

Future of Fraser River's 2nd largest sockeye population unclear 3 years after mining disaster

Sockeye impacted by the tailings dam breach at Mount Polley returning to spawn next year

By Ash Kelly, [CBC News](#) Posted: Aug 05, 2017 11:00 AM PT Last Updated: Aug 15, 2017 4:44 PM PT

When the dam at the Mount Polley mine collapsed in August of 2014, it spilled 24 million cubic metres of mine waste into Quesnel Lake, destroying important spawning beds and forcing an estimated 830,000 spawning sockeye to swim through polluted waterways.

Now, the future of the second largest sockeye run on British Columbia's Fraser River is in question and the federal fisheries critic is slamming the federal government for its lack of response.

The spill resulted in a local state of emergency in the Cariboo Regional District and a precautionary water ban was put in place.

"We need a full investigation. We need action. We need the law to be upheld," said federal NDP fisheries critic Fin Donnelly. "We need the Fisheries Act restored and we need restoration to happen to this area and to those communities."

Impacts on fisheries unclear

Three years after the spill, the impact on Quesnel Lake sockeye is still unclear. The population spawns on four-year cycles, meaning the offspring of the fish that spawned immediately following the dam's failure will return to the lake next summer.

Hanging in the balance are the many stakeholders in communities along the Fraser River, from the West Coast to the Cariboo.

The historical, cultural and economic importance of the fishery sector in the Cariboo region is hard to overstate.

The largest returns of Quesnel Lake sockeye account for the second largest sockeye population in the Fraser River and have been an essential food source for First Nations for thousands of years.

A number of guiding operations rely on the reputation of Quesnel Lake as a world class fishing destination to attract guests and the salmon spawning cycle supports populations of trophy rainbow and Kokanee trout in the lake.

"The Quesnel system is an incredible system. It is very highly productive," said Donnelly. "However, it needs to be protected by the full extent of the law."

A spokesperson for federal Fisheries Minister Dominic Leblanc said the department is engaged in an ongoing investigation of the spill but could not provide a timeline for its expected completion.

"We know very little of what the department is doing on the ground or in terms of the investigation," said Donnelly.

According to the Fisheries Act, the feds still have two more years to press charges and may still decide to do so, according to the same spokesperson.

Last chance for legal recourse

Donnelly's criticism came on August 4, the same day the three-year deadline passed for the provincial government to press charges with no charges being laid.

With British Columbia's new NDP government choosing not to bring legal action, the only remaining avenue for pursuing charges is under the federal Fisheries Act.

But that legislation was "gutted" under the Harper administration, said Donnelly who said the ministry could have easily restored the act within a year of taking office and any delays in doing so are unnecessary.

"The first thing that the federal government needs to do is restore the federal Fisheries Act," he said. "It's an easy thing that they could have done within the first year of their mandate."

The ministry said it is currently engaging in public consultation on the Fisheries Act and expects to take next steps by the fall.

Advocate confident charges will go forward

Mining Watch Canada program coordinator Ugo Lapointe said he felt confident the federal government would pursue charges within the next two years.

He said it was clear that provincial laws were clearly broken, including sections under the Environmental Management Act, the Mining Act and the Water Sustainability Act.

"We find it disturbing the province is not moving on those charges," said Lapointe.

B.C.'s newly appointed environment minister, George Heyman, issued a statement earlier this week that said charges under the federal Fisheries Act "remain very much in play and, in fact, potential penalties are more significant."

Since 2014, two independent reports found the collapse at the gold and copper mine occurred after a poorly designed dam failed.

Then-auditor general Carol Bellringer issued a scathing report in 2016 that said government compliance and enforcement expectations fell far short of what was needed to protect against such disasters.

Corrections

- A previous version of this story inaccurately described the mine waste released in the tailings pond breach as "toxic waste", and used an out-of-date estimate when reporting the number of sockeye which swam through the affected watershed.

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