

Sierra Club Comox Valley - Comox, British Columbia



June 23, 2011

To whom it may concern

Re: Our Response To the Raven Coal Mine Draft Application Information Requirement

We have reviewed the dAIR and attended the public meetings held in the Comox Valley. In our opinion the document and the process for evaluating the document are fundamentally flawed. They will not facilitate the gathering and assessment of the required information.

In presenting our assessment we begin with a distinction between two essential concepts that must be part of any environmental/social assessment: Effectiveness and Efficiency.

Effectiveness means *doing the right thing*. In terms of this project the effectiveness question is: "Is the Raven Coal Mine the right thing for this community and valley, for its on-going health, development, protection and sustainability—and is it consistent with the community's vision?" Up to this point the vision has focused on an industry-free retirement area, environmental protection, tourism and the shellfish industry.

Efficiency means *doing the right thing in the right way*. It is a measure of inputs versus outputs. In terms of this project the efficiency question is: "If we assume that the Raven Coal Mine is the right thing for this community, is it being developed in the right (most efficient) way?" It should be noted that if a project is not effective, in the first place, it will not be efficient. And that is the nub of the problem.

The dAIR says very little about effectiveness. On the contrary it assumes that the project will be effective *if the proponent can adequately mitigate adverse environmental or social impacts*. The purpose of the dAIR is to get information from the community that will help the proponent identify the information needed to complete the environmental/social assessment process.

It is very obvious to any one who attended the public meetings that the community was not primarily concerned with efficiency. It was concerned with effectiveness—whether the project was the right project for the valley. And almost all the participants who spoke were strongly opposed to the project.

Further, many of the participants recognized that because the process got bogged down in efficiency considerations it did not deal with underlying effectiveness questions. They were also aware that through their participation they were helping the company convince the government to allow the project to proceed. Thus they were working against their own best self-interests. To use an analogy, if we think of the relationship between the company and the community as a mutually supportive marriage, by participating in the planning process for the reception the community members were being asked to help with table settings and centre pieces for a marriage they are totally opposed to in the first place.

However, recognizing the narrow legal requirements, and aware that if we do not participate in the process, our lack of participation will be interpreted as indifference, we offer the following comments.

Scope. The scope of the project is much too narrow in almost all respects:

- the gathering and monitoring of baseline data,
- the target area
- impacts on all watersheds, aquifers, creeks, rivers, and Baynes Sound
- impacts on wildlife—fish, birds, and other species, especially endangered species
- economic impacts, especially on the shellfish industry and the tourist industry
- greenhouse gas emissions from the produced coal
- lack of determinants of health and social effects using recognized standards (World Health Organizations determinants)
- effects on housing values
- the monitoring period after decommissioning
- lack of consideration of cumulative effects and eco-system analysis

Monitoring and Evaluation. Calling on our previous experience with other environmental assessments, we found the proposed monitoring and evaluation process to be totally inadequate. With its fuzzy definitions, an inadequate classification system, an inability to recognize the need for and carry out an ecosystem analysis and no effectiveness indicators—it raises in our minds real questions about the ability of the company to even pursue a project like this one.

In summary, the lack of effectiveness considerations, the inadequacies in the present dAIR document, and the overwhelming opposition of the Comox Valley community indicate a need for a major adjustment in the process.

Requirement. *An Independent Arms Length Review Panel* should be created. It should have a mandate to establish both effectiveness and efficiency indicators, implement them, assess them and publish their findings. It should be empowered to hold public hearings (and not just public meetings for comments). The public should be allowed to comment on both provincial and federal assessment reports before decisions are made by respective ministers. Finally the Panel should be empowered to recommend for or against the Raven Coal Mine.
