



## **Supreme Court of Canada gives public a voice on major industrial projects** *Court ensures meaningful environmental assessments across country*

**FOR IMMEDIATE RELEASE**

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Ottawa, ON – Today, the Supreme Court of Canada ruled that the Canadian government has violated a national environmental law aimed at ensuring sustainable development. In a case centered on the proposed Red Chris mine in British Columbia, the Court ruled that the federal government cannot split projects into artificially small parts to avoid rigorous environmental assessments. The ruling also guarantees that the public will be consulted about major industrial projects, including large metal mines and tar sands developments.

“The Supreme Court has given Canadians back their voice and, with it, their ability to influence major industrial development across the country,” said Ecojustice lawyer Lara Tessaro, who represented MiningWatch Canada on the case. “This landmark decision confirms that the government can no longer shirk the environmental protection duties that Parliament has assigned to it.”

The Court ruled that the Canadian government acted unlawfully by excluding public input from its evaluation of the massive copper and gold mine proposed for Northern BC. Under the *Canadian Environmental Assessment Act*, entire projects must be environmentally assessed, and the government “cannot reduce the scope of the project to less than what is proposed by the proponent.”

The Canadian government refused to carry out a comprehensive study of the project and its environmental effects, as required by the CEAA. Despite the significant environmental risks posed by this mine, the Department of Fisheries and Oceans and Natural Resources Canada limited their assessment to a fraction of the mine proposal, removing the actual mine and mill from its environmental review and rubber-stamping a provincial assessment.

The open-pit mine, proposed by Imperial Metals, is cause for serious environmental concern. It would be located adjacent to an area called the Sacred Headwaters, the birthplace of Northern BC’s three greatest salmon rivers – the Stikine, Nass and Skeena Rivers. If built, it would endanger wildlife, destroy three trout-bearing streams and risk toxic contamination of two watersheds. Perhaps most shockingly, the proposed mining project would wipe out pristine Black Lake by converting it into a “tailings impoundment area” – a dumpsite for toxic mine waste.

“These are serious issues where the public needs to be able to have a say. That’s what we thought the law said, and now the Court has backed us up,” said Jamie Kneen of MiningWatch Canada. “If perfectly good lakes and streams are going to be turned into toxic waste dumps, we will have something to say about it.”

The public interest groups had argued that it was unlawful for the federal government to simply defer to the provincial environmental review. The Court agreed, observing that federal agencies “were free to use any and all federal-provincial coordination tools available, but they were still required to comply with the provisions of the CEAA pertaining to comprehensive studies.”

“We are pleased that the Court has affirmed the importance of public participation in environmental decision-making, and we hope this decision breathes new life into Canada’s environmental assessment law,” said Canadian Environmental Law Association lawyer Richard Lindgren, who represented six environmental groups participating in the appeal as interveners.

**For more information, please visit [www.ecojustice.ca](http://www.ecojustice.ca) or contact:**

Lara Tessaro, Staff Lawyer, Ecojustice, phone (604) 685-5618 x245, cell (604) 313-3132

Jamie Kneen, Communications Coordinator, MiningWatch Canada, phone (613) 569-3439, cell (613) 761-2273

Rick Lindgren, Canadian Environmental Law Association, phone (613) 385-1686

**For high resolution photos of the mine site and species found in the area, please visit [www.ecojustice.ca](http://www.ecojustice.ca).**

**To purchase professional photographs of the Sacred Headwaters region, please contact:**

Paul Colangelo, (604) 376-8863, [www.sacredheadwatersjourney.com](http://www.sacredheadwatersjourney.com)