



JUL 11 2016

Ottawa, Canada K1A 0H3

Mr. Ugo Lapointe
Canadian Program Coordinator
Mining Watch Canada
ugo@miningwatch.ca

Dear Mr. Lapointe:

Thank you for providing me with a copy of your letter of April 18, 2016, addressed to the Prime Minister, requesting the involvement of the International Joint Commission in the northwest British Columbia and southeast Alaska transboundary region. The Office of the Prime Minister has forwarded to me a copy of your correspondence on this issue.

The Government of Canada is committed to the protection of transboundary watersheds throughout Canada, including those in northwest British Columbia. Responsibilities for water management in this country are shared by federal, provincial/territorial and municipal governments, necessitating close co-operation and collaboration.

Proposed Canadian mines in transboundary watersheds are subject to federal and provincial environmental assessments that consider potential impact from proposed mining activities. Environmental assessments also consider proposed mitigation measures to deal with potential adverse impacts, and the commitments by the proponent to monitor the environment around the mines to ensure compliance with federal and provincial regulations.

Environment and Climate Change Canada is responsible for the administration and enforcement of the pollution prevention provisions of the federal *Fisheries Act*, which prohibit mines from depositing deleterious substances in waters frequented by fish unless authorized by regulations, such as the *Metal Mining Effluent Regulations* (MMER).

The MMER ensure a minimum national standard for the quality of metal mine effluent. These regulations include limits on nine parameters in the effluent, a requirement that effluent not be acutely lethal to rainbow trout, and requirements to conduct environmental effects monitoring. The performance of all metal mines in meeting the requirements of the MMER is published annually by the Department in the Summary Review of Metal Mines Subject to the *Metal Mining Effluent Regulations* and is available on Environment and Climate Change Canada's website at www.ec.gc.ca.

.../2

Environment and Climate Change Canada recently concluded a review of the MMER and is developing proposed amendments based on its outcome. The proposed amendments are intended to make certain regulated limits more stringent, and improve environmental effects monitoring requirements. The Department is also developing a separate regulation for coal mining effluent under the *Fisheries Act*.

Canada and the United States work closely together to protect shared water resources through a number of mechanisms, including the International Joint Commission, and maintain an ongoing dialogue on issues related to shared watersheds. Federal officials regularly engage with their U.S. counterparts at state and federal levels to share information about projects with potential transboundary impacts in order to ensure responsible and collaborative management of the environment.

Furthermore, the Government of British Columbia engages with its state counterparts and has recently signed a memorandum of understanding with the Government of Alaska. This agreement includes a commitment to establish a bilateral working group on the protection of transboundary waters, which is expected to implement a joint water quality monitoring program. The Government of Canada is pleased with this enhanced collaboration, and will closely monitor the progress of the working group. We are optimistic that the memorandum of understanding will provide an effective mechanism to investigate and address concerns regarding these shared waters, and we believe that this process should be provided an opportunity to succeed before the federal governments consider pursuing involvement by the International Joint Commission.

I appreciate your concern for the transboundary watersheds of northwest British Columbia and southeast Alaska. Please be assured that the Government of Canada will continue to work closely with key partners, including the provinces, Indigenous groups, and the United States to strengthen environmental protections and safeguard our environment.

I trust that this information is helpful, and I extend my best regards.

Sincerely,

A handwritten signature in black ink, appearing to read 'C McKenna', with a long horizontal flourish extending to the right.

The Honourable Catherine McKenna, P.C., M.P.