

June 25, 1999

BY FAX AND REGISTERED MAIL

The Honourable Christine Stewart
Minister of the Environment
Government of Canada
Les Terrasses de la Chaudière
28th Floor
10 Wellington Street
Hull (Québec)
Canada K1A 0H3

Attention: Ms. Norine Smith

**Re: Submission on enforcement matters under Articles 14 and 15 of the
North American Agreement on Environmental Cooperation**

Submitter(s): Sierra Club of British Columbia
Environmental Mining Council of British Columbia
Taku Wilderness Association

Represented by: Sierra Legal Defence Fund

Party: Canada

Date: 29 June 1998

Submission No.: SEM-98-004

Dear Minister:

On 29 June 1998, the Secretariat of the Commission for Environmental Cooperation received a submission pursuant to Article 14 of the North American Agreement on Environmental Cooperation (“Agreement”) filed by Sierra Legal Defence Fund on behalf of Sierra Club of British Columbia, Environmental Mining Council of British Columbia and Taku Wilderness Association. The submission alleges “the systemic failure of the Government of Canada to enforce section 36(3) of the *Fisheries Act* to protect fish and fish habitat from the destructive environmental impacts of the mining industry in British Columbia.”

The Secretariat reviewed the submission under Article 14(1) of the Agreement and determined on 30 November 1998 that the submission met the requirements of Article 14(1).

Pursuant to Article 14(2) of the Agreement, the Secretariat has determined that the submissions merits requesting a response from the Government of Canada. Accordingly, the Secretariat requests a response from the Government of Canada to the above-mentioned submission, within the 30 day time frame provided in Article 14(3) of the Agreement, or in exceptional circumstances, within 60 days of delivery of this request. A copy of the submission and of the supporting information is annexed to this letter.

Sincerely,

Commission for Environmental Cooperation - Secretariat

(original signed)
per: David L. Markell
Head, Submissions on Enforcement Matters Unit

c.c. Mr. William Nitze, U.S. EPA
Mr. José Luis Samaniego, SEMARNAP
Mr. David R. Boyd, Sierra Legal Defence Fund
Ms. Janine Ferretti, Interim Executive Director

Enclosures (2)