 Section 12	
	a) how the Project will affect wildlife relative abundance, movement patterns, distribution and recruitment into regional populations for all stages of the Project;		CR #14 Section 5, 6, 7, 8, 12	ESRD SIR#1 Q146  ESRD SIR#2 Q34
	b) how improved or altered access may affect wildlife including potential obstruction of daily and seasonal movements, increased vehicle-wildlife collisions, and increased hunting pressures;		CR #14 Section 5, 6, 7, 8, 12	ESRD SIR#2 Q32
	c) how increased habitat fragmentation may affect wildlife considering edge effects, the availability of core habitat, and the influence of linear features and infrastructure on wildlife movements and other population parameters;		CR #14 Section 5, 6, 7, 8, 12	
	d) the spatial and temporal changes to habitat availability and habitat effectiveness (types, quality, quantity, diversity and distribution);		CR #14 Section 5, 6, 7, 8, 12	

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	e) potential impacts on wildlife resulting from changes to air and water quality, including both acute and chronic effects to animal health;		CR #5 Appendix F CR #14 Section 5, 6, 7, 8, 12	
	f) the resilience and recovery capabilities of wildlife populations and habitats to disturbance; and		CR #14 Section 5, 6, 7, 8, 12	
	g) the potential for the Project Area to be returned to its existing state with respect to wildlife populations and their habitats.		CR #14 Section 5, 6, 7, 8, 12	
	[C] Comment on the availability of species for traditional use considering habitat loss, habitat avoidance, vehicle-wildlife collisions, increased non-aboriginal hunting pressure and other Project related impacts on wildlife populations.		CR #14 Section 10	
	[D] Provide a strategy and mitigation plan to minimize impacts on wildlife and wildlife habitat for all stages of the Project and to return productive wildlife habitat to the area, considering:			ESRD SIR#1 Q197
	a) consistency of the plan with applicable regional, provincial and federal wildlife habitat objectives and policies;		CR #14 Section 12	
	b) a schedule for the return of habitat capability to areas impacted by the Project;		CR #14 Section 12	
	c) the use of setbacks to protect riparian habitats, interconnectivity of such habitat and the unimpeded movement by wildlife species using that habitat and the use of buffers (e.g. treed buffers) to reduce visual or noise impacts on wildlife;		CR #14 Section 12	ESRD SIR#2 Q27, 29
	d) anticipated access controls or other management strategies to protect wildlife during and after Project operations;		CR #14 Section 12	ESRD SIR#1 Q197
	e) measures to prevent habituation of wildlife to minimize the potential for human-wildlife encounters and consequent destruction of wildlife, including any staff training program, fencing camps, garbage containment measures or regular follow-up;		CR #14 Section 12	ERCB SIR#1 Q70
	f) measures to mitigate habitat fragmentation considering impacts to habitat connectivity and wildlife movements resulting from linear features (e.g., above ground pipelines, roads etc.) and other Project infrastructure and activities; and		CR #14 Section 12	ERCB SIR#1 Q70 ESRD SIR#2 Q33
	g) measures to mitigate mortality risks to wildlife from roads or other hazards related to Project infrastructure.		CR #14 Section 12	ESRD SIR#2 Q32
<b>3.8</b>	<b>BIODIVERSITY</b>			
<b>3.8.1</b>	<b>BASELINE INFORMATION</b>			
	[A] Describe the terrestrial and aquatic biodiversity metrics that will be used to characterize the existing ecosystems and probable impacts		CR #2, CR #7, CR #10,	

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	of the Project, and:		CR #13, CR #14	
	a) describe the process and rationale used to select biotic and abiotic indicators for biodiversity within selected taxonomic groups;	Section E.7.2.4, E.7.2.5, E.10, E.13.3.12, E.14, Section F.3.4.1, F.3.4.2	CR #7, CR #10, CR #13, CR #14	
	b) determine the relative abundance of species in each ecosite phase;	Section E.7.1, E.13.3.1, E.14	CR #7, CR #13, CR #14	
	c) provide species locations, lists and summaries of observed and estimated species richness and evenness for each ecosite phase;	Section E.7.2.2, E.13.2.4, E.14	CR #7, CR #13, CR #14	
	d) provide a measure of biodiversity on baseline sites that are representative of the proposed reclamation ecosites; and	Section E.7.2, E.10.2, E.13.2, E.14, Section F.4.1.1	CR #7, CR #10, CR #13, CR #14	
	e) rank each ecological unit for biodiversity potential. Describe the techniques used in the ranking process.	Section E.13.2.4, Section F.3.4	CR #13	
<b>3.8.2</b>	<b>IMPACT ASSESSMENT</b>			
	[A] Describe the metrics used to assess the probable impacts of the Project. Discuss the contribution of the Project to any anticipated changes in regional biodiversity and the potential impact to local and regional ecosystems.	Section E.3.3.6, E.7.2.11, E.10, E.13.2.4, E.14, Section F.2.1, F.2.4, F.2.5.6, F.4.1.2	CR #7, CR #10, CR #13, CR #14	
	[B] Identify and evaluate the extent of potential effects of fragmentation on biodiversity that may result from the Project. Discuss those effects at all relevant scales (from site specific to landscape level).	Section E.7, E.13.2.4, E.13.3.12, E.14, Section	CR #7, CR #13, CR #14	



