



January 23, 2017

Prime Minister Justin Trudeau
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2
Via email: justin.trudeau@parl.gc.ca

Dear Prime Minister J. Trudeau,

Re: Canadian Government's role in the prosecution of the 2014 Mount Polley Mine pollution

BC Nature (Federation of British Columbia Naturalists) is a provincial organization that represents 52 naturalists' clubs inclusive of more than 6000 members. We are very disappointed that the Federal Crown moved to stay Mining Watch's charges against the BC government and the Mount Polley Mining Corporation over the largest mining disaster in Canadian history – the collapse of Mount Polley Mine's tailings dam on August 4 2014. Mining Watch would like to present evidence in the Court about the damages to downstream waters and fish habitat that occurred after this spill, in violation of the Fisheries Act. Mining Watch wants to present their evidence in Court so that it will be on record for future court action either by Mining Watch or the Crown.

Fortunately, in the court proceedings on January 13 Judge Karen Whonnock decided to allow Mining Watch to challenge the Crown's authority to pre-empt Mining Watch from presenting their evidence to the Court. This challenge will occur in the Court in a few weeks.

After more than two years since this tailings spill we are also concerned that the federal government has not indicated its intentions, on whether or not it is planning to lay its own charges against the BC government and the Mount Polley Mine Corporation.

We request your support on the following actions:

- that the Canadian government support the presentation of evidence by Mining Watch to the Court in the Mount Polley case;
- that the Canadian government and Crown provide public information on whether and when they plan to prosecute the Mount Polley Mine and the BC Government under the Fisheries Act;

- that more up-to-date public information be provided about the gathering of evidence on this event and in future actions by the federal government;
- that information and action be provided to indicate that the federal government will enforce its own environmental laws when they are so blatantly violated.

Thank you for your consideration of these requests.

Sincerely



Alan E. Burger, PhD
President: BC Nature
(Federation of BC Naturalists)

CC:

Hon. Jody Wilson-Raybould, Minister of Justice: Jody.wilson-raybould@parl.gc.ca

Hon. Dominique Leblanc, Minister of Fisheries and Oceans:

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