

From: Ramsay, Devon IRR:EX
To: Qureshi, Yasmeen EMLI:EX; Epps, Deb ENV:EX; Dodd, Nikki EMLI:EX
Cc: O'Sullivan, Susan FLNR:EX
Subject: FYI: Gibraltar Mine - dumping effluents into the Fraser River
Date: April 6, 2021 9:20:32 AM
Attachments: St"at"imc Chiefs Council Ltr to Minister Heyman - Gibraltar Mine, Mar 31, 2021.pdf

For your info.
Thanks,
Devon

From: Banford, Alexandra R IRR:EX <Alexandra.Banford@gov.bc.ca>
Sent: April 1, 2021 4:35 PM
To: Ramsay, Devon IRR:EX <Devon.Ramsay@gov.bc.ca>
Subject: Gibraltar Mine - dumping effluents into the Fraser River

FYI

Thanks,
Alexandra

From: Art Adolph <aadolph@statimc.net>
Sent: March 31, 2021 4:29 PM
To: Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>
Cc: Minister, IRR IRR:EX <IRR.Minister@gov.bc.ca>; Gord Johns, MP <Gord.Johns@parl.gc.ca>; Chief Joe Alphonse <chiefjoe@tletinqox.ca>; Grand Chief Stewart Phillip <president@ubcic.bc.ca>; Kukpi7 Judy Wilson <judy@ubcic.bc.ca>; Regional Chief Terry Teegee <regionalchief@bcagn.ca>; Robert Chamberlin <RChamberlin@shaw.ca>; J.P. Laplante <jlaplante@tsilhqotin.ca>; Chief Don Harris <don.harris@xaxtsa.ca>; Taya Rankin <reception@statimcgs.org>
Subject: Gibraltar Mine - dumping effluents into the Fraser River

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

March 31, 2021

Dear Minister Heyman:

s.16

Regards,

Art Adolph
SCC Director of Operations

Page 03 of 72 to/à Page 04 of 72

Withheld pursuant to/removed as

s.16

From: O'Sullivan, Susan FLNR:EX
To: Copping, Peter FLNR:EX; Dyas, Morgan EMLI:EX; Stuart, Jen A EMLI:EX; Dodd, Nikki EMLI:EX
Subject: FW: Gibraltar Mine - dumping effluents into the Fraser River
Date: April 6, 2021 9:22:45 AM

Saved Attachments

St'at'imc Chiefs Council Ltr to Minister Heyman - Gibraltar Mine, Mar 31, 2021.pdf

FYI

From: Ramsay, Devon IRR:EX <Devon.Ramsay@gov.bc.ca>
Sent: April 6, 2021 9:21 AM
To: Qureshi, Yasmeen EMLI:EX <Yasmeen.Qureshi@gov.bc.ca>; Epps, Deb ENV:EX <Deb.Epps@gov.bc.ca>; Dodd, Nikki EMLI:EX <Nikki.Dodd@gov.bc.ca>
Cc: O'Sullivan, Susan FLNR:EX <Susan.OSullivan@gov.bc.ca>
Subject: FYI: Gibraltar Mine - dumping effluents into the Fraser River
For your info.
Thanks,
Devon

From: Banford, Alexandra R IRR:EX <Alexandra.Banford@gov.bc.ca>
Sent: April 1, 2021 4:35 PM
To: Ramsay, Devon IRR:EX <Devon.Ramsay@gov.bc.ca>
Subject: Gibraltar Mine - dumping effluents into the Fraser River
FYI

Thanks,
Alexandra

From: Art Adolph <aadolph@statimc.net>
Sent: March 31, 2021 4:29 PM
To: Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>
Cc: Minister, IRR IRR:EX <IRR.Minister@gov.bc.ca>; Gord Johns, MP <Gord.Johns@parl.gc.ca>; Chief Joe Alphonse <chiefjoe@tletingox.ca>; Grand Chief Stewart Phillip <president@ubcic.bc.ca>; Kukpi7 Judy Wilson <judy@ubcic.bc.ca>; Regional Chief Terry Teegee <regionalchief@bcacfn.ca>; Robert Chamberlin <RChamberlin@shaw.ca>; J.P. Laplante <jlaplante@tsilhqotin.ca>; Chief Don Harris <don.harris@xaxtsa.ca>; Taya Rankin <reception@statimcgs.org>
Subject: Gibraltar Mine - dumping effluents into the Fraser River

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March 31, 2021

Dear Minister Heyman:

s.16

s.16

Regards,
Art Adolph
SCC Director of Operations

Attachments Removed:

St'at'imc Chiefs Council Ltr to Minister Heyman - Gibraltar Mine, Mar 31, 2021.pdf

From: [Norlund, Kelsey EMLI:EX](#)
To: [Shaw, Sean EMLI:EX](#)
Subject: FW: Gibraltar Mines Act Permit - current Application review
Date: April 12, 2021 10:56:00 AM
Attachments: [image003.png](#)
[2019_07_08_JPL-HH TNG Letter to EMPR re Outstanding Review of Gibraltar Closure Plan.pdf](#)
[image001.jpg](#)
[image003.png](#)

FYI...

sunlogo1



Kelsey Norlund, Ph.D., P.Geo.
Manager, Environmental Geoscience, Major Mines Office
Ministry of Energy, Mines and Low Carbon Innovation
Phone: 236-478-3740

From: Rina Freed <rina.freed@seamining.ca>
Sent: April 12, 2021 10:36 AM
To: Stuart, Jen A EMLI:EX <Jen.Stuart@gov.bc.ca>; Dyas, Morgan EMLI:EX <Morgan.Dyas@gov.bc.ca>
Cc: Crystal Verhaeghe <crystal@emodadesign.com>; Helga Harlander <helga@tsilhqotin.ca>; Norlund, Kelsey EMLI:EX <Kelsey.Norlund@gov.bc.ca>; Luke Doxtator <luke@tsilhqotin.ca>
Subject: Re: Gibraltar Mines Act Permit - current Application review

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Jen and Morgan,

I have some questions for you on the current Gibraltar Application for review:

