

Too Cold to Hold A Win for Grizzly Bear Habitat

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Jumbo Valley is an important habitat for grizzlies and other wildlife. It's also considered a sacred place by the Ktunaxa Nation, whose members call the area Qat'muk and believe that the spirit of the grizzly dwells there.

The B.C. Court of Appeal issued a ruling that, for the time being, prevents Glacier Resorts Ltd. from proceeding with a proposed year-round ski resort in the valley. Ecojustice intervened in the case on behalf of Wildsight and the Jumbo Creek Conservation Society.

The Court upheld a 2015 decision from the province's Minister of Environment, who found the company failed to "substantially start" construction on the project by a 10-year deadline. As a result, Glacier Resorts' environmental assessment certificate expired.

We're glad the Court decided developers can't hang on to an environmental assessment certificate forever

without taking concrete on the ground steps to start their projects. The data that informed the project's assessment in the 1990s is now completely outdated. So much has changed since then: biodiversity loss is accelerating, and Canada is warming twice as fast as the global average. Environmental assessment certificates come with conditions and expiry dates for a reason — which the Court upheld in its decision.

Glacier Resorts could scale back the project significantly or apply for a new environmental assessment. But, given the current state of grizzly bears in the region and how fiercely local communities and the Ktunaxa oppose the resort, it's hard to see any viable future for this project.

In the face of a biodiversity crisis, this outcome is a clear win for threatened grizzly bears and other species that call the Jumbo Valley home. And, like all Ecojustice victories, we couldn't have done it without your support.

LETTER FROM THE EXECUTIVE DIRECTOR

For nearly 30 years, Ecojustice has gone to court to hold governments and corporations to account.

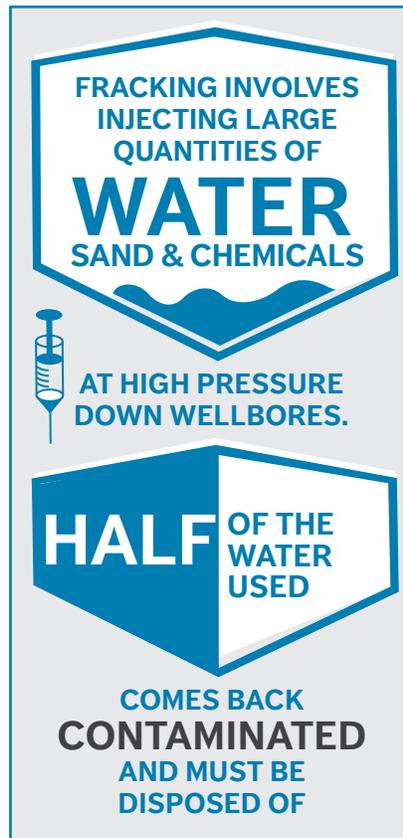
So when Petronas Canada, a branch of one of the world's largest oil and gas companies, acted with flagrant disregard for the law and built two dams in northern British Columbia without authorization, we took note. And, when the province decided to ignore this behaviour and exempt the dams from environmental assessments after construction had already wrapped up, we turned to the courts.

This fall, Ecojustice lawyers Olivia and Randy will be in the B.C. Supreme Court. On behalf of our clients, they'll argue that the government's decision to grant the exemptions is not only extraordinary, but is not something it has the power to do under the law.

And there's more to this story.

The B.C. government's decision to exempt two Petronas Canada dams from environmental assessment raises serious questions about its ability to safely regulate energy projects while ramping up LNG development in northern B.C.

The Town Dam and Lily Dam are located north of Fort St. John,



B.C. Both facilities store water used in fracking operations, making them a key part of a network of infrastructure that will provide natural gas to LNG infrastructure in B.C., including LNG Canada.

The B.C. government is committed to expanding LNG in the province, despite its massive

Gas companies often draw water from the same sources **communities** rely on to provide **their drinking water**



projected carbon footprint. Fully building LNG Canada alone — just one of the proposed LNG plants in the province — will make it practically impossible for the province to meet its emissions targets. If the government couldn't be trusted to enforce the law when Petronas built massive multi-storey dams, what will they let LNG Canada get away with in future developments?

Randy and Olivia will do everything they can to hold the B.C. government to account. We can't let government and polluters get away with teaming up to violate our environmental laws.

I'm so proud to work alongside Ecojustice lawyers like Olivia and Randy, who go to court to defend the people and places we love. This important litigation is only possible because of supporters like you, who share our vision for a sustainable, climate-safe future. **Thank you.**

A handwritten signature in black ink that reads "Devon Page".

EXECUTIVE DIRECTOR



HOLDING VOLKSWAGEN ACCOUNTABLE

Volkswagen put your health at risk with their illegal emission-cheating cars and Minister Catherine McKenna doesn't appear to be doing anything to hold them accountable. Ecojustice lawyers have launched a new lawsuit to force the Minister to take the investigation into Volkswagen seriously.

You may remember that in September 2015, the world found out that Volkswagen had installed illegal software in its diesel cars, allowing them to pass emissions testing by misrepresenting how much pollution they typically emit. The company's unlawful action resulted in 30 times the approved level of nitrogen oxides spewing from these cars, posing a threat to human health. About 105,000 such cars with 2.0L diesel engines were imported and sold in Canada based on fraudulent regulatory submissions, all of which is illegal.

Action by Ecojustice and Environmental Defence led to the Minister launching an investigation in 2017, after Volkswagen and its

Canadian dealers quietly began reselling 2015 model year diesel cars equipped with an illegal "defeat device" to cheat air pollution laws.

Since July 2017, the federal government has been investigating Volkswagen but the probe seems to have come to a halt. The United States and Germany have aggressively pursued and prosecuted Volkswagen on this issue — to the point that the company voluntarily paid billions in fines in the United States. It is hard to understand why it is taking so long for Canada to investigate a self-confessed polluter.

Emission-cheating cars are a danger to human health. A recent study suggested links between illegal Volkswagen cars and low birth weight and acute asthma attacks in children.

We're taking the Minister to court again to force her to live up to her obligation to protect Canadians, the environment, and enforce the law. But we can't do it without you. With your support, we can help make sure Volkswagen pays for its environmental crimes.



*thank
you!*

**for helping us
fight for a brighter
environmental
future**

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Online**

SUPPORT THE ENVIRONMENT



BILL YOUNG

Twenty-two years ago I became a donor to Ecojustice. I was intrigued by the approach of using the law to effect long-term change. While I tried to be environmentally responsible and tread lightly on this earth, I didn't feel it was enough. I believe I can have the most impact by supporting Ecojustice.

One way I've expanded my giving and increased my impact is by making a donation of securities. I found the process to be easy, by simply filling out a form for my bank and then notifying Ecojustice. You don't get money in your pocket for selling and donating the securities, of course, but you avoid capital gains tax and there is payback later in the form of a charitable receipt. For me, the decision to donate this way reflects my values. I don't need a bigger, fancier car, but I do need clean air and water and an ecosystem that is rich in biodiversity.

This is the only planet we've got. I lived through the Voyager missions to the outer planets and was awe-struck when Carl Sagan had the spacecraft pointed back for one last shot of the solar system and caught this pale blue dot. And then we also saw the images of earth from orbit showing how thin the atmosphere is. This is what we have, the thin layers of air and water in which all life resides.

We need to help Ecojustice push all governments to take action through legal action. I hope more people are inspired to give securities and support the fight for the environment.



To learn more, visit
www.ecojustice.ca/securities
or for a confidential call,
contact John Keller by email
jkeller@ecojustice.ca or
call 1.800.926.7744 ext 241.

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