**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
		F.4.1.2		
	[C] Discuss the mitigation measures proposed to minimize any anticipated changes in regional biodiversity.	Section E.2.2.2, E.7, E.10, E.13.2.4, E13.3.12, E.14, Section F.2.5.5, F.2.5.6	CR #7, CR #10, CR #13, CR #14	
<b>3.9</b>	<b>TERRAIN AND SOILS</b>			
<b>3.9.1</b>	<b>BASELINE INFORMATION</b>			
	[A] Provide descriptions and maps of the terrain and soils conditions, including:			
	a) surficial geology and topography;	Section B.3	CR #10 Section 2.2	
	b) soil types and their distribution. Provide an ecological context to the soil resource by supplying a soil survey report and maps to Survey Intensity Level 2 for the Project Area;		CR #10 Section 3.2, 3.3, 3.4	ESRD SIR#2 Q40
	c) suitability and availability of soils within the Project Area for reclamation;	Section F.4.1.2	CR #10 Section 3.5	
	d) soils that could be affected by the Project; and		CR #10 Section 2.1, 3.6	
	e) descriptions and locations of erosion sensitive soils.		CR #10 Section 3.6	
<b>3.9.2</b>	<b>IMPACT ASSESSMENT</b>			
	[A] Describe Project activities and other related issues that could affect soil quality (e.g., compaction, contaminants) and:			
	a) indicate the amount (ha) of surface disturbance from mine, overburden disposal, reclamation material stockpiles, infrastructure (e.g., pipelines, power lines, access roads), aggregate and borrow sites, construction camps, waste disposal and other construction and operation activities;	Section A.8, C.2.1.1	CR #10 Section 2.1	ERCB SIR#1 Q36 ERCB SIR#2 Q4
	b) describe potential sources of soil contamination;	Section C.1.5.2, C.6.6	CR #10 Section 6.0	
	c) describe the impact of the Project on soil types and reclamation suitability and the approximate volume of soil materials for reclamation. Discuss any constraints or limitations to achieving vegetation/habitat reclamation based on anticipated soil conditions (e.g., compaction, contaminants, salinity, soil moisture, nutrient depletion, erosion, etc.); and	Section F.4.1.2	CR #10 Section 3.5, 4.2, 5.3, 5.4	

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	d) discuss the potential for soil erosion during the life of the Project.	Section F.2.4.2	CR #10 Section 3.6	
[B]	Discuss the potential impact of the Project (including blasting, excavation and tunneling) on slope stability.	Section B.3.2, B.6.3.3, B.6.3.4	CR #10 Section 6.0	
[C]	Discuss the potential impacts caused by the mulching and storage of woody debris considering, but not limited to vulnerability to fire, degradation of soil quality, increased footprint, etc.	Section F.4.1	CR #10 Section 5.2.2	
[D]	Provide a mitigation plan including:			
	a) possible measures to minimize surface disturbance including the use of existing clearings for the Project;	Section C.2.1.1, C.6.6	CR #10 Section 6.2.1	
	b) possible actions to mitigate effects of any constraint or limitation to habitat reclamation such as compaction, contaminants, salinity, soil moisture, erosion, nutrient regime, etc.;	Section C.6.5, F.5.4	CR #10 Section 6.2	ERCB SIR#1 Q68
	c) possible actions to address impacts to land capability; and	Section F.5.3	CR #10 Section 6.2.2	
	d) any other measures to reduce or eliminate the potential impacts that the Project may have on soil capability and/or quality.	Section F.5.4	CR #10 Section 6.2.2	
<b>3.10</b>	<b>LAND USE</b>			
<b>3.10.1</b>	<b>BASELINE INFORMATION</b>			
[A]	Describe and map the current land uses in the study area, including all Crown land and Crown Reservations (Holding Reservation, Protective Notation, and Consultative Notation).	Section E.16.2, E.16.3		
[B]	Indicate where Crown Land dispositions will be needed for roads or other infrastructure for the Project.	Section A.4.3, C.1.6, C.2.5		
[C]	Identify and map unique sites or special features in the local and regional study areas such as Parks and Protected Areas, Heritage Rivers, Historic Sites, Environmentally Significant Areas, culturally significant sites and other designations (World Heritage Sites, Ramsar Sites, Internationally Important Bird Areas, etc).	Section E.4.2, E.12.2	CR #4, CR #12	ESRD SIR#1 Q15
[D]	Describe and map land clearing activities, showing the timing of the activities.	Section C.3		
[E]	Describe the status of timber harvesting arrangements, including species and timing.	Section C.1.3.5, C.2.4, C.3.1	CR #13	
<b>3.10.2</b>	<b>IMPACT ANALYSIS</b>			
[A]	Identify the potential impact of the Project on land uses, including:			
	a) impacts to unique sites or special features;	Section E.4.3,	CR #4, CR #12	

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
		E.12.4		
	b) impacts caused by changes in public access arising from linear development, including secondary effects related to increased hunter, angler and other recreational access, decreased access to traditional use sites and facilitated predator movement;	Section A.5, A.7.3 Section G.3.1	CR #9	
	c) potential impacts to aggregate reserves that may be located on land under CVRI's control;	Section C.1.6, Section E.16.5		
	d) the impact of development and reclamation on commercial forest harvesting and fire management in the study Area;	Section C.6, Section F.5.2	CR #13	
	e) the amount of commercial and non-commercial forest land base that will be disturbed by the Project, including the Timber Productivity Ratings for the Project area. Compare the pre-disturbance and reclaimed percentages and distribution of all forested communities in the Project Area;	Section F.3.3	CR #13	
	f) how the Project impacts Annual Allowable Cuts and quotas within the Forest Management Agreement area;	Section F.3.2, F.4.1.1	CR #13 Section 4.1.4	
	g) the potential impact on existing land uses of anticipated changes (type and extent) to the pre-disturbance topography, elevation and drainage pattern within the Project Area; and	Section F.3.2, F.5	CR #3, CR#10	
	h) impacts of the Project on public access, regional recreational activities, aboriginal land use and other land uses during and after development activities.	Section A.5, A.7, Section G.3.1	CR #9	AER Application Binder Attachement 11 to 15
	[B] Discuss possible mitigation strategies to address impacts on land use including:			
	a) access management during and after Project operations;	Section A.5, A.7.3, A.7.4, Section G.2.2.5, G.3.2	CR #9	
	b) the process for addressing the needs of other land users in both the local and regional study areas; and	Section G.2.2.5	CR #9	
	c) how potentially-affected aggregate reserves will be salvaged and stockpiled with input provided by Alberta Sustainable Resource Development.	Section C.1.6.2, Section E.16.3		
<b>4.0</b>	<b>HISTORIC RESOURCES</b>			
	[A] Describe the Historic Resource Impact Assessment (HRIA) work	Section E.4	CR #4 Section 1.2,	ESRD SIR#1 Q15