1. I would like to ask if we (Esdilagh) can submit information requests and comments for the Gib East permit application? If so, can we have 2 weeks to submit comments*?
2. Today I was sent a copy of the draft permit (from Helga). Could you also clarify if there is a time frame for review of the amalgamated permit? Could we plan to have some meetings to discuss comments on the amalgamated permit?
3. I have not seen a draft MRC report for the working group - has that been circulated or will it be circulated? Could we discuss the MRC report once we have had a chance to get up to speed and potentially submit comments?
4. Following up on the response from Sean, could you provide additional information and detailed rationale regarding the closure cost estimate for the current known liabilities at the mine including long-term water treatment for acidity. I hope that you are aware that TNG provided detailed comments about the closure cost estimate and the understood **lack of compliance** with the mines act permit conditions dating back to 2012. **Please see the attached letter** (note: Table 2 included below as a quick summary). To my understanding there has been no response from EMPR/MMO/EMLI to this letter from TNG. The letter brings up a number of key issues that are outstanding. The mine appears to be shirking their responsibility and avoiding compliance requirements. Further delay is worrisome given the pattern of delay established since 2012. The mine has avoided the update to the closure cost estimate for two full 5-year cycles of the review process already (from 2012-2021). Metal prices are very high at present. Allowing the mine approval to go ahead again without addressing compliance is worrisome as there is significantly less likelihood that the mine will agree to update the closure cost estimate when they are not requesting approval to mine. If this is the proposed approach, please explain how this is reasonable and ethical given the

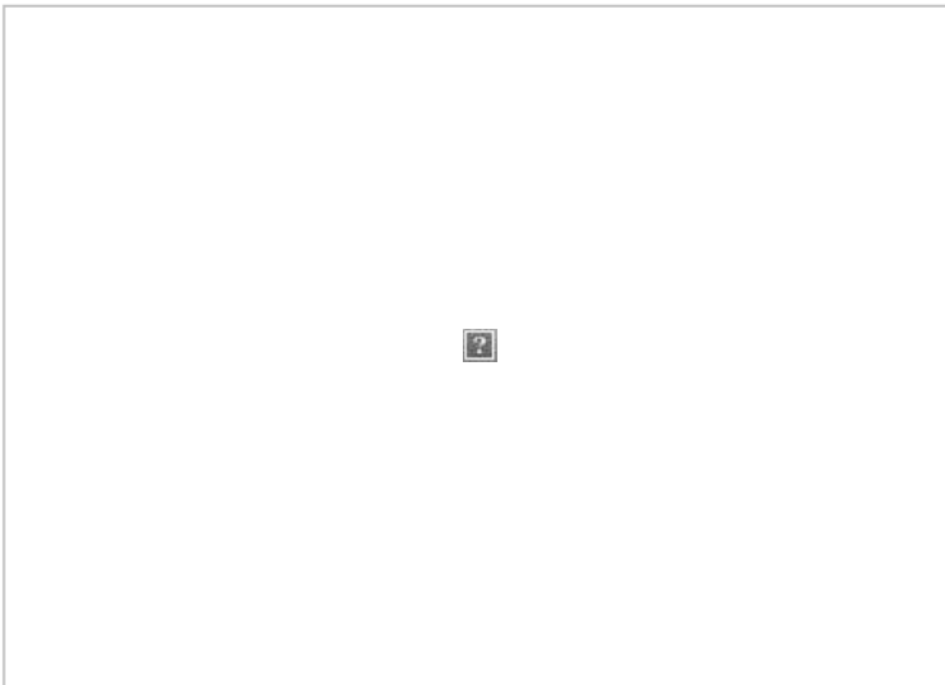
full context of non-compliance and the request for further mining. Also, please provide all records and meeting notes regarding this topic that MMO/EMLI are involved with. We are in need of further information to help us understand EMLI/MMOs thoughts and rationale for this topic.

5. Finally, is there an updated review schedule, assuming the extension request from TNG was granted for 60 days?

*I would like to clarify that there was some confusion caused by statements in the application documents from Gibraltar and the responses to information requests. For example, there is a statement to the effect that the mine plan proposed in the application was under the current mine plan approval (it is not) and would occur in 2021 only (the mining applied for would occur from 2021-2024). I understand that these statements led to the confusion and delay in referring the permit from TNG to Esdilaigh.

Best regards,

Rina



Rina Freed, Ph.D., P.Eng

Principal, Source Environmental Associates Inc.

604-809-5193

www.seamining.ca



I am grateful to live on the unceded traditional territories of the Skwxwú7mesh (Squamish), Səíl̓wətał (Tsleil-Waututh) and xʷməθkʷəy̓əm (Musqueam) Nations

On Fri, Apr 9, 2021 at 11:40 AM Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca> wrote:

Hi Rina,

I can answer your questions – if you are looking for a more in-depth technical discussion, it would be best to connect with Kelsey (Manager of Geoscience).

1. Mining of the Gib E pit is the amendment application EMLI/ENV are finishing up review on currently. It will allow for mining of Gib E as they dewater the pit to the Granite Pit. The mine is currently authorized for mining of the Granite and

Pollyanna Pit pushback phases (permitted in a 2017 amendment). It is my understanding that the Granite pit will be completed in 2021 and mining will shift to the Pollyanna Pit (already authorized) and Gib East Pit (if approved). The 2017 Mine Plan GML references is the 2017 MP/RCP update – that is not an application nor is any forward looking mining in that document approved.

