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Stephen Hume: Political fallout from Mount Polley mine spill may come from U.S.

By Stephen Hume, Vancouver Sun columnist August 21, 2014



The contents of Imperial Metals' Mount Polley tailings pond is pictured going down the Hazeltine Creek into Quesnel Lake near the town of Likely, B.C. on Aug. 5, 2014. Photograph by: JONATHAN HAYWARD, THE CANADIAN PRESS

Heads-up, here comes the political fallout from that huge tailings dam spill at Mount Polley.

The provincial government still doesn't appear to grasp the gravity of what this accident means in terms of real politik and the albatross that ideologically-driven environmental deregulation may yet prove for its resource strategy.

But consider the toxic plume of disbelief wafting across the border from Alaska.

A coalition of prominent interests there is taking high profile umbrage at B.C.'s pedal-to-the-metal, slash-the-red-tape mining agenda. Thursday it asked U.S. Secretary of State John Kerry to

invoke the Boundary Waters Treaty to prevent future downstream effects from accidents like the one at Mt. Polley.

This has implications for B.C. resource development. More than a quarter of the 19 major mining projects currently in environmental assessment are located in the northwest -- where 40 per cent of exploration spending is now directed.

If B.C.'s environmental assessment process is tarnished as untrustworthy and the province lacks credibility in enforcement, big problems loom.

The venerable 1909 treaty, signed just four years after international negotiations settled the acrimonious B.C.-Alaska boundary dispute, requires each country not to pollute waters that flow across borders.

A bilateral panel, the International Joint Commission, comprised of two Canadians and three Americans, is responsible for making sure obligations are met under the treaty.

The IJC has intervened dramatically in B.C.'s affairs four times.

In 1928, it acted on behalf of complaints from Washington State to deal with toxic fumes from the Trail smelter, setting the international legal precedent that a country is responsible for the environmental damage it causes another country.

In 1944, it created the template for cooperative development of the Columbia River and compensation for flooded parts of B.C.

In 1984, acting on complaints from B.C., it blocked development of a dam on the Skagit River that would have flooded into the province.

In 1985, after American complaints, it ruled against an open pit coal mine in B.C.'s Flathead Valley until such time as it could be proved there'd be no adverse downstream effects.

Current Canadian members, appointed by Prime Minister Stephen Harper's enthusiastically pro-resource extraction government, are a former Ontario Progressive Conservative cabinet minister and a former federal Liberal cabinet minister.

American members, all appointed by President Barrack Obama, are a former chair of the Michigan Environmental Council; a water quality specialist from Montana who is a former parks ranger and ecologist; and the former executive director of Citizen's Campaign for the Environment in New York.

If that panel's make-up hasn't grabbed our provincial cabinet's attention, it certainly should.

Because Thursday's request in Juneau by powerful industry and tribal organizations from southeast Alaska is already circulating on international newswires, mining industry newsletters and news reports.

Citing the Mount Polley spill of 14.5 million cubic metres of toxic sludge and effluent into the Fraser River watershed, which the disgruntled Alaskans are quick to point out may yet have

adverse impacts on returning sockeye stocks jointly managed under the Pacific Salmon Treaty, the coalition took dead aim at prominent B.C. mining ventures in the northwest.

Red Chris, the Imperial Metals project funded with cash flow from Mount Polley, and the Kerr-Sulphurets-Mitchell project, top their list.

Just to put the clout of these groups into political context, Alaska's Panhandle is the heart of a \$5.8 billion state-wide fishing sector that employs more than 78,000 people of the 281,000 jobs in Alaska. It's a major destination for cruise ships. Tourism accounts for another 37,800 jobs and is worth about \$2 billion to the state economy. So that's more than 40 per cent of all jobs in Alaska.

So when the Alaska Trollers Association, the Petersburg Vessel Owners Association and a group backed by the state's Haida-Tlingit Central Council and local tribal governments target B.C.'s shoddy mine oversight, expect even more powerful state political agents to take note.

U.S. Senator Mark Begrich has already weighed-in. He wrote to Kerry on August 6, the same day Premier Christy Clark finally put in a late appearance at the Likely disaster site.

While our premier was Tweeting touchy-feely stuff about how her thoughts were with those affected by the torrent of toxic waste, here's what the senator was telling the secretary of state:

"Failure of the Mount Polley tailings pond dam in British Columbia validates fears Alaska fishermen have regarding Canada's proposed development of large-scale hardrock mineral mines near transboundary rivers with Alaska," Begrich observed.

"Reports that the dam failure followed repeated warnings from the B.C. Ministry of Environment raise serious questions about provincial permitting and oversight of this industry... A similar failure at mines proposed near the Unuk, Stikine and Taku Rivers would be devastating to fish stocks which Alaska Commercial and recreational fishermen depend on, as well as the subsistence and cultural needs of the Tlingit, Haida and Tsimshian people of my state."

Begich, who chairs a U.S. Senate committee with responsibility for oceans and fisheries, is battling hard for his seat in November elections. Don't be surprised if B.C.'s lax mining regulations turns into a political football sooner rather than later.

Those mines in the northwest that the province says it's so anxious to develop will be prime political targets. And we all have an interest in this because the public, not the government, will be paying out that \$736 million transmission line B.C. Hydro has just built to service mines that are now squarely in American crosshairs. If those mines don't materialize or are substantially delayed, prepare for a major pain in the pocketbook.

It seems to me that instead of circling the wagons and retreating into spin and talking points, the province would do far better strategically to aggressively demonstrate right now that it means business about environmental protection. And after this mess, the mining industry should get actively on-side with tighter regulation.

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