



# BC government stay charges on Mt Polley private prosecution

**GORDON HOEKSTRA**  
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Contents from a tailings pond are pictured going down the Hazelton Creek into Quesnel Lake near the town of Likely, B.C. on Aug., 5, 2014. *PHOTO BY JONATHAN HAYWARD*

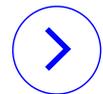
The B.C. Prosecution Service will not take on a private prosecution launched by a former First Nation chief to keep alive provincial charges in the catastrophic 2014 Mount Polley tailings dam collapse.

The three-year time limit to lay charges under B.C.'s Environmental Management Act expired on Aug. 4, 2017.

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charges in provincial court under B.C.'s Environmental Management Act and the Mining Act over the earth-and-rock dam failure at Imperial Metals' Mount Polley mine northeast of Williams Lake.

Stellars had said she hoped the private charges could act as a "doorstopper," buying time for an investigation to be completed and the potential for the province to carry on with charges.

On Tuesday, the prosecution service said it had stayed the private prosecution.

In a written statement, the prosecution service said its policy generally does not permit a private prosecution to proceed.

It either takes over the prosecution or stays the action.

After a review, and given that a formal investigation continues, the prosecution service concluded the "material provided does not meet the charge assessment standard for approval of charges."

While the deadline for provincial charges has elapsed, federal charges are still possible under the Fisheries Act for up to five years.

Earlier this month, the B.C. Environment Ministry said that a joint investigation of the B.C. conservation officer service and federal officers continues. The ministry could not provide information on when the investigation was expected to be complete.

One of the largest dam failures in the world in the past 50 years, the Mount Polley collapse released millions of cubic metres of effluent and finely-ground rock containing potentially toxic metals into waterways, including Quesnel Lake, the migratory pathway for more than one million sockeye salmon.

Imperial Metals spent millions of dollars to rehabilitate nine-kilometre Hazeltine Creek, scoured by the flood of effluent from the dam break.

The tailings dumped into Quesnel Lake remain at the bottom of the lake.

Studies on the effect of the spill are expected to continue for years.

[ghoekstra@postmedia.com](mailto:ghoekstra@postmedia.com)

[twitter.com/gordon\\_hoekstra](https://twitter.com/gordon_hoekstra)

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