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

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	done for the Project, and provide a schedule for any future work.		3.2, 4.0, 5.6	
[B]	Describe the implications of the findings of the HRIA work on Project design and scheduling.		CR #4 Section 3.3, 5.7	ESRD SIR#1 Q15
[C]	Describe any Project uncertainties arising from the need for future HRIA work.		CR #4 Section 5.0	ESRD SIR#1 Q15
<b>5.0</b>	<b>TADITIONAL ECOLOGICAL KNOWLEDGE AND LAND USE</b>			
[A]	Provide:			
	a) a map and description of traditional use areas including fishing, hunting, trapping, nutritional or medicinal plant harvesting, and cultural use by affected Aboriginal peoples (if the aboriginal community or group is willing to have these locations disclosed);		CR #12 Section 3.0	ESRD SIR#1 Q5,
	b) a map of cabin sites, spiritual sites, graves and other traditional use sites considered historic resources under the Historical Resources Act (if the aboriginal community or group is willing to have these locations disclosed), as well as traditional trails and resource activity patterns; and		CR # 4 Section 4.0 CR #12 Section 3.0	ESRD SIR#1 Q5, Q8, cON
	c) a discussion of:			
	i) access to traditional lands in the Project Area during all stages of the Project,	Section A.5, A.7.2, A.8.12, Section G.1.4	CR #12 Section 3.0	ESRD SIR#1 Q6,
	ii) the vegetation and wildlife used for traditional, food, ceremonial, medicinal and other purposes, and		CR #12 Section 3.0	
	iii) aboriginal views on land reclamation.		CR #12 Section 3.0	AER Application Binder Attachement 11 to 15
[B]	Determine the impact of the Project on traditional uses and culture and identify possible mitigation strategies.		CR #12 Section 3.0, 4.4	ESRD SIR#1 Q10, 12,
<b>6.0</b>	<b>PUBLIC HEALTH AND SAFETY ASSESSMENT</b>			
[A]	Describe any features or characteristics of the Project that may have implications for public health or the delivery of regional health services that are different from the existing Coal Valley Mine. Determine whether there may be implications for public health arising from the Project that are different from the existing Coal Valley Mine. Specifically:			
	a) assess the potential health implications of the compounds that will be released to the environment from the Project in relation to exposure limits established to prevent acute and chronic adverse effects on human health;		CR #5 Section 4.0	

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	b) provide the data, exposure modeling calculations, and describe the methods the Proponent used to assess impacts of the Project on human health and safety;		CR #5 Section 3.0	ESRD SIR#1 Q155, 162, 163, 164, 165, 166, 215, 221, 224
	c) provide information, including chemical analyses and modeling results, on samples of selected environmental media (e.g., soil, water, air, vegetation, wild game, etc.) used in the assessment;		CR #5 Appendix B	ESRD SIR#1 Q154, 226
	d) discuss the potential for changes to water quality, air quality and soil quality to increase human exposure to contaminants taking into consideration all Project activities;		CR #5 Section 3.2.2	ESRD SIR#1 Q159, 160, 161
	e) identify the human health impact of the potential contamination of country foods and natural food sources taking into consideration all Project activities;		CR #5 Section 4.4.3	ESRD SIR#1 Q158, 226
	f) document any health concerns raised by stakeholders during consultation on the Project;		CR #5 Section 2.2	
	g) document any health concerns identified by aboriginal communities or groups resulting from impacts of existing development and of the Project specifically on their traditional lifestyle and include an aboriginal receptor type in the assessment;		CR #5 Section 2.2	AER Application Binder Attachement 11 to 15
	h) assess the cumulative human health impacts to receptors, including First Nations and Métis receptors;		CR #5 Section 4.0	ESRD SIR#1 Q17
	i) as appropriate, describe anticipated follow-up work, including regional cooperative studies. Discuss how such work will be implemented and coordinated with ongoing air, soil and water quality initiatives;		CR #5 Section 6.0	
	j) describe the potential health impacts resulting from higher regional traffic volumes and the increased risk of accidental leaks and spills; and		CR #9 Section 3.2.2	ESRD SIR#1 Q13, 14, 39, 40
	k) discuss mitigation strategies to minimize the potential impact of the Project on human health.	Section E.5.5, Section F	CR #1, CR #2, CR #3, CR #5, CR #6, CR #8, CR #9, CR #11, CR #13, CR #14	
	[B] Describe those aspects of the Project that may have implications for public safety. Determine whether there may be implications for public safety arising from the Project. Specifically:			
	a) describe the CVRI's emergency response plan, including public notification protocol and safety procedures, to minimize adverse environmental effects, including emergency reporting procedures for spill containment and management;	Section C.6.6.4		ESRD SIR#1 Q131
	b) document any safety concerns raised by stakeholders during	Section		