2. The Connector Pit described by GML has not been applied for or approved under the Mines Act. As described above, the extent of mining approved under the current Mine Plan will likely be completed by GML this year (Granite/Pollyanna Pit).
3. If approved, the Gib East Mine Plan will include mining of both the Pollyanna Pit and Gib East Pit until approximately 2024. If approved, the Gib East Mine Plan allows for the mining of an additional 59 Mt of ore and 95 Mt of waste rock – irrespective of how long it takes to mine. GML estimates this will occur between 2021 and 2024. The 5 Year Mine Plans, as described above, are not applications and any mining activities described in them not included in the 2017 or 2021 amendment applications are not approved. The 2022 MP/RCP will also not be an application.
4. Some of the 2017 RCP review outcomes will be incorporated into the draft Gib East permit as conditions. The reclamation security has been reviewed; however, due to timing issues, the updated bond will not be incorporated into the Gib East draft permit. However, it is a top priority for EMLI to get an updated security amount into the M-40 permit asap. The company is in compliance with its current reclamation security amount.
5. There are no 5 year mine approvals in place for Gibraltar, as discussed above. It is EMLI's expectation that the updated RCP required to be submitted by March 31, 2022, will reflect the currently approved mine plan for the site. The reclamation security will be reviewed again with that RCP.
6. The company is currently authorized to mine in the Granite and Pollyanna Pits. In the event that the Gib East Pit is not approved they will still be authorized for mining in Pollyanna once the Granite Pit mining is completed later this year.
7. The next Mine Plan/Reclamation and Closure Plan Update in 2022 is not an application, it is a compliance requirement as per the Code and the M-40 permit. As part of that submission the company is required to submit an updated reclamation security estimate. The only currently required water treatment for the site is at closure to treat for acidity. However, it is likely that the site will require water treatment during operations to address SO₄/NO₃ concentrations in their effluent. The bonding related to this treatment will be determined when the company applies for an amendment to build that system. If it occurs before the Closure Plan is submitted in 2022, then the bonding will be required to be included in the updated cost estimated submitted with that document.
8. Morgan Dyas is the Project Lead for the Gib East application review and Jen Stuart

is the Project Director, I'll refer you to contact them with any questions regarding the ongoing review process.

I hope that I've provided sufficient answers to your questions. If you have any additional questions, please don't hesitate to reach out by phone or email.

Regards,



Sean Shaw, Ph.D., P.Geo.
Director, Technical Operations, Major Mines Office
Ministry of Energy, Mines and Low Carbon Innovation
Phone: 778-698-7259

From: Rina Freed <rina.freed@seamining.ca>

Sent: April 8, 2021 5:51 PM

To: Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca>

Cc: Crystal Verhaeghe <crystal@emodadesign.com>; Helga Harlander <helga@tsilhqotin.ca>

Subject: Gibraltar Mines Act Permit - current Application review

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Sean,

I have been asked by Crystal Verhaeghe, Project Manager for Esdilagh First Nation, to review the Gibraltar Mine Application for amendments to the Mines Act permit in 2021. Ms. Verhaeghe has authorized me to work on the review for Esdilagh and I am in the process of getting up to speed. I recall you were on the Gibraltar file in the past. Do you remain involved? If not, could you pass on this email to the appropriate person and perhaps assist me with an introduction?

I have access to the sharepoint site for this review and have looked over the tracking table and application documents. I have some high level questions on the review, and I wonder if you and I could arrange a short phone call or you could direct me to the EMLI staff that might be able to have a short call on this project to help me get up to speed mid-review. Here is an initial list of questions as a starting point.

1. Is the schedule of dewatering and safety prep work of Gib East Pit going to allow for mining in 2021 in the same pit? I read that dewatering is expected to occur over a 2 year period. I also note the approval has not yet occurred. This leads me to wonder about the practicality of mining within the Gib East pit within the current 5-year mine approval (that is set to expire at the end of 2021 as I understand).
2. Was the Connector pit mining referred to the Application a part of the current 5 year approval? I do not see this in those approval documents. I would like to understand if mining approved in the current 5-year approval was already completed.
3. If approved, would the proposed 2021 mine plan limit the ore to the mining that can occur in the remainder of 2021 - once the application is approved? For example, assuming there is about 6 months of permitted mining in 2021, would the approval limit mining to about 55 Mt of ore (e.g. July to Dec, 2021). The concern is that the approval may include the mining outlined in the TAR from 2021 to 2025 (as it seems odd to include the 2021-2025 5-year plan when another 5-year plan is expected from 2022-2026 very soon).
4. Will the lack of completion of the previous 2017 Closure Plan review and lack of securities

estimate update be considered in the current approval? From previous work on the file, I understand the mine has been out of compliance for a number of years on the update to the security cost estimate (since 2012). This has been raised with the Province a number of times but not addressed. Will this non-compliance be addressed prior to any new approvals?

5. Will the proposed mine plan changes for 2021 be covered in the closure plan for the mine? A concern is the decoupling of the 5-year mine approvals from the closure plan approvals and updates to the cost estimate. Can you help Esdliagh to understand the Province's approach to addressing this concern?

6. Given the proposed 2021 mine plan is not approved, what mining (if any) is occurring right now?

7. When will the next 5 year mine plan application (from 2022-2026) be submitted and will this be linked with the compliance requirements at the site? These include the updates to the closure cost estimate, need for water treatment and discharge from TSF, and concerns with ongoing IR12 impacts to Granite Creek (loss of water and water quality exceedances/trends)?

8. We have not seen any of the draft referral package materials (MRC report/ draft permit) and wonder if these are available for review or if there is still an opportunity to submit rounds of review questions?

Perhaps that is enough questions for now. It would be very helpful to have a conversation about the current review status, how we can get involved and the mine approvals and compliance issue resolution.

Best regards,

Rina

Rina Freed, Ph.D., P.Eng

Principal, Source Environmental Associates Inc.

604-809-5193

www.seamining.ca



I am grateful to live on the unceded traditional territories of the Skwxwú7mesh (Squamish), Səl̓íl̓wətał (Tseil-Waututh) and xʷməθkʷəy̓əm (Musqueam) Nations

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Withheld pursuant to/removed as

s.16

Page 19 of 72 to/à Page 21 of 72

Withheld pursuant to/removed as

s.14 ; s.16

Page 22 of 72 to/à Page 29 of 72

Withheld pursuant to/removed as

s.16

From: [Shaw, Sean EMLI:EX](#)
To: [Qureshi, Yasmeen EMLI:EX](#)
Cc: [Dyas, Morgan EMLI:EX](#); [Stuart, Jen A EMLI:EX](#)
Subject: RE: Question re: Gibraltar Mine M-40 permit
Date: April 22, 2021 12:21:34 PM
Attachments: [image002.png](#)

Hi Yasmeen,

The process JP is asking about is called 'amalgamation' – unfortunately, it won't occur with this amendment due to some logistical complications. However, the Chief Permitting Officer and Taseko have committed to amalgamating the permit within the next 2-3 months. We will share that draft amalgamated permit with TNG once it is available prior to sending it for decision.

