



File: 30200-20/AMIN-04-01

Reference: 283960

May 12, 2015

SENT VIA EMAIL

Chief Shane Gottfriedson & Chief Ron Ignace
Stk'emlupsemc te Secwepemc Nation
PO Box 188
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Chief Shane Gottfriedson : chief@kib.ca
Chief Ron Ignace : kukpi7.ignace@gmail.com

Dear Chief Gottfriedson and Chief Ignace:

The purpose of this letter is to provide a revised assessment of the strength of Stk'emlupsemc te Secwepemc Nation (SSN) claimed Aboriginal rights and title (Aboriginal Interests) in the vicinity of the proposed Ajax Mine Project (proposed Project) site, after consideration of the information currently available to the Province and current case law. In particular, consideration has been given to the June 2014 *Tsilhqot'in* decision of the Supreme Court of Canada, which clarified the test for Aboriginal title relating to the elements of sufficient and exclusive occupation at 1846.

EAO has, in conjunction with the Ministries of Aboriginal Relations and Reconciliation and Forest Lands and Natural Resources Office, reconsidered the previous strength of claims assessment provided to SSN on November 7, 2012, based on available information regarding sufficient and exclusive occupation at 1846 related to the proposed Project area, including information provided by the SSN in the Cultural Heritage Study dated August 27, 2014, and other information.

The proposed Project area is within the historical traditional territory of the Secwepemc Kamloops division as indicated by ethnographers, and is in relative proximity to their historical Kamloops headquarter village. There are indications the surrounding area was used for resource harvesting activities that were connected by various historical trails. Thus, the Province's view is that this information supports there is a strong *prima facie* claim to Aboriginal title within the proposed Project site by the SSN.

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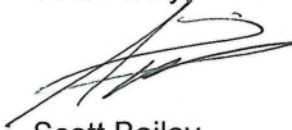
The Province continues to be of the view that there is a strong *prima facie* claim to Aboriginal rights to hunting, fishing, gathering, spiritual use and trapping by the SSN in the proposed Project area.

Based on currently available information, we anticipate that the proposed Project, which is an open pit mine with associated infrastructure, load out facility, access road and transmission line, could have a serious impact on SSN's Aboriginal Interests. Thus, EAO will continue to proceed with consulting SSN at the deep end of the *Haida* consultation spectrum.

EAO would like to continue to work with SSN to ensure that the EA process allows for meaningful discussion of the potential impacts to SSN Aboriginal Interests and the development of appropriate accommodation measures to avoid, mitigate or otherwise address these impacts. EAO looks forward to continuing government-to-government discussions with SSN.

Please feel free to contact me anytime at 250-356-1124 or by email at Scott.Bailey@gov.bc.ca.

Yours truly,



Scott Bailey
Executive Project Director

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