

Proposed Morrison Copper/Gold Mine - Provincial EA Update

Wednesday, April 3, 2013

12:36 PM

Subject	Proposed Morrison Copper/Gold Mine - Provincial EA Update
From	Vinette, Nicole EAO:EX
To	Carsen, Dannie CSCD:EX; van Geloven, Chelton FLNR:EX; XT:Sheehan, Stephen Environment Canada EAO:IN; Stewart, Craig ENV:EX; Flynn, Doug MEM:EX; 'Nadine.Parker@ec.gc.ca'; 'john.mackie@tc.gc.ca'; Bellefontaine, Kim MEM:EX; 'colin.parkinson@tc.gc.ca'; Howe, Diane J MEM:EX; Tamblyn, Greg CENV:EX; XT:Hagen, Mike Environment Canada EAO:IN; Applegate, Sherrie TRAN:EX; Cuell, James W FLNR:EX; McCormick, Warren ENV:EX; Williamson, Elizabeth M FLNR:EX; 'Carl.Alleyne@hc.sc.gc.ca'; Weinstein, Ben ENV:EX; DeBeck, Howard W FLNR:EX; 'klg2@telus.net'; 'dlatremouille@skeena fisheries.ca'; 'Robyn.McLean@ceaa-acee.gc.ca'; 'Charlotte.Haley@dfo.mpo.gc.ca'; 'michele.fung@tc.gc.ca'; 'bandersson@villageofgranisle.ca'; Herbert, Brian FLNR:EX; 'ssmith@villageofgranisle.ca'; 'Melanie.Campbell@NRCan-RNCan.gc.ca'; 'yota.hatziantoniou@hc.sc.gc.ca'; 'powerverna@yahoo.com'; 'Alasdair.Beattie@dfo.mpo.gc.ca'; 'Jennifer.Simpson@dfo.mpo.gc.ca'; Schell, Chris FLNR:EX; Norman, Shauna R FLNR:EX; 'kathy.mcpherson@NRCan-RNCan.gc.ca'; Hamilton, Chris EAO:EX; Stalker, Jennifer L FLNR:EX; 'tim.archer@NRCan-RNCan.gc.ca'; 'Jessy.Chaplin@gov.bc.ca'; 'erica.austin@lakebabine.com'
Cc	Hamilton, Chris EAO:EX; Gajowski, Leigh Anne EAO:EX
Sent	Tuesday, August 21, 2012 4:55 PM

Dear Working Group members,

I'm sending this e-mail on behalf of Chris Hamilton, the BC Environmental Assessment Office's (EAO) lead for the provincial environmental assessment (EA) of the proposed Morrison Mine Copper/Gold Project (proposed Project).

Consistent with paragraph 20 in the section 11 order for the proposed Project, the purpose of this e-mail is to advise that the final Assessment Report and associated referral documents have been sent to the two provincial ministers responsible for making a decision on whether to issue an EA certificate for the proposed Project: the Honourable Terry Lake, Minister of Environment, and the Honourable Rich Coleman, Minister of Energy and Mines and Minister Responsible for Housing.

Unless the ministers opt to extend the 45-day time limit for making their decision on the EA certificate, a decision will be made by October 5, 2012. Once a decision has been made, the final Assessment Report and associated referral documents will be posted on EAO's website and another e-mail will be sent to the Working Group to advise you of the decision.

On behalf of Chris, I would like to take this opportunity to thank you for all your hard work on this file over the past number of years, and particularly for your time and attention to detail. If you have any questions, please feel free to contact me at HYPERLINK "<mailto:Nicole.Vinette@gov.bc.ca>" Nicole.Vinette@gov.bc.ca or 250-356-5311.