Regards,



Sean Shaw, Ph.D., P.Geo.

Director, Technical Operations, Major Mines Office

Ministry of Energy, Mines and Low Carbon Innovation

Phone: 778-698-7259

From: Qureshi, Yasmeen EMLI:EX <Yasmeen.Qureshi@gov.bc.ca>

Sent: April 22, 2021 11:11 AM

To: Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca>

Subject: Question re: Gibraltar Mine M-40 permit

Hi Sean,

JP Laplante from TNG asked me whether the M-40 permit has been streamlined/consolidated. This was something Jen McConnachie had told him we were planning to do a couple of years ago.

Jen's gone now so I'm not sure who would know about this.

Thanks,

Yasmeen

From: [Yamelst, Brian H ENV:EX](#)
To: [Dyas, Morgan EMLI:EX](#)
Cc: [Lachance, Luc ENV:EX](#)
Subject: RE: Gibraltar PE - 416 Comments form TNG
Date: April 22, 2021 3:12:08 PM
Attachments: [image001.png](#)

Hello Morgan,
Response below.
Brian Yamelst
Sr. Environmental Protection Officer
250-312-6698 (New)

From: Dyas, Morgan EMLI:EX <Morgan.Dyas@gov.bc.ca>
Sent: April 22, 2021 2:17 PM
To: Yamelst, Brian H ENV:EX <Brian.Yamelst@gov.bc.ca>
Cc: Lachance, Luc ENV:EX <Luc.Lachance@gov.bc.ca>
Subject: Gibraltar PE - 416 Comments form TNG

Hi Brian,
Please see comments on the EMA draft permit PE – 416 below from Helga at TNG.

Conditions 1.1 & 1.2

I assume the authorization of an additional source (*and/or Tailings Impoundment Seepage Ponds*) under 1.2 is to harmonize the condition with 1.1. Please correct me if I am mistaken.

Correct, harmonization of the authorized discharges under Sections 1.1 and 1.2 is required, as the additional source from the Tailings Impoundment Seepage Ponds was assessed in 2019 and is not anticipated to exceed permit limits, specifically given that characteristic limits authorized by 1.2 are higher.

I would be interested to find out what the rationale for authorizing this source was at the time condition 1.1 was originally drafted.

GML submitted the *Gibraltar Mine 6-Seepage Pond Discharge Water Quality Effects Assessment (April 2018)* report, that was previously shared with the TNG (JP Laplante, R. Freed, J. Sinclair) on April 20, 2018, and reviewed, assessed and recommended authorized by ENV (Sr. EPO and EIA Biologist) to the SDM. Please advise if this report needs to be re-sent.
Please let me know if you have any questions.

Regards,
Morgan Dyas

A/Senior Project Lead
Major Mines Office/ Mines Competitiveness and Authorizations Division
Phone: 778-698-7266



From: [Helga Harlander](#)
To: [Dyas, Morgan EMLI:EX](#)
Subject: Re: Permit PE-416 comment
Date: April 22, 2021 3:57:55 PM

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Thanks Morgan, I appreciate the speedy reply. Best regards, Helga

From: Dyas, Morgan EMLI:EX <Morgan.Dyas@gov.bc.ca>
Sent: April 22, 2021 3:14:16 PM
To: Helga Harlander
Subject: RE: Permit PE-416 comment

Hi Helga,

Please see ENV responses to your comments below:

s.16

GML submitted the *Gibraltar Mine 6-Seepage Pond Discharge Water Quality Effects Assessment (April 2018)* report, that was previously shared with the TNG (JP Laplante, R. Freed, J. Sinclair) on April 20, 2018, and reviewed, assessed and recommended authorized by ENV (Sr. EPO and EIA Biologist) to the SDM. Please advise if this report needs to be re-sent.

Regards,
Morgan

From: Helga Harlander <helga@tsilhqotin.ca>
Sent: April 22, 2021 2:12 PM
To: Dyas, Morgan EMLI:EX <Morgan.Dyas@gov.bc.ca>
Subject: Permit PE-416 comment

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Morgan,

s.16

Thanks, Helga
Helga Harlander
Mining, Oil and Gas Coordinator
(250) 392-3918 ext. 104

helga@tsilhqotin.ca

"As a precaution for the health and safety of our staff, members and the T̓silhqot'in communities, TNG has closed its offices until further notice.

TNG staff will continue to work from home to serve the T̓silhqot'in communities and will still be able to assist you by email or telephone.

TNG Public Information Line – Ph: (250) 305-6151 – for information as it relates to TNG's Emergency Operations Centre (EOC).

TNG Downtown Office - Ph: (250) 392-3918 – to contact TNG staff on regular TNG business.

TNG Health Office - Ph:(250) 398-8575 – if you have questions or concerns related to COVID-19 or other health matters"

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Withheld pursuant to/removed as

s.16

From: [Shaw, Sean EMLI:EX](#)
To: [Lachance, Luc ENV:EX](#); [Yamelst, Brian H ENV:EX](#)
Cc: [Stuart, Jen A EMLI:EX](#); [Norlund, Kelsey EMLI:EX](#); [Dyas, Morgan EMLI:EX](#)
Subject: Gibraltar - Eslidagh comment on Granite Creek
Date: April 28, 2021 11:14:13 AM
Attachments: [2019 07 08 JPL-HH TNG Letter to EMPR re Outstanding Review of Gibraltar Closure Plan \(1\)\[3\].pdf](#)
[image003.png](#)

Luc, Brian,

We are working through a number of comments provided on the draft M-40 permit. I wanted to highlight one of them, as I think it is best placed under EMA. I also discussed this one, briefly, during a call with Nations yesterday. This is the condition that was proposed. I don't think its something we can or will do in our M-40 amendment:

The Permittee shall provide a mitigation plan to augment flow in Granite Creek (within IR#12) to pre-mining levels, to reverse water quality trends, and to address exceedances by June 20, 2021.