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	consultation on the Project;	G.2.2.5		
	c) describe how local residents will be contacted during an emergency and the type of information that will be communicated to them;	Section C.6.5		
	d) describe the existing agreements with area municipalities or industry groups such as safety cooperatives, emergency response associations, regional mutual aid programs and municipal emergency response agencies;	Section C.6.6.2	CR #9 Section 2.1.4	
	e) describe the potential safety impacts resulting from higher regional traffic volumes; and		CR #9 Section 3.2.2	ESRD SIR#1 Q13, 14, 39, 40
	f) discuss mitigation plans to ensure workforce and public safety for all stages of the Project. Include prevention and safety measures for wildfire occurrences, accidental release or spill of chemicals to the environment and failures of structures retaining water or fluid wastes.	Section C.6.1, C.6.6	CR #9 Section 2.14	ESRD SIR#1 Q131 CEAA Panel IR#1 Q9
<b>7.0</b>	<b>SOCIO-ECONOMIC ASSESSMENT</b>			
<b>7.1</b>	<b>BASELINE INFORMATION</b>			
	[A] Describe the existing socio-economic conditions in the region and in the communities in the region.		CR # 9 Section 2.0	
	[B] Describe factors that may affect existing socio-economic conditions including:			
	a) population changes;		CR # 9 Section 2.1.2, 2.2.3	
	b) CVRI’s policies and programs regarding the use of regional and Alberta goods and services;		CR # 9 Section 2.1.1, 3.1, 3.2	ERCB SIR#1 Q54
	c) workforce requirements for the Project, including a description of when peak activity periods will occur; and	Section A.3.1, A.6, Section C.3	CR # 9 Section 3.1.1	ERCB SIR#1 Q52, 53, 55 ERCB SIR#2 Q8
	d) planned accommodations for the workforce for all stages of the Project.		CR # 9 Section 2.1.3, 3.2	
<b>7.2</b>	<b>IMPACT ASSESSMENT</b>			
	[A] Describe the socio-economic impacts of construction and operation of the Project, including:			
	a) impacts related to:			
	i) housing,		CR # 9 Section 3.2.1	

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

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	ii) recreational activities,	Section G.2.1, G.2.2	CR # 9 Section 2.2.6	
	iii) hunting, fishing, trapping and gathering, and	Section G.1, G.2.1	CR # 9 Section 2.2.6, 3.2.2, CR #12	
	iv) effects on First Nations and Métis ( <i>e.g.</i> , traditional land use and social and cultural implications);		CR # 9 Section 2.2.6, CR #12	
	b) estimated total Project cost, including a breakdown for engineering and project management, equipment and materials, and labour for both construction and operation stages. Indicate the percentage of expenditures expected to occur in the region, Alberta, Canada outside of Alberta, and outside of Canada;		CR # 9 Section 1.2, 3.1.2, 3.1.5, 5.0	
	c) impacts of the Project on the availability of affordable housing and the quality of health care services. Provide a summary of any discussions that have taken place with the local municipalities and the local environmental public health office of Alberta Health Services concerning housing availability and health care services respectively;		CR # 9 Section 2.1.4, 2.2, 3.2	
	d) the impact on local and regional infrastructure and community services, including consideration of municipal “hard services”, education/training services, social services, urban and regional recreation services, law enforcement and emergency services; and		CR # 9 Section 3.1, 3.2	
	e) municipal growth pressures as they relate to the Project and the need for additional Crown land to meet these needs.		CR # 9 Section 3.2.1	
	[B] Discuss options for mitigating impacts including:			
	a) CVRI’s policies and programs regarding the use of regional and Alberta goods and services;		CR # 9 Section 3.1.2	
	b) plans to work with First Nations and Métis communities and groups and other local residents and businesses regarding employment, training needs, and other economic development opportunities arising from the Project;	Section G.2.2	CR # 9 Section 3.1.1, CR #12	
	c) the potential to avoid overlap with other Projects that are reasonably anticipated during all stages of the Project;		CR # 9 Section 4.0	
	d) mitigation plans that will be undertaken to address issues related to the availability of affordable housing and the quality of health care services; and		CR # 9 Section 3.1, 3.2	
	e) strategies to mitigate socio-economic concerns raised by the local municipality and other stakeholders in the region.		CR # 9 Section 5.0	
<b>8.0</b>	<b>RESIDUAL IMPACTS</b>			

**Final Terms of Reference Environmental Impact Assessment Report for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	[A] Describe the residual impacts of the Project following implementation of CVRI’s mitigation measures and discuss plans to manage those impacts.	Section E, F	CR #1to #14	
<b>9.0</b>	<b>MONITORING AND ADAPTIVE MANAGEMENT</b>			
	[A] Describe CVRI’s current and proposed local and regional monitoring programs with respect to Project impacts from:			ERCB SIR#2 Q9
	a) Source air emissions, including fugitive emissions;		CR #1 Section 4.0	
	b) Wastewater treatment and release;	Section C.1.6, C.4	CR #6 Section 4.1 CR #11 Section 4.3.1, 4.5.1	ESRD SIR#1 Q172
	c) Hazardous and non-hazardous waste storage, transfer and treatment.	Section C.1.5, C.6.6.3, C.7		
	[B] Describe the monitoring programs proposed to measure the effectiveness of mitigation plans.	Section E	CR #1 to CR #14	
	[C] Discuss how monitoring data will be disseminated to the public, Aboriginal communities and other interested parties.	Section G.2		
	[D] Discuss how the results of monitoring programs and publically available monitoring will be integrated with CVRI’s environmental management system.	Section A.4.4		ERCB SIR#1 Q72
	[E] Describe adaptive management plans that minimize the impact of the Project. Describe the flexibility built into the Project to accommodate future modifications required as a result of any changes in environmental standards, limits and guidelines, or as a result of findings from Project specific monitoring programs.	Section E.2.3.7, E.11.5, Section F.5	CR #1 to CR #14	ESRD SIR#1 Q173, 179



