

March 10th, 1975

Mr. T.M. Murphy  
Secretary  
Environmental Hearing Board  
5th Floor  
1 St. Clair Avenue West  
TORONTO, Ontario

Dear Mr. Murphy:

Re: Fisher Harbour

Having missed the Globe and Mail notices of February 27th and March 6th, we received notice on Friday, March 10th by a telephone call from a former CELA staff member, of a hearing on the environmental implications of the proposed development in Fisher Harbour.

I am amazed that our Association, which was on record with the Ministry of Natural Resources, the Ministry of the Environment, and TEIGA since at least August of 1972 and which corresponded with the Provincial Secretary for Resources Development as recently as November 12th, 1974, was given no direct notice of this hearing.

Even though CELA's correspondence is reproduced in the environmental impact assessment itself, so that there should have been no doubt as to our intention to be involved in any hearing which might be called, we were given no mailed notice of a hearing.

As a result, we have been caught by surprise and cannot possibly do a thorough job of evaluating the impact study in time for this hearing. We have, in short, been prejudiced by the lack of notice if the hearing is held this week.

Even though the main party to these proceedings is no doubt well represented by Macauley, Perry so that a case can proceed without absolute prejudice to all parties opposed to the project, it is extremely important to make the point that the Board has acted in a manner which is prejudicial to the public interest.

The reason for the importance, of course, is that the procedure used in this application will undoubtedly

be looked upon as a precedent for future environmental assessment hearings.

We are also concerned that the price of \$75.00 will be prohibitive for many groups, including our own, to obtain the environmental impact study, to adequately evaluate it. Availability at your offices just isn't sufficient, although a step in the right direction.

Please be advised that we wish to present an oral brief before the Board, as soon as we can prepare one, and would like to do so in Toronto, if this is possible.

I enclose a summary of our principles for an equitable environmental impact assessment process which I would request you to pass on to the Chairman, and which I hope may be of some assistance in considering this matter.

Sincerely,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

John Swaigen  
Counsel

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Encl.

c.c. Robert Macauley