This was also outlined in more detail in a letter provided to EMLI in 2019 (attached – Water Quality/Quantity Concerns)

Additionally, in a condition related to future water treatment, this proposed condition was provided:

A Best Achievable Technology Assessment that conforms with the IDZ policy of the Province. (NTD: this should be re-worded to reflect most other permits and included in the EMA and MA permit– IDZ is not allowed without first assessing BAT).

Again, this is not something I see being included in the M-40 permit, but wanted to ensure you were aware of the concern/request.

Regards,



Sean Shaw, Ph.D., P.Geo.

Director, Technical Operations, Major Mines Office

Ministry of Energy, Mines and Low Carbon Innovation

Phone: 778-698-7259

From: [Shaw, Sean EMLI:EX](#)
To: [Graham, Tessa ENV:EX](#); [Warnock, George EMLI:EX](#); [Epps, Deb ENV:EX](#)
Subject: April 23rd Letter
Date: May 3, 2021 4:44:57 PM
Attachments: [2021_04_22 Esdilagh Letter to Minister Ralston Mines Act Permit Extension\[5\].pdf](#)
[image001.png](#)

See attached.



Sean Shaw, Ph.D., P.Geo.
Director, Technical Operations, Major Mines Office
Ministry of Energy, Mines and Low Carbon Innovation
Phone: 778-698-7259

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Withheld pursuant to/removed as

s.16

From: [Warnock, George EMLI:EX](#)
To: [Dettling, Christoph AG:EX](#)
Cc: [Constable, Lowell EMLI:EX](#); [Shaw, Sean EMLI:EX](#); [Craven, Paul AG:EX](#); [Robb, Peter L. EMLI:EX](#)
Subject: RE: Enquiry: Gibraltar Mine
Date: May 4, 2021 12:04:40 PM
Attachments: [image001.jpg](#)
[April 30 2021 Duty to Report to OSPG on mine regulations and closure bond - Freed and Littlejohn.pdf](#)

Hi Chris,

By cc, I will ask Lowell Constable and Sean Shaw to prepare a letter that addresses the bond issue raised by Rina Freed and Patrick Littlejohn of Source Environmental Associates. Should that letter be addressed to you (to share with Rina and Patrick) or directly to the authors? Just for your awareness:

- The amount of security required by the Ministry is a statutory decision resting with the Chief Permitting Officer (and delegates).
- The authority for a decision of this type is imparted through a delegation of a Chief Permitting Officer by the Minister under the Mines Act. The authors request that *"...a closure bond update be completed on an urgent basis in 2021 with OSPG oversight of decision making for potential deferment requests"* and that request is wholly inappropriate.
- There are many factors that weigh into a bond determination and discretion rests with the Chief Permitting Officer for a number of reasons, not least of which is to protect taxpayers from a rigid system of security that could force some existing companies into insolvency – with responsibility for remediation falling to the crown.
- EMLI recognizes that a bond review is needed – and one is planned.
- The bond review will take some time and it would be inappropriate to withhold a decision on the current permit while that review takes place, and inappropriate to withhold the permit to leverage a bond payment in the absence of that review – particularly as the site wide bond is not related exclusively to the work that is contemplated by the permit.

Questions relating to bonding at Gibraltar can be directed to Lowell Constable. Mr. Constable is developing a plan for the process that will be undertaken to review the bond at Gibraltar. That process will include local Indigenous nations that have an interest.

Apologies, I can't recall who is acting for Paul Craven now that he is acting ADM, but please feel free to forward this email to the new Superintendent for their awareness.

Regards,

George Warnock, P.Eng.

Chief Permitting Officer

Ministry of Energy, Mines and Low Carbon Innovation

From: Dettling, Christoph AG:EX <Christoph.Dettling@gov.bc.ca>

Sent: May 4, 2021 9:07 AM

To: Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>

Subject: RE: Enquiry: Gibraltar Mine

Good Morning Sir:

Thank you for your speedy reply. I've attached the email sent to our office and would also like to write Ms. Freed back to acknowledge receipt of her submission. May I say to which office or to whom I've sent her email on to?

Thanks again for helping us address this issue.

Regards,

**Christoph Dettling**

Policy Analyst
Office of the Superintendent of Professional Governance
Province of British Columbia
Phone: 250-884-3473
Email: Christoph.Dettling@gov.bc.ca

From: Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>

Sent: Monday, May 3, 2021 5:22 PM

To: Dettling, Christoph AG:EX <Christoph.Dettling@gov.bc.ca>

Subject: RE: Enquiry: Gibraltar Mine

Hi Chris – you can send those to me and I will make sure that they reach the right people. I will await the email you reference below relating to Gibraltar.

From: Dettling, Christoph AG:EX <Christoph.Dettling@gov.bc.ca>

Sent: May 3, 2021 4:44 PM

To: Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>

Subject: Enquiry: Gibraltar Mine

Good Afternoon:

Our office has received an email drafted by engineers expressing concerns with the Gibraltar mine on several levels. I am wondering if you might be able to recommend the correct office to send this correspondence to for response?

In general when our office receives questions or concerns regarding a mining policy or specific project, might you please recommend the correct area to send these emails to?

Thank you in advance.

Regards,

**Christoph Dettling**

Policy Analyst
Office of the Superintendent of Professional Governance
Province of British Columbia
Phone: 250-884-3473
Email: Christoph.Dettling@gov.bc.ca

April 30, 2021

Sent by e-mail

Superintendent of Professional Governance
Province of British Columbia
E-mail: OSPGENquiries@gov.bc.ca

Dear Mr. Craven

Re: Duty to report ethical concerns related to systemic issues with the regulation of mining in British Columbia specific to Gibraltar Mine (M-40) Permit Amendments and cleanup costs for mine closure securities.