DRAFT Terms of Reference for the Joint Panel Review for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project Cross Reference (Concordance) Table to Location in Application				
TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
<b>I</b>	<b>Scope of Project</b>			
	<p>Coal Valley Resources Inc. (the Proponent) proposes to continue operations of the Coal Valley Mine, located approximately 100 km south of Edson in the Coal Branch area of Alberta. The Coal Valley Mine has been in operation since 1978 employing both truck/shovel and dragline mining methods to supply high quality thermal coal for overseas and domestic markets.</p> <p>Depleting coal reserves within the existing Coal Valley Mine permit area require further mine development to allow the Proponent to maintain its workforce and to continue to supply thermal coal to its customers. The Proponent is proposing to continue operations by developing coal resources in the Robb Trend Area. The Robb Trend Coal Mine Expansion Project (the Project) is an extension of the permit for the existing mining and coal processing activities at the Coal Valley Mine. The mine permit application provides conceptual details about how the Project will be developed, operated and reclaimed. Applications to commence mining operations will be made in the future to the AER and other regulatory agencies. It is expected that the existing infrastructure and workforce will be used to service the Project and that all office and maintenance facilities will be maintained at the present site. The Project will require additional infrastructure such as new road crossings, transportation, and utility corridors to join the Project area to existing mining infrastructure. The coal will be brought from the Project area to the existing processing plant where it will be cleaned and loaded into trains for transport to market.</p> <p>The Proponent’s reserve estimate for the Project area indicates that it would release approximately 172.4 million tonnes of coal for processing yielding approximately 86.2 million clean metric tonnes available for sale. This additional tonnage would provide the Proponent with the necessary resources to operate at a projected production rate of up to 4.0 million tonnes per year for approximately 22 years.</p>	Section A, Section C		<p>ERCB SIR#1 Q2, 3</p> <p>CEAA Panel IR#1 Q1, Q2, Q3</p>
<b>II</b>	<b>Scope of the Environmental Assessment of the Project</b>			
	<p>The Joint Review Panel shall conduct an assessment of the environmental effects of the Project referred to in the Scope of the Project (Part 1) in a manner consistent with the requirements of CEAA 2012, REDA, the <i>Coal Conservation Act</i>, EPEA if applicable, and these Terms of Reference.</p> <p>As per section 19(1) of CEAA 2012, the assessment shall include a consideration of the following factors:</p>	Section E Section F	CR #1 to #14	CEAA Panel IR#1 Q1 – Q11
	a) the environmental effects of the Project, including the environmental effects of malfunctions or accidents that may occur in connection with the Project and any cumulative environmental effects that are likely to result from	Section E	CR #1 to #14	CEAA Panel IR#1 Q8, Q9

DRAFT Terms of Reference for the Joint Panel Review for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project Cross Reference (Concordance) Table to Location in Application				
TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	the Project in combination with other projects or activities that have been or will be carried out;			
	b) the significance of the effects referred to in paragraph a);	Section E	CR #1 to #14	CEAA Panel IR#1 Q8
	c) comments from the public, including Aboriginal persons and groups, that are received during the joint review;	Section G Appendix 7	CR#12	CEAA Panel IR#1 Q5, Q6  AER Application Binder Attachment 11 to 16
	d) mitigation measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the Project;	Section E	CR #1 to #14	AER SIR#3 Appendix 4  CEAA Panel IR#1 Q7
	e) the requirements of the follow-up program in respect of the Project;			
	f) the purpose of the Project;	Section A Section C		CEAA Panel IR #1 Q2
	g) alternative means of carrying out the Project that are technically and economically feasible and the environmental effects of any such alternative means; and	Section A.3.2		ERCB SIR#1 Q29, 30, 42  AER SIR#3 Q1, 5  CEAA Panel IR#1 Q7
	h) any change to the Project that may be caused by the environment.	Section C.6.6		CEAA Panel IR #1 Q9
	The Joint Review Panel shall consider and include in its report the effects of the Project on asserted or established Aboriginal or Treaty rights, to the extent the Joint Review Panel receives such information as provided in Part III.  In examining all of the 19(1) factors set out in CEAA 2012, community knowledge and Aboriginal traditional knowledge (such as, but not limited to, traditional use studies), shall be taken into account.	Section G	CR#12	ESRD SIR#1 Q10, 11, 12  ESRD SIR#2 Q1, 2  AER SIR#3 Q2  CEAA Panel

DRAFT Terms of Reference for the Joint Panel Review for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project Cross Reference (Concordance) Table to Location in Application				
TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
				IR#1 Q5
<b>III</b>	<b>Scope of Factors</b>			
	<p>The scope of the factors includes those specified in the “Final Terms of Reference” for the preparation of the Environmental Impact Assessment Report for the Coal Valley Resources Inc. Robb Trend Project issued by Alberta Environment and Sustainable Resource Development on August 4, 2011. These Final Terms of Reference were prepared under the now repealed <i>Canadian Environmental Assessment Act</i>. CEAA 2012 has since come into force.</p> <p>In considering the factors outlined in Part II, the Joint Review Panel shall have regard for the following:</p>	Appendix 1		<p>CEAA Panel IR#1 Q4</p> <p>AER Application Binder Attachment 11 to 15</p>
<b>A.</b>	<b>Aboriginal Rights and Interests</b>			
	<p>The Joint Review Panel shall accept as part of its record and review information from Aboriginal groups related to the nature and scope of asserted or established Aboriginal or Treaty rights in the area of the Project, as well as information on the potential adverse environmental effects that the Project may have on asserted or established Aboriginal or Treaty rights, and information regarding any measures proposed to avoid or mitigate the potential adverse effects of the Project on asserted or established Aboriginal or Treaty rights. The Joint Review Panel may also receive information provided in this regard by the Proponent, interested parties, federal authorities or government, and provincial departments or government.</p> <p>The Joint Review Panel may use this information to make conclusions and recommendations that relate to the manner in which the Project may adversely impact asserted or established Aboriginal or Treaty rights as described by Aboriginal persons or groups.</p> <p>The Joint Review Panel, based on its assessment of the environmental effects of the Project, may recommend measures to mitigate any adverse environmental effects caused by the Project that could adversely impact or infringe those asserted or established Aboriginal or Treaty rights that were identified.</p>	Section G	CR #12	<p>ESRD SIR#1 Q10, 11, 12</p> <p>ESRD SIR#2 Q1, 2</p> <p>AER SIR#3 Q2</p> <p>CEAA Panel IR#1 Q5</p> <p>AER Application Binder Attachment 11 to 15</p>
	<p>The Joint Review Panel shall summarize in its report:</p> <ul style="list-style-type: none"> <li>the information provided regarding the manner in which the Project may adversely impact asserted or established Aboriginal or Treaty rights; and</li> <li>where appropriate, the information on the potential infringement that the Project may cause on asserted or established Aboriginal or Treaty rights.</li> </ul>	Section G, Section E	CR#12	<p>ESRD SIR#1 Q10, 11, 12</p> <p>ESRD SIR#2 Q1, 2</p> <p>AER SIR#3 Q2</p> <p>CEAA Panel IR#1 Q5</p>

