Alberta Energy Regulator

Bulletin 2025-03

www.aer.ca

January 20, 2025

New Direction for Coal Activity in the Eastern Slopes of Alberta's Rocky Mountains

On January 16, 2025, the Alberta Energy Regulator (AER) received Ministerial Order 003/2025, issued by the Minister of Energy and Minerals, Hon. Brian Jean (included at the end of this bulletin).

The order rescinds the three previous ministerial orders (054/2021, 093/2021, and 002/2022) related to coal mining activities in the Eastern Slopes and confirms the 1976 *A Coal Policy for Alberta*. The government has directed the AER to lift the suspension of all approvals and extend the expiry dates to account for the period of suspension. The AER is directed to comply with the directions given under Ministerial Order 003/2005 by January 31, 2025.

Under the 1976 policy, which is currently in effect, provincial lands are classified into four numbered categories with respect to coal exploration and development. The coal land classification map shows these categories. Under the policy, no coal exploration or development activities are permitted on Category 1 lands.

We will continue to implement future policy direction as it is received from the Government of Alberta. If you have any questions, contact our Customer Contact Centre by phone at 403-297-8311 (1-855-297-8311 toll free) or by email at inquiries@aer.ca

ALBERTA
Energy and Minerals

Office of the Minister
MLA, Fort McMurray - Lac La Biche

AR47272

January 15, 2025

Mr. Duncan Au
Chairman, Board of Directors
Alberta Energy Regulator
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Calgary, Alberta T2P 0R4
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Dear Sir:

I have decided to rescind Ministerial Orders 054/2021, 093/2021 and 002/2022 related to coal mining activities in the Eastern Slopes and am confirming the 1976 Coal Development Policy as the touchstone for coal development in Alberta for the time being. In view of the new coal policy direction announced by our government on December 20, 2024, this recission of the coal-related Ministerial Orders will reduce the regulatory confusion around coal development applications.

I am directing the Alberta Energy Regulator (AER) to lift the suspensions of all approvals that were suspended under Ministerial Orders 054/2021, 093/2021 and 002/2022 and extend the expiry dates of approvals suspended under those orders to account for the period of suspension. I am also directing the AER to continue to apply the restrictions in place in respect of the exploration for and development of coal within categories of lands as described in the 1976 Coal Development Policy when evaluating coal exploration and development applications, with due consideration given to the Coal Industry Modernization Initiative policy guidance set out in the Government of Alberta News Release, titled "Protecting the environment with tougher coal rules," dated December 20, 2024.

Of course, coal exploration and development in Category 1 lands, which include national and provincial parks and wildlife sanctuaries has never been allowed and this will continue to be the case.

Sincerely,

Brian Jean, K.C., ECA
Minister

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Enclosure

cc: Larry Kaumeyer, Deputy Minister, Energy and Minerals
Wade Clark, Assistant Deputy Minister, Energy and Minerals, Policy Division

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GOVERNMENT OF ALBERTA

DEPARTMENT OF ENERGY AND MINERALS

RESPONSIBLE ENERGY DEVELOPMENT ACT
S.A. 2012, c. R.17.3

MINISTERIAL ORDER 003/2025

I, **BRIAN JEAN**, Minister of Energy and Minerals, pursuant to section 67 of the *Responsible Energy Development Act*, effective January 15, 2025:

1. rescind Ministerial Orders 054/2021, 093/2021 and 002/2022, as made by the Minister of Energy;
2. make the Coal Development Direction in the attached Appendix; and
3. except for clause 1 above, this Order expires on January 15, 2035, and may be rescinded by Ministerial Order.

DATED at Edmonton, Alberta, the 15th day of January, 2025.

Honourable Brian Jean
Minister of Energy and Minerals

APPENDIX
COAL DEVELOPMENT DIRECTION
PURPOSE

WHEREAS, the Minister of Energy and Minerals and Minister of Environment and Protected Areas are authorized by section 67 of the *Responsible Energy Development Act* (REDA) to give directions to the Alberta Energy Regulator (AER) for the purposes of

a. providing priorities and guidelines for the AER to follow in the carrying out of its powers, duties, and functions; and
b. ensuring the work of the AER is consistent with the programs, policies, and work of the Government in respect of energy resource and mineral resource development, public land management, environmental management, and water management.

AND WHEREAS the Government of Alberta confirms that the restrictions in place in respect of the exploration for and development of coal within categories of lands as described in *A Coal Development Policy for Alberta* (1976) continue.

AND WHEREAS the Coal Policy Committee (the Committee) established to hear from concerned parties about future coal development in Alberta provided recommendations to the Minister of Energy and those recommendations have been considered.

AND WHEREAS, the Minister of Energy and Minerals is satisfied that sufficient land use clarity is being provided through ongoing regional planning, including the South Saskatchewan Regional Planning review and engagement, and the Coal Industry Modernization Initiative announced December 20, 2024.

THEREFORE, pursuant to section 67 of REDA, the Minister of Energy and Minerals hereby directs the AER to

DIRECTION TO THE AER

a. lift the suspensions of all approvals that were suspended under Ministerial Orders 054/2021, 093/2021 and 002/2022,
b. extend the expiry dates of approvals suspended under Ministerial Orders 054/2021, 093/2021 and 002/2022 to account for the period of suspension,
c. continue to apply the restrictions in place in respect of the exploration for and development of coal within categories of lands as described in *A Coal Development Policy for Alberta* (1976) when evaluating coal applications, with consideration of the Coal Industry Modernization Initiative policy guidance set out in the Government of Alberta News Release, titled "Protecting the environment with tougher coal rules", dated December 20, 2024, and
d. comply with directions given under this Order by January 31, 2025.