Copyright

Page 41 of 72 to/à Page 47 of 72


Withheld pursuant to/removed as

Copyright

Source Environmental Associates Inc.
per:

A handwritten signature in cursive script, appearing to read "Rina Freed".

Rina Freed, Ph.D., P.Eng.
Senior Environmental Engineer, Mining
rina.freed@seamining.ca
604-809-5193

A handwritten signature in cursive script, appearing to read "Patrick Littlejohn".

Patrick Littlejohn, Ph.D., P.Eng
Senior Chemical Engineer, Mining
patrick.littlejohn@seamining.ca
604-365-8228

From: [Warnock, George EMLI:EX](#)
To: [Dettling, Christoph AG:EX](#)
Cc: [Constable, Lowell EMLI:EX](#); [Shaw, Sean EMLI:EX](#); [Craven, Paul AG:EX](#); [Robb, Peter L. EMLI:EX](#)
Subject: RE: Enquiry: Gibraltar Mine
Date: May 4, 2021 2:52:29 PM
Attachments: [April 30 2021 Duty to Report to OSPG on mine regulations and closure bond - Freed and Littlejohn.pdf](#)
[image001.jpg](#)

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Sean and Lowell – let's discuss the draft letter before it goes out – thank you.

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Sent: May 4, 2021 1:36 PM
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In the meantime we'll respond to the email and state that the concerns have been forwarded to Mr. Constable for appropriate response. Additionally, Paul Craven is still our Superintendent as he thrives on the challenge of undertaking multiple roles.

Regards,



Christoph Dettling

Policy Analyst
Office of the Superintendent of Professional Governance
Province of British Columbia
Phone: 250-884-3473
Email: Christoph.Dettling@gov.bc.ca

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Sent: Tuesday, May 4, 2021 12:05 PM
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Questions relating to bonding at Gibraltar can be directed to Lowell Constable. Mr. Constable is developing a plan for the process that will be undertaken to review the bond at Gibraltar. That process will include local Indigenous nations that have an interest.

Apologies, I can't recall who is acting for Paul Craven now that he is acting ADM, but please feel free to forward this email to the new Superintendent for their awareness.

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George Warnock, P.Eng.

Chief Permitting Officer

Ministry of Energy, Mines and Low Carbon Innovation

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Subject: RE: Enquiry: Gibraltar Mine

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Office of the Superintendent of Professional Governance

Province of British Columbia

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Email: Christoph.Dettling@gov.bc.ca

From: [Marques, Victor EMLI:EX](#)
To: [Beattie, Brent C EMLI:EX](#); [McPherson, Alexis EMLI:EX](#); [Mauer, Eamon EMLI:EX](#); [Morse, Sarah EMLI:EX](#); [Arduini, Andrea EMLI:EX](#)
Subject: FW: Invitation May 12 – Mine Water Pollution Issues
Date: May 6, 2021 1:48:33 PM
Attachments: [image003.png](#)
[image001.jpg](#)
[image002.png](#)
[image005.png](#)

FYI – free webinar below on mine impacts to water if anyone is interested.

From: Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca>
Sent: May 6, 2021 1:27 PM
To: Antill, Timothy EMLI:EX <Timothy.Antill@gov.bc.ca>; Marques, Victor EMLI:EX <Victor.Marques@gov.bc.ca>; Norlund, Kelsey EMLI:EX <Kelsey.Norlund@gov.bc.ca>
Cc: Constable, Lowell EMLI:EX <Lowell.Constable@gov.bc.ca>; Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>
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FYI



Sean Shaw, Ph.D., P.Geo.
Director, Technical Operations, Major Mines Office
Ministry of Energy, Mines and Low Carbon Innovation
Phone: 778-698-7259

From: Howe, Diane J EMLI:EX <Diane.Howe@gov.bc.ca>
Sent: May 6, 2021 1:25 PM
To: Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca>
Subject: FW: Invitation May 12 – Mine Water Pollution Issues

Did you receive this invite :->

Regards, Diane

Diane Howe
Director, Abandoned Mines Branch
Health, Safety and Enforcement Division
Ministry of Energy, Mines and Low Carbon Innovation
Office:250-952-0183



From: Ugo Lapointe <ugo@miningwatch.ca>
Sent: May 6, 2021 1:14 PM
To: 'Ugo Lapointe' <ugo@miningwatch.ca>
Subject: Invitation May 12 – Mine Water Pollution Issues

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Those interested in Indigenous-led solutions to reduce mining impacts, including for the minerals needed for the energy transition, might be interested in this webinar. U.

Thank you to share broadly!

Dilution is Not the Solution – Mining Pollution, Compliance and Recognizing Indigenous Laws to Protect Watersheds – The Case of British Columbia, Canada

Webinar May 12th
Noon (Vancouver/Seattle) | 3pm (Toronto/New York) | 8pm (London/Lisbon)
[Registration](#) | [Webpage](#) | [Facebook](#)

Featuring:

T̓silhqot'in Nation's legal challenge against Gibraltar Mine (Taseko Mines)
Nadleh Whut'en & Stelat'en First Nations' successful efforts at Endako Mine (Centerra Gold
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With:

Chief Francis Laceese (Tl'esqox Nation)
Chief Larry Nooski (Nadleh Whut'en Nation)
Councillor Chad Stump (?Esdilagh Nation)
J.P. Laplante (Sr. advisor for T̓silhqot'in Nen / Water, Lands and Resources)
Rina Freed & Georgina Farah (Source Environmental Associates)
Deborrah Curran (Executive Director of the Environmental Law Centre, University of
Victoria)
and more...

Why Now?

The industry is working hard to paint B.C. mining as "green" and meeting global ESG standards because it can supply "low-carbon" materials needed to support the green energy transition. But unless the B.C. Government enforces laws and standards to protect water, ensures mine waste dumps do not put communities and watersheds at risk, respect community decisions and Indigenous consent, and make sure companies pay to clean up their mess, environmental destruction and social conflicts will continue to grow. The B.C. Environmental Appeal Board hearing regarding the T̓silhqot'in Nation's legal challenge against Gibraltar Mine (Taseko Mines) mine wastewater discharge into the Fraser River is due to finish on **May 21th, 2021**.