DRAFT Terms of Reference for the Joint Panel Review for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project Cross Reference (Concordance) Table to Location in Application				
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				AER Application Binder Attachment 11 to 15
	<p>The Joint Review Panel may, where appropriate, provide recommendations on any additional measures to mitigate potential adverse impacts to asserted or established Aboriginal or Treaty rights.</p> <p>The Joint Review Panel shall not make any determinations as to:</p> <ul style="list-style-type: none"> <li>the validity of asserted or established Aboriginal or Treaty rights asserted by an Aboriginal group or the strength of such claims;</li> <li>the scope of the Crown’s duty to consult an Aboriginal group;</li> <li>whether the Crown has met its respective duties to consult or accommodate in respect of rights recognized and affirmed by section 35 of the Constitution Act, 1982; or</li> <li>any matter of Treaty interpretation.</li> </ul>	Section G	CR#12	
	Nothing in these Terms of Reference limits the application of section 21 of REDA or Part 2 of the <i>Administrative Procedures and Jurisdiction Act</i> to the AER, and the Joint Review Panel (in its capacity as a panel of AER hearing commissioners) remains at all times subject to the requirements of those provisions, and is entitled to exercise the powers under Part 2 of the <i>Administrative Procedures and Jurisdiction Act</i> , including but not limited to section 13 thereof.			
<b>B.</b>	<b>Cumulative Effects Assessment</b>			
	<p>The cumulative effects assessment should take into consideration the approach described in the Agency’s Cumulative Effects Assessment Practitioners Guide (1999) and in the Agency’s Operational Policy Statement entitled “Assessing Cumulative Environmental Effects under the <i>Canadian Environmental Assessment Act, 2012</i>” updated in May 2013.</p> <p>The Joint Review Panel should focus its consideration of cumulative effects on key valued components.</p>		CR#1 to #14	<p>AER SIR#3 Appendix 4</p> <p>CEAA Panel IR#1 Q8</p>
	<p>The cumulative effects assessment should provide a justification and description of the spatial and temporal boundaries and include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>a pre-Coal Valley Mine case to allow the Joint Review Panel to take into account the effects that may have already been experienced prior to the Project;</li> <li>projects or activities that have been carried out, including a</li> </ul>			CEAA Panel IR#1 Q8

DRAFT Terms of Reference for the Joint Panel Review for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project Cross Reference (Concordance) Table to Location in Application				
TOR No.	ToR Description	Reference Section in Application	Reference Section in Consultants Reports	Reference Section in Supplemental Information Requests
	<p>consideration of accidents or malfunctions, as of the issuance of the Joint Review Panel’s Terms of Reference; and</p> <ul style="list-style-type: none"> <li>activities that will be carried out for which an application has been made as of the time of the Joint Review Panel’s Notice of Hearing.</li> </ul>			
<b>C.</b>	<b>Accidents &amp; Malfunctions</b>			
	<p>In considering the environmental effects of malfunctions or accidents that may occur in connection with the Project, the Joint Review Panel should consider potential malfunctions or accidents associated with the following components:</p> <ul style="list-style-type: none"> <li>tailings management;</li> <li>surface water diversion and management;</li> <li>waste management and disposal;</li> <li>use, handling or spills of chemicals and hazardous materials on-site;</li> <li>the increase in road traffic, and the risk of road accidents; and</li> <li>any other project components or systems that have the potential, through accident or malfunction, to adversely affect the natural environment.</li> </ul>			CEAA Panel IR#1 Q9
	The Joint Review Panel should consider the likelihood of occurrence of a malfunction or an accident and the sensitive elements of the environment ( <i>e.g.</i> communities, homes, natural sites of interest, areas of major use) that may be affected in the event of any such malfunction or accident.			CEAA Panel IR#1 Q9
	Plans, measures and systems to reduce the potential occurrence of a malfunction or accident should be considered in the assessment and should indicate how they will reduce the effects or consequences of any such malfunction or accident.	Section C.6.1, C.6.6	CR #9 Section 2.14	ESRD SIR#1 Q131 CEAA Panel IR#1 Q9
<b>D.</b>	<b>Effects of Changes to the Environment</b>			
	The Joint Review Panel shall consider the effects of any changes caused to the components of the environment described in section 5(1) of CEAA 2012.	Section E.6.2.1, Section E.1, E.15.3.1, E.15.3.2	CR #1 to CR #14	ESRD SIR#1 Q28, 59, 187
<b>E.</b>	<b>Change to the Project Caused by the Environment</b>			
	<p>The Joint Review Panel will also consider any change to the Project that may be caused by the environment.</p> <p>Environmental changes and hazards that may occur and may affect the Project shall be considered. The Joint Review Panel should also take into account the potential influence of climate change scenarios presented by the Proponent and other interested parties on climate parameters (<i>e.g.</i> precipitation, temperature), and physical environmental processes.</p>	Section E.1	CR #1 Section 3.2	ESRD SIR#1 Q51, 52, 53, 54, 55, 56, 62, 66, 80, 210 ESRD SIR#2 Q39
	The Joint Review Panel shall consider the influence that these environmental changes and hazards may have on the Project as predicted and described by the	Section	CR #1 to CR	

