

Frontier Oil Sands Mine Project Joint Review Panel

February 5, 2019

The Honourable Catherine McKenna
Via Email: ec.ministre-minister.ec@canada.ca

Mr. Gordon Lambert, President & Chief Executive Officer, Alberta Energy Regulator
Via Email: <email address removed>

Subject: Request for an extension to the regulatory timeline for submission of the Joint Review Panel report on the proposed Teck Frontier Mine

Dear Minister McKenna and Mr. Lambert:

I am writing on behalf of the Frontier Oil Sands Mine Joint Review Panel (the Panel) to request an extension of the regulatory timeline under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) for the Panel to prepare and submit its report. There are several reasons the Panel has determined that an extension is necessary.

The proposed Frontier Oil Sands Mine Project (the Project) is a major project with important implications for Canada and Alberta. If approved and constructed, the Project would have a disturbance footprint of 292 km² and would operate for 41 years. The Panel has heard from First Nations and Métis groups that oil sands development has the potential to adversely affect the practice of their Indigenous rights. The proponent, Teck Resources Limited, has also provided evidence respecting the effects the Project and estimates that the Project would contribute \$12 billion in taxes to the federal government and \$55 billion to the province of Alberta through royalties and taxes over the life of the Project.

The Panel recently completed 18 days of public hearings in Fort McMurray and Fort Chipewyan, AB, where it heard extensive evidence presented by Indigenous groups, non-government organizations, members of the public and experts from the Federal Government. The Panel closed the record of the review on December 12, 2018. There are over 700 documents, or approximately 83,000 pages of evidence on the record of the review.

On August 24th 2017, the Panel received amended terms of reference under the Joint Review Panel Agreement, instructing the Panel to perform the additional significant task of assessing the potential effects of the Project on the Outstanding Universal Value of Wood Buffalo National Park (Park), including the Peace-Athabasca Delta. During the public hearing, the Panel heard extensive evidence, particularly from Indigenous groups, regarding the importance of the Park and the potential effects of industrial development on the Park and the Peace-Athabasca Delta. Given the current international focus on the Park as a result of the UNESCO mission, and the information contained in the Parks

Canada Strategic Environmental Assessment, the Panel wishes and intends to give this matter careful consideration in the context of preparing its report.

In addition to the Panel's rationale, conclusions and recommendations relating to the environmental assessment of the Project, pursuant to CEEA 2012, the Panel's report will also contain the Alberta Energy Regulator's (AER) decisions pursuant to the *Responsible Energy Development Act*, the *Environmental Protection and Enhancement Act*, the *Water Act* and the *Oil Sands Conservation Act*. The Panel is dedicated to fulfilling its mandate and delivering a thorough, quality report. This requires a proper consideration of the evidence the Panel has heard over the course of the review.

The Panel's task is complicated by the fact that the AER is currently reviewing several other large proposed projects, including the Mildred Lake Extension project and the Grassy Mountain Coal project. These reviews require technical expertise and human resources that are also required for the review of the Frontier Project. The Panel relies on the knowledge and advice provided by its secretariat to assist in its deliberations. However, given the ongoing multiple concurrent reviews being undertaken by the AER, the capacity of the Panel's secretariat staff to provide quality, timely advice under the current workload is being seriously challenged.

In view of the foregoing factors and challenges, the Panel is requesting additional time to complete the above tasks. The Panel is committed to completing its review in as thorough and efficient a manner as possible to submit its report to the Minister by no later than July 25, 2019. The Panel thanks you for your consideration of this request and looks forward to your response.

Yours truly,

<Original signed by>

Mr. Alex Bolton
Chair, Joint Review Panel

cc. Ron Hallman, President, Canadian Environmental Assessment Agency
Robin Cockell, Teck Resources Limited
Scott McKenzie, Teck Resources Limited