

Development Not Destruction

An Open Letter to the Residents of Long Harbour/ Mount Arlington Heights

Dear Residents:

The Sandy Pond Alliance is a recently formed organization of Newfoundland and Labrador citizens joined by knowledgeable people from across Canada who are concerned with the continued destruction of natural environments around mining and smelting sites in our province.

The Long Harbour nickel smelting project brings great hope for an area that is in great need of economic development and job creation. We support the realization of that hope if done in a manner that respects people, communities and the environment. However we do oppose unnecessary damage to the natural environment, in particular natural ponds, lakes, and streams. These forms of natural habitat are unique and cannot be replaced once destroyed. We want to see this smelter development completed properly so that your children, grand-children, community, and region are not left with a legacy of an unhealthy community and a toxic natural environment.

The fundamental problem with this development has to do with a flaw in the Fisheries Act. Under that Act, it would be illegal to dump harmful substances into fish-bearing waters but under a little known subsection of the mining effluent regulations, a lake or a pond can be classified as a “tailings impoundment areas.” **[Please see attached Fact Sheet for more detail.]**

When nickel was first discovered in Labrador in the mid-1990s there was much discussion that this time the development should be “different” and undertaken for the benefit of Newfoundlanders and Labradorians. We hold to the position that the benefits should be both short-term and long-term. Under the current situation there will be many benefits over the next 20 years, however when the smelting operation is finished we will be left with a toxic tailings pond (Sandy Pond) and the responsibility to look after it forever, with little if any funds to do so. Is this what we want to leave to future generations?

Both levels of government have approved Vale Inco’s Hydromet Nickel Processing Plan but **it is not too late to speak out and seek less destructive environmental alternatives for the development.** If you are concerned and support such an approach, you can call your MP, MHA, Town Council and Vale Inco officials, write a letter to the editor or call an open line show to express your concern and promote a change in the method chosen to manage toxic waste from this project. Finally, we ask you to join our group and support our efforts to stop the destruction of Sandy Pond and ultimately, the destruction of any pond or lake in Canada through revisions to the Fisheries Act.

This is the time to make the decision to do the right thing. No more give-aways.

Thank you for your consideration,

savesandypond@gmail.com or P.O. Box
354 Water Street
St. John’s, NL
A1C 1C0

Sandy Pond Alliance for the Protection of Canadian Waters



Sandy Pond, Long Harbour, Placentia Bay, NL

FACT SHEET ABOUT THE DESTRUCTION OF OUR LAKES AND PONDS

- **Earth's waters and their ecosystems are increasingly under threat from industrial pollution and non-sustainable use, with many millions of people lacking access to safe, clean drinking water, and many freshwater and marine fisheries disappearing.**
- **Recognizing the vital importance of our waters, Canada and many other countries have passed laws to protect lakes, river systems and watersheds from pollution.**
- **Since the 1970s, in Canada regulations under the Fisheries Act that were designed to protect fish habitat have been interpreted as prohibiting the dumping of mining or other industrial waste into natural water bodies. In response to objections from industry, government allowed exemptions to some operations already in place. Such cases were decided by federal ministers under a regulatory provision known as "Schedule 2". These lakes have been destroyed as sources of clean water and as fish habitat.**
- **Although the intent of Schedule 2 was to permit existing operations that had already illegally destroyed lakes to continue operating, since 2006 many *new* mining projects are proposing to use it to reclassify healthy lakes into waste dumps. The Duck Pond Mine operation's destruction of Trout Pond in central Newfoundland was the first of these. Sandy Pond is slated to be the next.**

- Where new projects destroy habitat the federal government requires compensation be made by the developer. This is done by creating or restoring an equal amount of “fish habitat” elsewhere. This habitat compensation condition has been shown by fisheries experts to be a sham. It is not possible to recreate a freshwater body and its complex web of life that took some 6,000 years to evolve naturally.
- Disposal of toxic materials is a serious issue in any industrial development. Vale Inco has argued that the safest and most cost-effective way to dispose of the wastes from its Long Harbour refinery is to use of Sandy Pond as a waste dump. This argument does not stand up to expert scrutiny or common sense.
- Vale Inco say the lake would hold the wastes better than any alternative – but now we know that the lake leaks into the groundwater and will create a plume of contamination below it. They say that the pond is safer in the long run than a dam but they are still going to put a dam on Sandy Pond and another one on the fish habitat compensation pond.
- Alternative disposal methods are available. These would almost certainly cost Vale Inco more money, require a more innovative design, and involve more work. But they would not destroy an irreplaceable lake.
- If the government of Newfoundland and Labrador had taken a stand to protect our ponds, it is unlikely that the federal government would accept these proposals to destroy ponds under Schedule 2.
- By creating this loophole in the Fisheries Act and failing to apply other conservation laws and policies, our federal and provincial governments are giving Vale Inco permission to unnecessarily destroy our environment and another pristine lake. More mines are planned in our province and elsewhere in Canada. Where will the destruction of our lakes stop?
- **Let it stop here! Make our governments hold to the laws as they were intended and reverse the decision to allow the destruction of Sandy Pond!**

For more information, contact:

The Sandy Pond Alliance for the Protection of Canadian Waters
 P.O. Box 354 Water Street
 St. John's, NL
 A1C 1C0
 e-mail: savesandypond@gmail.com