DRAFT Terms of Reference for the Joint Panel Review for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project Cross Reference (Concordance) Table to Location in Application				
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	Proponent and interested parties.	E.6.2.1	#14	
<b>F.</b>	<b>Additional Information Available for Consideration</b>			
	If the Joint Review Panel concludes that taking into account the implementation of mitigation measures, the Project is likely to cause significant adverse environmental effects, it may include in its report a summary of any information it has received and that may be relevant to a determination by the Government of Canada with respect to the justifiability of any such significant adverse environmental effects. However, the Joint Review Panel shall not have a mandate to make any conclusions or recommendations with respect to the justifiability of any significant adverse environmental effects for the purpose of the review under CEAA 2012.	Section E Section F	CR #1 to #14	CEAA Panel IR#1 Q7 to 11
<b>IV</b>	<b>Review Process Mandate</b>			
	The Joint Review Panel shall conduct its review in a manner that discharges the responsibilities of the AER under REDA, the requirements set out in CEAA 2012, and the requirements set out in the Terms of Reference that were fixed and approved by the Federal Minister of the Environment and the AER.	N/A	N/A	N/A
	The Joint Review Panel shall have all the powers and duties of a panel described in section 45 of CEAA 2012 and of a panel of hearing commissioners described in REDA and the rules and regulations thereunder.	N/A	N/A	N/A
	A majority of the Joint Review Panel members constitutes a quorum for the purposes of the proceeding to be conducted by the Joint Review Panel. When a hearing, public meeting, or other activity is conducted by the Joint Review Panel and a member of the Joint Review Panel for any reason does not attend on any day or part of a day, the other members who are sitting at the hearing, public meeting or other activity may continue as fully and effectively as though the absent member were present.	N/A	N/A	N/A
<b>V</b>	<b>Process</b>			
	The environmental assessment for the Project consists of three stages. These stages are referred to as the Pre-Panel Stage, the Joint Review Panel Stage and the Post-Panel Stage. This description of the review process is limited to the Joint Review Panel stage.  The main steps of the review process during the Joint Review Panel stage of the environmental assessment will be as follows:	Section E Section F	CR #1 to #14	
<b>A.</b>	<b>Review of the Documentation</b>			
	1. As soon as possible following its appointment, the Joint Review Panel will initiate a public comment period on whether the information available on the public registry is sufficient to allow a review that complies with the Joint Review Panel’s Terms of Reference and to proceed to the public hearing phase of the process. The public, Aboriginal groups and government departments and agencies will be provided with a minimum of 30 days to provide comments.	N/A	N/A	N/A
	2. Comments received during the comment period will be made available to the public through the public registry as soon as possible.	N/A	N/A	N/A

DRAFT Terms of Reference for the Joint Panel Review for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project Cross Reference (Concordance) Table to Location in Application				
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<b>B.</b>	<b>The Joint Review Panel Process</b>			
	3. The Joint Review Panel shall undertake its mandate in three stages: Stage 1 – Sufficiency review of the Environmental Impact Assessment and Supplemental Information Stage 2 – Conduct of a public hearing Stage 3 – Preparation and submission of a report to the Federal Minister of the Environment	Section E Section F	CR #1 to #14	ESRD/ERCB SIR #1 ESRD/ERCB SIR#2 ESRD/AER SIR#3 CEAA Panel IR#1
	4. The Joint Review Panel shall fulfill its mandate and submit its report to the Federal Minister of the Environment within 425 days (14 months) of the date of establishment of the Joint Review Panel. The 425 days does not include the time period(s) between a request for information from the Joint Review Panel to the Proponent and receipt of the requested information by the Joint Review Panel.	N/A	N/A	N/A
	<b>Stage 1 - Sufficiency Review of the EIA and Supplemental Information by the Joint Review Panel</b>  5. If the Joint Review Panel determines that the EIA, including supplemental information on the Canadian Environmental Assessment Registry, is not sufficient to proceed to a public hearing after review of the documentation outlined in A.1. above, it shall request additional information to be provided by the Proponent.	Section A to G Appendices 1 to 10	CR #1 to #14	ESRD/ERCB SIR #1 ESRD/ERCB SIR#2 ESRD/AER SIR#3 CEAA Panel IR#1
	6. The Joint Review Panel will allow for the public review of and comment on additional information it receives.	N/A	N/A	N/A
	7. The process described above will apply, with any necessary adjustments, until such time as the Joint Review Panel determines it has sufficient information to proceed to a public hearing.	N/A	N/A	N/A
	8. If the Joint Review Panel is of the view that it requires additional information from the Proponent but the information deficiency is minor in nature, and the Joint Review Panel receives a commitment from the Proponent to provide the outstanding information in a timely manner, the Joint Review Panel may announce the hearing.	N/A	N/A	N/A
	9. The Joint Review Panel may request specialist or expert information or knowledge with respect to the Project from federal authorities in possession of such information or knowledge.	N/A	N/A	N/A

**DRAFT Terms of Reference for the Joint Panel Review for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project  
Cross Reference (Concordance) Table to Location in Application**