Nicole Vinette
Project Assessment Officer
Environmental Assessment Office
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Proposed Morrison Copper/Gold Mine Project - Ministerial Decision re: EA Certificate

Wednesday, April 3, 2013
12:37 PM

Subject	Proposed Morrison Copper/Gold Mine Project - Ministerial Decision re: EA Certificate
From	Vinette, Nicole EAO:EX
To	XT:Sheehan, Stephen Environment Canada EAO:IN; Stewart, Craig ENV:EX; Flynn, Doug MEM:EX; 'john.mackie@tc.gc.ca'; Bellefontaine, Kim MEM:EX; 'colin.parkinson@tc.gc.ca'; Howe, Diane J MEM:EX; XT:Hagen, Mike Environment Canada EAO:IN; McCormick, Warren ENV:EX; 'Carl.Alleyne@hc.sc.gc.ca'; Carsen, Dannie CSCD:EX; 'Nadine.Parker@ec.gc.ca'; Tamblyn, Greg C ENV:EX; Applegate, Sherrie TRAN:EX; Cuell, James W FLNR:EX; Williamson, Elizabeth M FLNR:EX; DeBeck, Howard W FLNR:EX; Weinstein, Ben ENV:EX; van Geloven, Chelton FLNR:EX; Schell, Chris FLNR:EX; Herbert, Brian FLNR:EX; Hamilton, Chris EAO:EX; 'kathy.mcperson@NRCan.RNCan.gc.ca'; 'Jennifer.Simpson@dfo.mpo.gc.ca'; 'powerverna@yahoo.com'; 'Robyn.McLean@ceaa.acee.gc.ca'; 'Melanie.Campbell@NRCan.RNCan.gc.ca'; Norman, Shauna R FLNR:EX; 'Jessy.Chaplin@gov.bc.ca'; 'Alasdair.Beattie@dfo.mpo.gc.ca'; 'ssmith@villageofgranisle.ca'; 'dlatremouille@skeenafisheries.ca'; 'yota.hatziantoniou@hc.sc.gc.ca'; Stalker, Jennifer L FLNR:EX; 'erica.austin@lakebabine.com'; 'bandersson@villageofgranisle.ca'; 'michele.fung@tc.gc.ca'; 'klg2@telus.net'; 'Charlotte.Haley@dfo.mpo.gc.ca'; 'tim.archer@NRCan.RNCan.gc.ca'
Cc	Hamilton, Chris EAO:EX; Matsko, Nataliya EAO:EX
Sent	Monday, October 1, 2012 2:09 PM

Dear Working Group members,

As you are aware, on August 21, 2012, the Environmental Assessment Office (EAO) referred the proposed Morrison Copper/Gold Mine Project to the Honourable Terry Lake, Minister of Environment, and the Honourable Rich Coleman, Minister of Energy and Mines and Natural Gas and the Minister Responsible for Housing and Deputy Premier, for a decision on whether to issue an environmental assessment certificate. At 2:00 pm today, Ministers announced their decision to refuse to issue an environmental assessment certificate for the proposed Morrison Copper/Gold Mine Project.

<http://www.gov.bc.ca/env/>

For more information about the decision, the following documents will be posted on EAO's website shortly at http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_home_224.html:


Recommendations of the Executive Director
Information Bulletin
EAO's final assessment report and accompanying materials
Ministerial Decision Record
Decision letter from Minister Lake to Pacific Booker Minerals Inc.

On behalf of Chris Hamilton, the Executive Project Director for the environmental assessment of the proposed Morrison Copper/Gold Mine Project, I would like to thank you for the years of time, effort, information and analysis you provided to EAO in support of the environmental assessment of this project.

Nicole Vinette
Project Assessment Officer
Environmental Assessment Office
(250) 356-5311
<mailto:Nicole.Vinette@gov.bc.ca> Nicole.Vinette@gov.bc.ca

RE: Morrison - litigation?

Wednesday, April 3, 2013
3:58 PM

Subject	RE: Morrison litigation?
From	Morel, David P EMNG:EX
To	Bellefontaine, Kim EMNG:EX; Howe, Diane J EMNG:EX; Hoffman, Al EMNG:EX
Sent	Thursday, February 14, 2013 9:56 AM
Attachments	 IN EAO Mor risonLitiga...

Thanks Kim

We are on it see note.

