

# Mining Companies Turning Lakes into Toxic Dumps



by **Meera Karunanathan**

**It is called “Schedule 2” – an inconspicuous name for legislation that is responsible for the destruction of freshwater bodies in Canada. Schedule 2 is an insidious loophole in the Metal Mining Effluent Regulation (MMER) of the Fisheries Act that allows lakes and rivers to be used as toxic dumpsites for metal mining corporations.**



Schedule 2 was first introduced by the Liberal government in 2002. At the time, environmental groups like Mining Watch were told this was merely an administrative detail aimed at accounting for the lakes and rivers that had historically been used for mining waste. The Liberal government gave assurances that Schedule 2 would not be used for healthy bodies of water.

Then in 2006, under the Harper government, two lakes in Newfoundland were approved for destruction using the MMER loophole and a precedent was set that would put the future of all lakes and rivers throughout the country in jeopardy. Since then, Environment Canada has released a list of 11 natural water bodies that mining corporations

**Take action! Add your name to the growing list of people who oppose Canadian waterways being used as dump sites for toxic mining waste. Visit [www.canadians.org](http://www.canadians.org) to find out more.**

have applied to use as toxic dumpsites – or what the companies refer to as “tailing impoundment areas.” Four bodies of water have already been approved for destruction.

According to Mining Watch Canada, “the list of 11 threatened lakes that Environment Canada has provided us with only represents the water bodies that face destruction within the next

couple of years. Other mining companies have expressed interest, but details are not yet being released by Environment Canada.”

Last October the Council of Canadians, Mining Watch, Friends of the Earth and a group of activists based in Ottawa challenged then-environment minister John Baird about Schedule 2 at a public debate in his riding. Ironically, he had just finished telling the audience it was immoral for the City of Ottawa to dump raw sewage into the Ottawa River. When asked about how he could justify his government’s approval of the practice of permanently destroying lakes and rivers through Schedule 2, he defended the practice and declared that he would not promise to change it. He was handed a letter signed by dozens of organizations, including Indigenous groups, NGOs and labour organizations, in protest.

In the meantime, an Alaskan mining company has appeared before the U.S. Supreme Court to demand that U.S. laws be overturned to allow the corporation to dump its tailings into a fish-rich lake in Alaska. Efforts are also under way to amend New Brunswick’s Clean Water Act, which currently prohibits mining companies from dumping toxins into natural bodies of fresh water.

The Council of Canadians is working in coalition with several other groups to lobby the federal and provincial governments on the issue. But given the Harper government’s refusal to change its position, we are also supporting grassroots mobilization and public opposition.

Most importantly, Schedule 2 underscores the need for a national water policy that makes protecting watersheds and ensuring water justice a priority in Canada. It is symptomatic of a federal government that places the interests of corporations above all else. Schedule 2 must be scrapped but even more importantly, Canada needs legislation that enshrines water as a human right and a shared public resource.

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