The Problem

The B.C. Government permits mines to discharge mine wastewater directly into lakes and rivers with little to no treatment, counting on a dilution factor to lower pollution levels, despite Indigenous and local opposition, concerns about water quality, as well as impacts to fish and

wildlife. In response to the mismanagement of mine wastewater, a growing number of First Nations are upholding their jurisdiction, rights and title with respect to water, and their laws that demand better protection for the watersheds that people share (e.g. see the *?Elhdaqox Dechen Ts'edilhtan "Sturgeon River Law"* and the *Yinka Dene Surface Water Law*.)

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Take Action www.reformbcmining.ca

Webinar Sponsored by:

BC Mining Law Reform (BCMLR)

T̓silhqot'in National Government (TNG)

University of Victoria's Environmental Law Center (UVIC-ELC)

Official Webinar Poster:



From: [Norlund, Kelsey EMLI:EX](#)
To: [Shaw, Sean EMLI:EX](#)
Subject: RE: Invitation May 12 – Mine Water Pollution Issues
Date: May 6, 2021 1:58:00 PM
Attachments: [image004.jpg](#)
[image005.png](#)
[image006.png](#)
[image007.jpg](#)
[image008.png](#)

Hi Sean,

I did receive this invite directly... I can't decide if it's worth attending..

sunlogo1



Kelsey Norlund, Ph.D., P.Geo.
Manager, Environmental Geoscience, Major Mines Office
Ministry of Energy, Mines and Low Carbon Innovation
Phone: 236-478-3740

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Une image contenant texte, extérieur ☐ ☐ Description générée automatiquement



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Date: May 11, 2021 1:29:13 PM
Attachments: [April 30 2021 Duty to Report to OSPG on mine regulations and closure bond - Freed and Littlejohn.pdf](#)
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Office of the Superintendent of Professional Governance

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Chief Permitting Officer

Ministry of Energy, Mines and Low Carbon Innovation

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Subject: RE: Enquiry: Gibraltar Mine
Date: May 18, 2021 4:05:04 PM
Attachments: [April 30 2021 Duty to Report to OSPG on mine regulations and closure bond - Freed and Littlejohn.pdf](#)
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- The authority for a decision of this type is imparted through a delegation of a Chief Permitting Officer by the Minister under the Mines Act. The authors request that “...a closure bond update be completed on an urgent basis in 2021 with OSPG oversight of decision making for potential deferment requests” and that request is wholly inappropriate.
- There are many factors that weigh into a bond determination and discretion rests with the Chief Permitting Officer for a number of reasons, not least of which is to protect taxpayers from a rigid system of security that could force some existing companies into insolvency – with responsibility for remediation falling to the crown.
- EMLI recognizes that a bond review is needed – and one is planned.
- The bond review will take some time and it would be inappropriate to withhold a decision on the current permit while that review takes place, and inappropriate to withhold the permit to leverage a bond payment in the absence of that review – particularly as the site wide bond is not related exclusively to the work that is contemplated by the permit.

Questions relating to bonding at Gibraltar can be directed to Lowell Constable. Mr. Constable is developing a plan for the process that will be undertaken to review the bond at Gibraltar. That process will include local Indigenous nations that have an interest.

Apologies, I can't recall who is acting for Paul Craven now that he is acting ADM, but please feel free to forward this email to the new Superintendent for their awareness.

Regards,

George Warnock, P.Eng.

Chief Permitting Officer

Ministry of Energy, Mines and Low Carbon Innovation

From: Dettling, Christoph AG:EX <Christoph.Dettling@gov.bc.ca>

Sent: May 4, 2021 9:07 AM

To: Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>

Subject: RE: Enquiry: Gibraltar Mine

Good Morning Sir:

Thank you for your speedy reply. I've attached the email sent to our office and would also like to write Ms. Freed back to acknowledge receipt of her submission. May I say to which office or to whom I've sent her email on to?

Thanks again for helping us address this issue.

Regards,

Christoph Dettling



Policy Analyst
Office of the Superintendent of Professional Governance
Province of British Columbia
Phone: 250-884-3473
Email: Christoph.Dettling@gov.bc.ca

From: Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>

Sent: Monday, May 3, 2021 5:22 PM

To: Dettling, Christoph AG:EX <Christoph.Dettling@gov.bc.ca>

Subject: RE: Enquiry: Gibraltar Mine

Hi Chris – you can send those to me and I will make sure that they reach the right people. I will await the email you reference below relating to Gibraltar.

From: Dettling, Christoph AG:EX <Christoph.Dettling@gov.bc.ca>

Sent: May 3, 2021 4:44 PM

To: Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>

Subject: Enquiry: Gibraltar Mine

Good Afternoon:

Our office has received an email drafted by engineers expressing concerns with the Gibraltar mine on several levels. I am wondering if you might be able to recommend the correct office to send this correspondence to for response?

In general when our office receives questions or concerns regarding a mining policy or specific project, might you please recommend the correct area to send these emails to?

Thank you in advance.

Regards,



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Policy Analyst
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From: [Warnock, George EMLI:EX](#)
To: [Dettling, Christoph AG:EX](#); [Craven, Paul AG:EX](#)
Cc: [Constable, Lowell EMLI:EX](#); [Shaw, Sean EMLI:EX](#)
Subject: FW: Enquiry: Gibraltar Mine
Date: May 18, 2021 4:16:02 PM
Attachments: [image001.jpg](#)
[April 30 2021 Duty to Report to OSPG on mine regulations and closure bond - Freed and Littlejohn.pdf](#)

Hello Chris and Paul – I'm sending this brief note just to let you know that we haven't forgotten about this. We plan to send a letter to the company next week related to bonding and we may wish to reference that letter in our response to Freed and Littlejohn. We anticipate having both letters out by end of next week. We will cc you on the letter that goes to Freed and Littlejohn.