David Morel
Assistant Deputy Minister
Mines and Mineral Resources Division
Ministry of Energy, Mines and Natural Gas

From: Bellefontaine, Kim EMNG:EX
Sent: Thursday, February 14, 2013 9:55 AM
To: Howe, Diane J EMNG:EX; Hoffman, Al EMNG:EX; Morel, David P EMNG:EX
Subject: Morrison litigation?

http://www.prnewswire.com/news_releases/pacific-booker-minerals-inc-announces-hunter-litigation-chambers-retained-191114251.html



**CONFIDENTIAL
ISSUES NOTE**

Environmental Assessment Office
Updated: February 14, 2013
Minister Responsible: Terry Lake

**Morrison Copper-
Gold Mine Project:
Potential Litigation**

ADVICE AND RECOMMENDED RESPONSE:

- Pacific Booker Minerals Inc. was refused an environmental assessment certificate for the proposed Morrison Copper-Gold Mine Project on October 1, 2012.
- On February 13, 2013, the company announced that it has retained legal counsel to advance litigation against the Province in connection with the refusal to issue a certificate.
- I cannot comment on any possible litigation. I have not received any notice of a lawsuit nor have I seen any legal submissions regarding this matter.
- The Assessment Report, the recommendation of the Executive Director and the Ministerial Decision Record are all a matter of public record.

KEY FACTS REGARDING THE ISSUE:

On February 13, 2013, Pacific Booker Minerals Inc. issued a news release saying that the company has retained John Hunter, QC of Hunter Litigation Chamber Law Corp. "to advance litigation against the Province of British Columbia in connection with the refusal of the Government to issue an Environmental Assessment Certificate for the Morrison Copper/Gold Mine Project."

There is no additional information contained in the news release.

The Environmental Assessment Office has not received documentation in regard to litigation in relation to the ministers' decision.

Background:

Pacific Booker Minerals (the Proponent) proposed the development of a conventional open pit mine with a planned extraction rate of about 30,000 tonnes a day and a mine life of 21 years.


The proposed Project is located 65 km northeast of Smithers and 35 km north of the Village of Granisle, BC.

The proposed Project requires an environmental assessment certificate because it is a new metal mine with an ore production capacity exceeding the threshold of 75,000 tonnes per year under the Reviewable Projects Regulation.

Communications Contact:	Greg Leake	387-2470
Program Area Contact:	Chris Hamilton	387-1032

RE: Pacific Booker

Wednesday, April 3, 2013
4:26 PM

Subject	RE: Pacific Booker
From	Bellefontaine, Kim EMNG:EX
To	Morel, David P EMNG:EX; Howe, Diane J EMNG:EX
Cc	Hoffman, Al EMNG:EX
Sent	Tuesday, October 30, 2012 8:04 AM
Attachments	 EPD Commitment me...

Final MOE letter attached.

I'll touch base with EAO today. I am traveling for most of the rest of the week, but will aim to participate if I can.

Kim

From: Morel, David P EMNG:EX
Sent: Tuesday, October 30, 2012 5:56 AM
To: Bellefontaine, Kim EMNG:EX; Howe, Diane J EMNG:EX
Cc: Hoffman, Al EMNG:EX
Subject: Pacific Booker

Just a heads up that there may be a need to support EAO in a meeting this week with Pacific Booker. They are claiming they don't understand the decision and EAO is offering to brief them.

Could you send me a copy of the MOE letter to EAO re Morrison final comments if you have a copy.

Thanks

David



DATE TYPED: August 2, 2012
FILE NUMBER: 44500-45/Morrison

Chris Hamilton, Project Assessment Director, Morrison Project
Tracy James, Project Assessment Officer, Morrison Project
Ministry of Environment, Environmental Assessment Office
Victoria, B.C. Canada
V6C 3A8

Re: Morrison Copper Gold Project - Skeena Region EPD Final Review

The Environmental Protection Division (EPD) of the Ministry of Environment last commented formally on the Morrison Copper Gold Project in a letter submitted March 29, 2012. Since this date, Pacific Booker Minerals (PBM) has:

- revised its project description,
- made a number of commitments contained in a Table of Conditions to be appended to EAO's Assessment Report, and
- revised its aquatic effects assessment based on a scenario which includes lining the tailings storage facility with a geomembrane liner and treating waste water to lower concentrations than previously proposed.

