

## Key Communication Points

There are serious risks to the community and issues of non-compliance with the permit:

- The system to contain and treat water is not operating to compliance and may never be able to accommodate heavy rain falls. Following a heavy rain on November 13<sup>th</sup>, testing of untreated water discharges by the CVRD reveals trace metals exceeding BC Water Quality Guidelines.
- The Ministry of Environment published December 2015 Questions and Answers that indicate three areas of non-compliance that are reported to be rectified by December 3. A December 3 Ministry letter to CHH reviews many areas of non-compliance including the need to identify qualified independent professional engineers who are overseeing the compliance activity. See MoE web link below.
- The Ministry of Environment letter questions the settling pond, that was designed by a qualified professional in accordance with MoE guidelines, but is not meeting water retention times and clarity (TSS or Total Suspended Solids). Ministry of Environment water testing on November 17 shows water exceeds TSS guidelines for protection of aquatic life. SIA runoff storm water is bypassing the sediment pond by flowing underneath it and is being discharged directly onto CVRD property.
- There is demonstrated incompetency of all CHH engineering professionals, the Ministry of Environment and its Environmental Appeals Board, who developed, proposed, reviewed, and approved the design for on-site water management. How can so much engineering review overlook the consequences of heavy rain? Is this not the most important management area for a contaminated soil dump in a watershed?
- The Ministry indicates that there is no record of CHH reporting to the Ministry the occurrences of non-compliance in water management. The occurrences were discovered by complaints from the community. This is another area of non-compliance not counted by the Ministry.
- There is no Ministry response to the evidence filed in the SRA legal case that alleges the applicant and its engineering firm have an agreement for profit sharing and that the permit was obtained by fraud and perjury in the Ministry's statutory processes (including both the Ministry permit and Environmental Appeal Board processes). In any other government-commercial context, the evidence alone would be cause for cancellation of an agreement based solely on public accountability. The Ministry of Environment feels no such accountability and waits for the courts to decide what it cannot.
- The Ministry correspondence, as evidence of its approach to permit issuance and compliance management, makes it very clear how a Mt. Polley disaster can occur. The statutory processes (including the EAB) and compliance management are not serving the public interest to protect the environment. The people of Shawnigan Lake and the MoE are very lucky that much higher levels of contaminants were not found in water discharging from the site. As the electorate, we need more than good luck.

Supporting Information on the Ministry of Environment Web Site:

[http://www.env.gov.bc.ca/epd/regions/vanc\\_island/env-mgt/sia\\_aggregates-cobbile\\_hill\\_holding.htm](http://www.env.gov.bc.ca/epd/regions/vanc_island/env-mgt/sia_aggregates-cobbile_hill_holding.htm)

## **New Action Focus – The Government of Canada**

- Any contaminants leaking or leaching from the SIA site pose a risk to the coho salmon and other fish in Shawnigan Creek and Shawnigan Lake.
- The Minister of Fisheries and Oceans is the federal Minister accountable to Parliament for all sections of the Fisheries Act.
- The Minister of the Environment has the responsibility for administration and enforcement of the pollution prevention provisions of the *Fisheries Act*.

Please send letters to the following:

- The Right Honourable, Prime Minister Justin Trudeau – [Justin.Trudeau@parl.gc.ca](mailto:Justin.Trudeau@parl.gc.ca)
- Hon. Hunter Tootoo, Minister of Fisheries and Oceans – [Hunter.Tootoo@parl.gc.ca](mailto:Hunter.Tootoo@parl.gc.ca)
- Hon. Catherine McKenna, Minister of Environment and Climate Change – [Catherine.McKenna@parl.gc.ca](mailto:Catherine.McKenna@parl.gc.ca)

With a copy to: [Alistair.MacGregor@parl.gc.ca](mailto:Alistair.MacGregor@parl.gc.ca), MP for Cowichan-Malahat –Langford

Mail may be sent postage-free to any Member of Parliament at the following address:

The Honourable [Name of Member of Parliament]  
House of Commons  
Ottawa, Ontario  
Canada K1A 0A6

Other Members of Parliament see: <http://www.parl.gc.ca/Parliamentarians/en/members>

## **Write Letters to the Editor**

- Write letters to the editor – try to keep these under 250 words and link them to other current stories in the papers (eg. Storm and rain events).
- Monitor [www.soniafurstenu.ca](http://www.soniafurstenu.ca) for communications, action plans and status updates. Send an email to Sonia at [soniafurstenu@gmail.com](mailto:soniafurstenu@gmail.com) to be added to a distribution list for email updates.
- Support SRA's legal action plan through donations – [www.thesra.ca](http://www.thesra.ca)

## **Letters to the Editor – Email Addresses**

Victoria Times Colonist: [letters@timescolonist.com](mailto:letters@timescolonist.com)

Cowichan Valley Citizen: [news@cowichanvalleycitizen.com](mailto:news@cowichanvalleycitizen.com)

Cowichan News Leader: [editor@cowichannewsleader.com](mailto:editor@cowichannewsleader.com)

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