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Energy and Mines Minister, Bill Bennett
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Victoria, B.C., V8W 9N3
bill.bennett.mla@leg.bc.ca

August 20, 2014

Dear Premier Clark and Minister Bennett,

Re: Mount Polley

Sierra Club BC welcomed Monday's announcement of an independent investigation of the Mount Polley disaster and third party review of safety inspections of provincial tailings ponds. We have been calling for such a review since the dam breach occurred, so are pleased you have followed our suggested direction.

We expect the B.C. government to hold Imperial Metals accountable and to follow through with a complete clean-up and remediation plan at Mount Polley.

The purpose of this letter is to express our concerns that the investigative panel will address the full spectrum of mine-related environmental regulation and will generate appropriate recommendations for mining operations in the province. While the three panel members are geotechnical experts who can focus on the technical aspects of the dam breach, we are disappointed the panel lacks specific expertise related to environmental law and First Nations land rights.

Specifically the questions that we feel must be addressed include:

- Do any current environmental laws, monitoring procedures and enforcement actions require amendment, if so which ones?
- Should certain types of mining operations, structures and facilities be phased out because of their environmental risks?

- Should land and water use planning be strengthened to exclude mining operations in more specially designated areas of the province because of their environmental, cultural or other values?
- What changes in the regulatory and consultation regime for mining operations are necessary to address First Nations land rights in the light of the recent Tsilhqot'in decision?
- Which government cuts to staff and resources impacting provincial capacity for thorough monitoring should be reinstated?
- What type of mechanism needs to be put in place to ensure that serious warnings from, such sources as, consultants, former employees or local citizens will be made public and not be ignored?
- What type of appropriate financial and insurance regulation mechanisms are in place to ensure that mining companies and their owners are fully prepared to carry the costs of the aftermaths of a disaster. For example, are there gaps in Imperial Metal's liability and insurance coverage for dealing with the clean-up costs and compensation for communities affected by the Mount Polley disaster?

We look forward to receiving your response to this letter and your assurance the independent investigation will address these key broader questions related to environmental law, as well as the specific actions required to remediate the affected lands and waters.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Peart". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Bob Peart
Executive Director
Sierra Club BC