EPD has considered this information and offers an update to our most recent comments in this letter. We examined the following documents as part of this review:

- Morrison Copper / Gold Project – 3rd Party Review Response Report Addendum 1, April, 2012. (KCB 2012).
- Technical Review of the Morrison Lake Water Quality Model contained in the Pacific Booker Minerals' (the proponent) Application for an Environmental Assessment Certificate for the proposed Morrison Copper/Gold Project. Dr. Bernard Laval. June 19, 2012 (Laval 2012).
- Morrison Copper/Gold Project - Project Description – Appendix 1 Table of Conditions, June, 2012.

Ministry of Environment	Environmental Protection Division Skeena	Mailing Address: 3726 Alfred Avenue Bag 5000 Smithers BC V0J 2N0	Location: 3726 Alfred Avenue Smithers BC V0J 2N0 Telephone: 250 847-7260 Facsimile: 250 847-7591 Website: www.gov.bc.ca/epo
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Pacific Booker Minerals has made a number of noteworthy commitments in its project description to mitigate potential risks to water quality and the aquatic environment. One of the most significant is to line the proposed tailings storage facility with a geomembrane liner. According to the proponent's revised hydrogeological and surface water models, this liner will significantly reduce seepage from the tailings storage facility into streams MCS-7, 8 and 10 and into Morrison Lake. EPD concurs with the proponent that under such a scenario, the effects on the stream ecosystems will be reduced significantly. Most predicted exceedances of B.C. Water Quality Guidelines are primarily attributed to baseline ground water quality. Our previous concerns related to dense contaminated stream water flowing along the lake bottom, creating "hot spots" appear to have been resolved. The likelihood of "hot spots" of contaminated water in the benthic environment of the lake resulting from emerging seepage has also been reduced significantly.

Nonetheless, despite the addition of the liner and the other conditions PBM has committed to, EPD maintains that the Morrison Copper-Gold project presents significant risks to Morrison Lake and Morrison Creek for the following reasons:

- First and foremost, Morrison Lake and Creek are pristine, high-valued ecosystems supporting many important fish species, including genetically distinct sockeye salmon with an irreplaceable gene pool.
- The environmental and economic liabilities associated with very long-term (100+ years?) collection and treatment of contaminated mine water, production and storage of water treatment sludge, uncertainty associated with the feasibility of the proposed treatment, and "in perpetuity" maintenance of site infrastructure adjacent to a lake with a unique sockeye salmon stock.
- In Morrison Lake, aluminum, copper, selenium and cadmium are predicted, under a liner and secondary water treatment scenario, to approach water quality guideline concentrations, which are thresholds above which impacts to aquatic life may occur. In addition, sulphate concentrations are expected to increase substantially. Furthermore, metals will accumulate in the sediments of the lake and, under certain conditions, may re-suspend into the water column increasing the metals loading to the lake's water. EPD is concerned about allocating the assimilative capacity of the lake for these contaminants to one water user.
- Some areas of the lake will likely have higher levels of contaminants than predicted due to incomplete mixing. The highly idealized lake model does not account for the possibility of incomplete mixing within the lake. According to Laval (2012), "the model is designed to provide an outer bound for the maximum lake-wide average concentrations, not the overall maximum in the lake."
- The behaviour of the discharge plume from the diffuser is uncertain, and although engineering solutions may exist, the worst case scenario is that contaminated water will settle to the bottom of the lake for months at a time until the lake "turns over."
- The ongoing risk from the possibility of un-controlled drainage, spillage and erosion, and

- The significant knowledge gaps related to the physical lake limnology (e.g. currents, flushing rate) and the lake ecosystem contribute to the high uncertainty related to predicting the actual impacts to the Morrison Lake ecosystem.

Pacific Booker Minerals has concluded that the project will have “negligible effect on fish and fish habitat (considering both lethal and sub-lethal toxicity effects on sockeye and coho salmon impacts....)” (KCB 2012). The Environmental Protection Division does not concur with this conclusion given the considerable uncertainties associated with the project’s effects assessment. As such, the high ecological values of Morrison Lake and Creek are at risk to significant adverse effect.

Yours truly,



Greg Tamblyn, M.R.M.
Section Head, Environmental Quality
Environmental Protection Division