

## RCEN Mining Caucus -Action Plan 2007-08

### 1. Stakeholder Consultations and Follow-up

The Mining Caucus along with several other caucuses are continually being consulted and drawn into various multi-partite discussions and workshops. It's important that we identify and map out post-consultation positions, monitor the developments (in particular departments having carriage of these discussions) and ensure that we continue to lobby the pertinent decision makers/parties so that we are on the same page as the mining industry and government. This is not to suggest that we try to duplicate the work of Mining Watch Canada (MWC), rather, we can identify ways in which the RCEN and the Mining Caucus can work with MWC, such as:

- CEPA – Toxics and Domestic Substances exemption for disposal to waste rock and tailings from mining in the NPRI: advocate for inclusion of waste rock and tailings in NPRI reporting
  - Mining Watch Canada will take the lead on this issue, except for delegate selection processes for future MSST workshops and working group
  
- Priority Substance List: A Study Report on Radionuclides has been published for comment and the conclusions reached do not vary from the earlier PSL 2 Study. This poses serious consequences not only in the context of uranium mining but most mining taking place on the Canadian Shield/North of 60. Develop an alternative position paper.
  - Randy Fleming will circulate a paper on radionuclides to the Toxics and Mining caucuses and request help for a scientific review
  
- Mining and Mineral Effluent Regulations: While the amendment of the regulations is a *fait accompli*, we know that many people on the Hill do not really know the ramifications of this seemingly innocuous change that was slipped in early on in the life of this Parliament with no committees seemingly taking notice. There are a number of ways we can try to continue to put pressure on DFO and EC *ex postfacto*: seek a review of the actual amendment process with the Standing Joint Committee for the Scrutiny of Regulations (SJCSR); file a petition with the Commissioner for the Environment to review the amendment and its regulatory impact; keep abreast of new/proposed inclusions.
  - Randy Fleming and Catherine Coumans will take the lead on this
  - The Mining Caucus will first submit a petition to the Commissioner and take it before the Joint Standing Committee (tying this issue in with Long Harbour)
  
- Mine Environment Neutral Drainage Program: MEND has tried to focus its acidic drainage effort particularly in regard to abandoned mines to develop and apply new technologies to prevent and control acidic drainage. As Joan/Amy pointed out it has been largely industry driven and, to a lesser extent, the public through technical consultations and workshops. Look for opportunities to help ENGOs access resources through MEND.
  - Catherine Coumans and Amy Crook will organize a regional meeting/training with the \$10,000 it receives from the MEND Secretariat
  - The Mining Caucus will build a roster of ENGOs who can review the scientific research papers that are commissioned by MEND
  - The Mining Caucus will develop a proposal for scientific research funded by MEND

- Mining Sector Sustainability Table: In March there was a Tailings and Waste Rocks (NPRI) Workshop. It could be good to hold a teleconference with Energy Sector Sustainability Table and Forest Sector Sustainability Table ENGO delegates to compare notes on progress/challenges to date and strategize on future initiatives. We could also organize a teleconference with the MSST ENGO delegates and the NPRI Working Group (John Jackson and Anna Tilman).
  - There will be an effort to reconnect and involve the MSST Task Group
  - Support for research and technical advice will be pursued through the RCEN umbrella contribution agreement with EC
  
- Environmental Code of Practice for Mining: Environment Canada is organizing a multi-stakeholder consultation on the Code of Practice, scheduled for mid-October 2007.
  - The RCEN will do a Call for delegates for four ENGO delegates to review the Code of Practice during the summer and participate in the multi-stakeholder workshop in the fall
  
- National Orphaned and Abandoned Mines Initiative (NOAMI): Joan and Brennain have been our resource on this EC initiative since its inception in 2001. Many of our current and past caucus members have participated in some or all of the 3 consultations. We have been received CD copies of the proceedings and the recommendations of NOAMI III held in Winnipeg in November and it appears that it will fall to individual provinces and territories to chart the future course of action for adopting best practices. Evident by the absence of several provinces from this session, there is work both at the provincial and federal levels on several issues regarding constitutional and fed-provincial jurisdiction, overlapping and sharing of legal/regulatory responsibility for developing omnibus guidelines and protocols. In that respect, there seems to be funding and a window of opportunity that RCEN could tap into and the caucus might be strategically placed to capitalize on opportunities. There will be a Request for Proposals to develop a NOAMI toolkit for community capacity building to remediate local orphaned and abandoned mines.
  - The RFP will be sent out in July 2007 through the RCEN and Good Work (total available funds: \$50,000 including travel)
  - The RCEN Mining Caucus could submit a proposal to develop the toolkit

## **2. Specific Environmental Issues: Building a Network of Mining Activists**

The examples below raise the question of how and to what extent the Caucus is willing and able to become involved in these kinds of issues. We need to reach consensus on whether or if there is a broader issue or something with broader/national *ea* or *ep* implications affecting federal legislation potentially.

RCEN is continually receiving requests from local environmental groups regarding current hot button issues that have broader implications for other parts of the nation ecologically and environmentally.

- a) As we reviewed with the Caucus in November, the Metal Mining Effluent Regulations (MMER) created a particular local/provincial issue in which we worked closely with NL Eco Network on the Duck Pond/AUR Resources proposed direct release of tailings/waste into two fresh water bodies. There are approximately 20 lakes lined up to be added to schedule 2 of MMER as “tailings impoundment areas” (TIAs). The two that are next are both in the North: Meadow Bank and Doris North. ENGOs are working on saving these lakes from becoming TIAs in their local area, but need to work together and communicate for a national strategy.

- Randy Fleming and Catherine Coumans will take the lead on following up with the Duck Pond/AUR Resources amendment to Schedule 2: The Mining Caucus will first submit a petition to the Commissioner and take it before the Joint Standing Committee (tying this issue in with Long Harbour)
  - ENGOs will send Sarah the lakes they are aware of/working on related to MMER amendments and Sarah will send the list out to the rest of the Mining Caucus
- b) Last fall Linda Whalen representing CLEANewfoundland notified us of its commitment to interact on the Inco project. Linda solicited the help of the Caucus to bring it up at the NOAMI workshop. We could not accede to her request given the agenda of workshop, but she asked the caucus to indicate its level of interest in getting involved in the Long Harbour project. In short, they needed some funding/expertise in order to effectively intervene in the review process. A copy of the EIS was distributed by Sarah Crowe to caucus members on the Long Harbour Hydromet EIS. CLEANewfoundland filed a submission with its concerns to the EIS but to date the Caucus has not responded to CLEANewfoundland. EC will be going for a special regulation for the Long Harbour Hyrdomet Plant and the Mining Caucus should be involved (e.g. ensuring that adequate participant funding is available from CEAA for intervention in this matter).
- The RCEN Mining Caucus will lead a letter writing campaign to demand that no more lakes are used for tailing impoundment areas
  - The RCEN will coordinate a Long Harbour Listserv
- c) NRCan is considering holding a Canadian information session as an open dialogue on the [Extractive Industries Transparency Initiative \(EITI\)](#) including civil society, industry and government. The Government of Canada is very supportive of EITI (through the Board and multi-donor fund). NRCan is also considering taking advantage of the international gathering at Globe 2008 in Vancouver to include international companies that are already adhering to EITI in the dialogue.
- The RCEN Mining Caucus could request funding from NRCan to coordinate an ENGO consultation and position paper on Canada' involvement in EITI