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	10. The Joint Review Panel may retain the services of independent non-government experts to provide advice on certain subjects with respect to the environmental assessment of the Project.	N/A	N/A	N/A
	11. The Joint Review Panel shall notify Aboriginal groups, government bodies, the public and other interested parties of the names of experts retained by the Joint Review Panel, and any relevant documents obtained or reports prepared by the experts that are submitted. For greater certainty, this shall exclude any information subject to solicitor-client privilege.	N/A	N/A	N/A
	12. The Joint Review Panel may require any expert to appear at the public hearing to address the report(s) they have created or relevant documents obtained and that were submitted to the Joint Review Panel and made public in accordance with the preceding paragraphs.	N/A	N/A	N/A
	<p><b>Stage 2 – Public Hearing</b></p> <p>13. If, after reviewing the additional information and any written comments from the public, Aboriginal persons and groups, government departments or agencies, or other technical experts, the Joint Review Panel concludes that it has sufficient information to proceed to hearing, it will announce the hearing, providing for a minimum of notice of 30 days prior to the commencement of the hearing.</p>	N/A	N/A	N/A
	14. The public hearing shall provide opportunities for timely and meaningful participation by the public, including Aboriginal persons and groups, in accordance with CEAA 2012 and subsection 34(3) of REDA. The Joint Review Panel shall conduct its hearing in substantial accordance with the AER's <i>Rules of Practice</i> . The Joint Review Panel will, however, attempt to make the review process as accessible as reasonably possible for individuals or groups who are not represented by legal counsel or who may lack experience with the quasi-judicial nature of the hearing process.	N/A	N/A	N/A
	15. The Joint Review Panel shall hold at least a portion of the public hearing sessions in the area(s) in proximity to the Project. The Joint Review Panel has discretion to consider holding some oral hearing sessions in or near an Aboriginal community or communities.	N/A	N/A	N/A
	16. The Joint Review Panel shall take into account the timing of traditional activities in Aboriginal and local communities when setting the time and location of the public hearing session.	N/A	N/A	N/A
	17. The Joint Review Panel shall make best efforts to conduct a public hearing and close the hearing record within 45 days of commencing the public hearing.	N/A	N/A	N/A
	<p><b>Stage 3 - Joint Review Panel Report</b></p> <p>18. Following the completion of the public hearing, the Joint Review Panel shall prepare and submit to the Federal Minister of the Environment a report as required in article 5.4 of the Agreement. The Joint Review Panel shall provide the executive summary of the report in both official languages of Canada. The report will include:</p>	N/A	N/A	N/A



DRAFT Terms of Reference for the Joint Panel Review for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project				
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	<ul style="list-style-type: none"> <li>• A summary description of the Joint Review Panel’s process;</li> <li>• A summary of the report;</li> <li>• The rationale, conclusions, and recommendations of the Joint Review Panel relating to the environmental assessment of the Project including any mitigation measures and follow-up programs;</li> <li>• A summary of any comments received including those from Aboriginal groups, government bodies, the public and other interested parties;</li> <li>• An identification of those conclusions that relate to the environmental effects defined in section 5 of CEAA 2012;</li> <li>• An identification of recommended mitigation measures and follow-up programs that relate to the environmental effects defined in section 5 of CEAA 2012, including, as appropriate, any commitments identified by the Proponent in the EIA or during the review panel process; and</li> <li>• A summary of the information received from participants as set out in Part III (A) on Aboriginal Rights and Interests above.</li> </ul>			
	19. If the Joint Review Panel concludes that, taking into account the implementation of mitigation measures, the Project is likely to cause significant adverse environmental effects, it may include in its report a summary of any information it has received on the justifiability of any such significant adverse environmental effects.	N/A	N/A	N/A
	20. Under its authority as the AER, the Joint Review Panel shall make a decision on the Project applications and as appropriate, shall include conclusions about the justifiability of any significant adverse effects. In relation to its role as a review panel under CEAA 2012, the Joint Review Panel shall not make any conclusions or recommendations with respect to the justifiability of any significant adverse environmental effects.	N/A	N/A	N/A
	21. The Federal Minister of the Environment will determine the significance of adverse environmental effects under CEAA 2012. If the Minister decides that the Project is likely to cause significant adverse environmental effects, the matter is referred to the Governor in Council (Cabinet) who must decide whether these environmental effects are justified in the circumstances.	N/A	N/A	N/A
	22. The report shall take into account and reflect the views of all Joint Review Panel Members.	N/A	N/A	N/A
	23. The Joint Review Panel may consider any requests made by Aboriginal groups to have the executive summary of the report translated into their Aboriginal languages. If the Joint Review Panel agrees with such a request, it must recommend to the Agency and the AER that such translations be provided by the Agency and the AER in a timely manner and include any conditions as to payment of the costs of translation that it considers appropriate.	N/A	N/A	N/A
	24. The Joint Review Panel will submit its report to the federal Minister of the Environment at the earliest possible date, and within the overall time limit established by the Federal Minister of the Environment for the review.	N/A	N/A	N/A
	25. Upon receiving the report submitted by the Joint Review Panel, the Federal Minister of the Environment and the AER will make the report available to the	N/A	N/A	N/A

DRAFT Terms of Reference for the Joint Panel Review for Coal Valley Resources Inc. (CVRI) Proposed Robb Trend Project Cross Reference (Concordance) Table to Location in Application				
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	public and will advise the public that the report is available.			
	26. In accordance with paragraph 43(1)(f) of CEAA 2012, the Joint Review Panel may be required to clarify any of the conclusions and recommendations set out in its report with respect to the environmental assessment.	N/A	N/A	N/A
	<p><b>Timelines</b></p> <p>27. The Joint Review Panel may request clarification of its Terms of Reference by sending a letter signed by the chairperson to the President of the Agency and the Chief Executive Officer of the AER setting out the request. Upon receiving such a request, the President is authorized to act on behalf of the Federal Minister of the Environment and collaborate with the AER to provide to the Joint Review Panel such clarification. The President and the AER shall use best efforts to provide a response to the Joint Review Panel within 14 calendar days. The Joint Review Panel shall continue with the review to the extent possible while waiting for the response in order to adhere to the time periods of the original Terms of Reference. The Joint Review Panel shall notify the public of any clarifications to its Terms of Reference.</p>	N/A	N/A	N/A
	28. Subject to article 24 above, the Joint Review Panel may seek an amendment to its Terms of Reference by sending a letter signed by the chairperson to the Federal Minister of the Environment and the AER setting out the request. As appropriate, the Federal Minister of the Environment may delegate to the President of the Agency the authority to act on the Federal Minister of the Environment’s behalf and, in collaboration with the AER, consider and respond to any request from the Joint Review Panel to amend the Terms of Reference. The Federal Minister of the Environment, or the President in case of such delegation, and the AER shall use best efforts to ensure a response is provided to the Joint Review Panel’s letter within 14 calendar days. The Joint Review Panel shall continue with the review to the extent possible while waiting for the response in order to adhere to the timelines of these Terms of Reference. Any requests for amendments under this article, as well as any amendments to these Terms of Reference, shall be posted on the Public Registry.	N/A	N/A	N/A