Regards,
George

From: Warnock, George EMLI:EX
Sent: May 18, 2021 4:10 PM
To: Constable, Lowell EMLI:EX <Lowell.Constable@gov.bc.ca>; Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca>
Subject: RE: Enquiry: Gibraltar Mine
That works – thanks.

From: Constable, Lowell EMLI:EX <Lowell.Constable@gov.bc.ca>
Sent: May 18, 2021 4:09 PM
To: Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>; Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca>
Subject: RE: Enquiry: Gibraltar Mine
We'll give it a push George. We haven't pulled this response together yet. It would be good to get the letter to the mine off first and then this response after that, so lets aim for next week for both.
-LC

From: Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>
Sent: May 18, 2021 4:05 PM
To: Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca>
Cc: Constable, Lowell EMLI:EX <Lowell.Constable@gov.bc.ca>
Subject: RE: Enquiry: Gibraltar Mine
Hi Sean – not sure if this response is sitting with you or with Lowell. Just wondering where this is at. I would like to get a letter out as soon as possible so that I can let the OSPG know that we have done so. Thanks.

From: Warnock, George EMLI:EX
Sent: May 4, 2021 2:52 PM
To: Dettling, Christoph AG:EX <Christoph.Dettling@gov.bc.ca>
Cc: Constable, Lowell EMLI:EX <Lowell.Constable@gov.bc.ca>; Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca>; Craven, Paul AG:EX <Paul.Craven@gov.bc.ca>; Robb, Peter L. EMLI:EX <Peter.Robb@gov.bc.ca>
Subject: RE: Enquiry: Gibraltar Mine
Thanks Chris – sounds good. We will respond directly to the authors and cc the OSPG. I've re-attached the PDF to keep everything in one spot. I don't know if you need to advise them on timelines, but I don't anticipate that we will be able to respond before a decision is made on the

permit that is in front of us.

Sean and Lowell – let's discuss the draft letter before it goes out – thank you.

From: Dettling, Christoph AG:EX <Christoph.Dettling@gov.bc.ca>

Sent: May 4, 2021 1:36 PM

To: Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>

Cc: Constable, Lowell EMLI:EX <Lowell.Constable@gov.bc.ca>; Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca>; Craven, Paul AG:EX <Paul.Craven@gov.bc.ca>; Robb, Peter L. EMLI:EX <Peter.Robb@gov.bc.ca>

Subject: RE: Enquiry: Gibraltar Mine

Good Afternoon:

Thank you for contextualising the concerns of Rina Freed and Patrick Littlejohn for our understanding. I think the response can go directly from the appropriate office to the concerned parties, but I would request that OSPG be carbon-copied on the response so we can save it for our records.

In the meantime we'll respond to the email and state that the concerns have been forwarded to Mr. Constable for appropriate response. Additionally, Paul Craven is still our Superintendent as he thrives on the challenge of undertaking multiple roles.

Regards,



Christoph Dettling

Policy Analyst

Office of the Superintendent of Professional Governance

Province of British Columbia

Phone: 250-884-3473

Email: Christoph.Dettling@gov.bc.ca

From: Warnock, George EMLI:EX <George.Warnock@gov.bc.ca>

Sent: Tuesday, May 4, 2021 12:05 PM

To: Dettling, Christoph AG:EX <Christoph.Dettling@gov.bc.ca>

Cc: Constable, Lowell EMLI:EX <Lowell.Constable@gov.bc.ca>; Shaw, Sean EMLI:EX <Sean.Shaw@gov.bc.ca>; Craven, Paul AG:EX <Paul.Craven@gov.bc.ca>; Robb, Peter L. EMLI:EX <Peter.Robb@gov.bc.ca>

Subject: RE: Enquiry: Gibraltar Mine

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Office of the Superintendent of Professional Governance

Province of British Columbia

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Email: Christoph.Dettling@gov.bc.ca

From: Qureshi, Yasmeen EMLI:EX
To: Stuart, Jen A EMLI:EX; Dodd, Nikki EMLI:EX
Subject: FW: Gibraltar Mine BC Interests
Date: June 15, 2021 10:47:31 AM

Hi Jen and Nikki,

For your background info. on Gibraltar, below are the interests that we shared with TNG which were approved by Peter Robb and Laurel Nash, and MIRR. We later added one regarding BC's obligations to other FNs.

Yasmeen

From: Qureshi, Yasmeen EMLI:EX <Yasmeen.Qureshi@gov.bc.ca>
Sent: February 4, 2021 9:54 AM
To: Emoda Design <crystal@emodadesign.com>; J.P. Laplante <jlaplante@tsilhqotin.ca>
Cc: Perrins, Greg EMLI:EX <Greg.Perrins@gov.bc.ca>; Ramsay, Devon IRR:EX <Devon.Ramsay@gov.bc.ca>; Epps, Deb ENV:EX <Deb.Epps@gov.bc.ca>
Subject: Gibraltar Mine Interests

Good morning JP and Crystal,

As agreed in our meeting on January 21st, I'm sharing a list of the Province's interests with regard to Gibraltar Mine. I wasn't sure exactly who to share this with, so please forward it to others on your team, as appropriate.

- We are committed to fulfilling the Province's obligations under the Economic and Community Development Agreement (ECDA) with Tsilhqot'in.
- We are committed to reconciliation and implementation of the Declaration on the Rights of Indigenous Peoples Act.
- We have an interest in the long term operation of Gibraltar Mine in an environmentally sustainable and economically feasible manner.
- We have an interest in efficiency - we would like to leverage existing structures as much as possible, coordinate with existing structures, and avoid duplication.
- We would like to maintain the Tsilhqot'in Stewardship Agreement process for consultation.
- We would like any agreement to include a dispute resolution process at the Assistant Deputy Minister level.
- We have an interest in timely, efficient, and well-informed collaborative decision-making.
- We have an interest in a range of collaborative, consensus-seeking processes which are based on level of impact, with the deepest level of engagement reserved for complex or higher impact decisions.

Sincerely,

Yasmeen Qureshi

Senior Negotiations Lead, Indigenous Affairs | Strategic and Indigenous Affairs Division | (778) 698-9350

