

# Snuneymuxw First Nation



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## FOR IMMEDIATE RELEASE

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### **NANAIMO (British Columbia) – Snuneymuxw Challenges the City and Province to Complete Proper Feasibility Study**

Over the last week the Snuneymuxw First Nation has had discussions with the City of Nanaimo, the Province of British Columbia, and the Department of Fisheries and Oceans concerning the City of Nanaimo's plan to remove and rebuild the Colliery dams. In the course of the discussions, the following facts have come to light:

- The City of Nanaimo has never completed a feasibility study of alternate options to dam removal including dewatering the dams and leaving one or both in place while maintaining the water levels at a suitable risk level throughout the 2013-2014 winter season. While City staff have stated such an approach is "impractical", they have admitted a feasibility study of this option has not been done. City staff refused SFN's request to conduct such a feasibility study.
- The Department of Fisheries and Oceans has confirmed that the so-called construction window of July 15 - September 15 is not a fixed deadline, and is generally not enforced. It is a guideline only.
- The Province has not ordered that both dams be removed. They have only directed that the risk be reduced to an appropriate level. They have confirmed that dewatering is a possible risk mitigation measure.
- It is very rare (if ever) that the Province approves dams to be built (or rebuilt) for recreational purposes. When asked about the last 10 years, officials of the dam safety branch could not recall one instance of this being permitted.

In light of these facts, Snuneymuxw is of the view that there is no real obstacle to taking a short period of time to do a feasibility study of alternatives to the removal of both dams. "Due diligence, responsible decision-making and avoiding deepening the public divisions about this issue all weigh in favour of taking some time to look at all options," said Chief Douglas White III of the Snuneymuxw First Nation. "To date, while City Council has indicated a strong willingness to find a way to work together, the steps have not been taken to create the space for that feasibility study to take place. We asked the City to amend its tender process to allow for these options to be considered, and have also asked them to amend their application to the Province. Unfortunately the tender was not amended. To date, the application has not been amended either," added Chief White.

Snuneymuxw has proposed the following process to the City and Province:

- Lowering of water levels of both dams as needed to mitigate the risk to an acceptable level.
- A feasibility study take place from July 15 - August 15 of the option of maintaining both dams dewatered over the 2013-2014 winter season, and alternatively of maintaining the lower dam dewatered while middle dam was removed. The feasibility study would be commissioned from an independent team of technical experts.
- Immediately upon completion of the feasibility study, the parties work to reach a consensus, and that consensus be implemented.

"Snuneymuxw has done all it can to introduce a reasonable and factual voice into this issue of public conflict. The challenge is now squarely before the Mayor and his Council to show leadership, be responsive to citizens, and demonstrate respect for their relationship with us. The facts make it clear there is time and space to look at things properly. They must now fully own their decision - knowing that there is time to look at alternatives, and rebuilding the dams is extremely unlikely given the statements of the Province," said Chief White.

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