

An aerial photograph of a mining site. A large yellow truck is positioned in the center-left, surrounded by dark, rocky terrain. Two long conveyor belts, one red and one blue, run diagonally across the upper right portion of the image. The ground is heavily disturbed with tracks and piles of material.

BCWF

BC WILDLIFE FEDERATION

Submission to the Proposal for Changes to the Mines Act

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The Natural Practices Board should take the following role:

- Reporting to the legislature that expands on the role of the existing Forest Practices Board to cover all legislation administered by the Ministry of Energy, Mines & Petroleum Resources.
- Independent performance and compliance audits and reporting should be provided by the Natural Resources Practices Board to the public on key sustainability issues at a landscape and watershed scale to increase the effectiveness and performance of resource management in the province.
- Government should establish and fund a science secretariat to serve as a resource for research and knowledge to assist the Natural Resources Practices Board in collaboration with universities, technical colleges and private and public sector professionals with the required scientific expertise.

The proposed changes to the Mines Act are a step in the right direction, but the BC Wildlife Federation (BCWF) believes more needs to be done to protect B.C.'s fish, wildlife and their habitats. Mines need to be regulated carefully to ensure mining companies adopt sensible environmental practices and pay for their pollution costs.

The BCWF agrees with the proposed change to strengthen compliance and enforcement authorities and modernize the government's ability to hold mines responsible for the protection of human health, safety and the environment. We need to provide more protection to the surrounding natural environment and hold mining companies accountable in case incidents like the Mt. Polley Mine tailing pond spill were to happen again. This disaster deposited a massive amount of mine waste into one of the most productive salmon systems in the Fraser Watershed, threatening an entire aquatic ecosystem.

The Establishment of an independent oversight role would be beneficial for improved regulatory effectiveness. The BCWF would highly recommend this body be independent of government. We also suggest this new audit unit establish an environmental assessment process that can deal with remediation of legacy sites, such as Mount Polley. This unit should have the authority to force immediate remediation for sites polluted by both operating and defunct companies. Additionally, this body should be required to annually inspect all closed mines for geotechnical issues, ground and surface water contamination and revegetation.

Oil and gas and mining sectors operate under their own Act. With large projects in the province, such as Site C, there is a need to address the cumulative impacts of all crown land development. Consistency in approach to cumulative effects on landscape sustainability will be more important, particularly in the face of climate change.

The BCWF recommends an independent Natural Resource Practices Board should be created to assess the impacts of different kinds of development, including mining, across the entire landscape.



Additionally, the BCWF agrees with the proposed change to separate statutory decision-making powers under the Mines Act by making a new decision-maker for permitting that is different from the Chief Inspector of Mines who is focused on health, safety and enforcement. However, this decision maker for permitting should have a keen focus on the impacts a mine would have on the surrounding environment. They should have the authority to deny permits if a mine poses any risk to the surrounding ecosystem, including watersheds and critical habitat for at-risk species. As well, the decision-maker must consider other stakeholder views on the area proposed for mining.

For example, the BCWF raised concern last year around plans to clear cut large areas of an unprotected “donut hole” of lands in the Skagit area for mining purposes. The Skagit area is surrounded by parks and protected areas and is a key watershed for aquatic habitat downstream in Washington State. The BCWF, along with hundreds of conservation organizations, have been asking for the Imperial Metals’ proposal to drill in the Skagit headwaters to be denied. We also urge the B.C. government, in partnership with local and Indigenous governments and community groups, to protect these lands for wildlife, clean water and the enjoyment of all British Columbians. With a dedicated decision-maker, we would hope that issues such as this would be thoroughly evaluated, and stakeholder opinions would be highly considered.

Furthermore, the BCWF believes the Mines Act should be amended to restrict mining activity in community drinking watersheds to ensure the protection of source drinking water and the environment as the highest purpose.