

**IN THE MATTER OF
THE ENVIRONMENTAL ASSESSMENT ACT, S.B.C. 2002, c. 43 (THE ACT)**

AND

**IN THE MATTER OF
AN APPLICATION FOR AN ENVIRONMENTAL ASSESSMENT CERTIFICATE
(THE APPLICATION)**

**BY WESTERN CANADIAN COAL CORP
(THE PROPONENT)**

FOR THE

**BRULE MINE PROJECT
(THE PROJECT)**

ENVIRONMENTAL ASSESSMENT CERTIFICATE #M06-02

Whereas:

- A. The Project is an open pit coal mine and processing plant, approximately 55 km south of Chetwynd, British Columbia, with a production rate of 2 million tonnes per annum (tpa) for approximately 11 years. The Project is comprised of the Brule and Blind open pits, a coal preparation plant and associated infrastructure at the minesite, a short term coal haul route to the existing Bullmoose Loadout, a new long term coal haul route to a new rail loadout facility at Falling Creek Flats near the Pine River west of Chetwynd, including 22 km of new road construction and two new power lines: a 1.5 km 25 kV line from the existing grid to the loadout facility, and a 23 km, 25 kV line to connect the mine site to the existing B.C. Hydro line near the junction of Highway 29 and the Sukunka Forest Service Road;
- B. The Project is a reviewable project pursuant to Part 3 of the *Reviewable Project Regulations* (B.C. Reg. 370/02), as it has a production capacity greater or equal to 250,000 tpa of clean or raw coal or a combination of both clean and raw coal;
- C. On September 8, 2004 the Proponent received a *Mines Act* permit for the Dillon Mine with a production rate of under 250,000 tpa and on December 1, 2004, a Conditional Water Licence for the Dillon Mine. The Project is immediately adjacent to the Dillon mine;
- D. On January 13, 2005, the Environmental Assessment Office (EAO) issued an order under section 10(1)(c) of the Act, requiring an environmental assessment certificate for the Project;

- E. On April 11, 2005, the order under section 10(1)(c) dated January 13, 2005 was amended to include any proposed modification and use of existing facilities for the Dillon Mine for the purpose of the Project; but not the operation, modification, dismantling or abandonment of existing facilities associated with the Dillon Mine independent of the Project;
- F. On October 14, 2005, EAO issued a section 11 order, defining the scope of the required assessment and the procedures and methods to conduct the environmental assessment;
- G. On October 18, 2005, EAO approved the terms of reference describing the information to be included in the Application;
- H. On November 24, 2005, EAO accepted for review the Application filed by the Proponent for an environmental assessment certificate (the Certificate) for the Project, and established a public comment period for the Application;
- I. On November 30, 2005, EAO determined that the notification and consultation measures undertaken and proposed by the Proponent in the Application were adequate;
- J. On December 10, 2005, following distribution of the required copies of the Application, the Project review was initiated;
- K. On December 12, 2005, a 46 day public comment period was initiated;
- L. The Application (and supplementary information provided during the course of the assessment, as listed in Schedule A) was made available for review by the public and by representatives from federal, provincial and local government agencies, McLeod Lake Indian Band, Saulteau First Nations, West Moberly First Nations, the Kelly Lake Cree Nation, the Kelly Lake First Nation, and the Kelly Lake Métis Settlement Society;
- M. EAO has prepared a report on the potential effects of the Project entitled the *Brule Coal Project Assessment Report* (the Assessment Report);
- N. The Executive Director has referred the Application, the Assessment Report and Recommendations of the Executive Director and Reasons for Recommendations pursuant to section 17 of the Act, to the Minister of Environment (the Minister), and the Minister of Energy, Mines and Petroleum Resources (the Responsible Minister); and
- O. The Ministers have considered the Application, the Assessment Report, and Recommendations of the Executive Director and Reasons for Recommendations.

Now Therefore,

The Ministers, pursuant to section 17(3) of the Act, hereby issue this Certificate to the Proponent subject to the following conditions (the Conditions):

Conditions

1. The Proponent must cause the Project to be designed, located, constructed, operated and decommissioned in accordance with the conditions of this Certificate and the documents and correspondence listed in Schedule A (the Proponent's commitments in Schedule A are summarized for ease of reference in Schedule B), and must comply with all of the Conditions of this Certificate to the reasonable satisfaction of the Minister.
2. Where, in the reasonable opinion of the Minister, there is a conflict or inconsistency between any of the documents listed in Schedule A, Condition 1 must be interpreted so that the contents of the later dated document will vary, repeal, rescind or supersede, as the case may be, the contents of earlier dated documents listed in Schedule A.
3. Where, in the reasonable opinion of the Minister, there is a conflict or inconsistency between any of the documents listed in Schedule A and the Conditions which follow, these Conditions must take precedence over and supersede the contents of the documents listed in Schedule A.
4. Despite Condition 1 above, if prior to full scale commercial production, the Proponent proposes a material change to the design, location, construction, operation and decommissioning of the Project as described in the documents listed in Schedule A, and the change may in the opinion of the Executive Director have the potential for significant adverse effects, the Proponent must then provide to the Executive Director:
 - a) an application in writing to amend the Certificate pursuant to s.19(1) of the Act; and,
 - b) plans, analysis, records and other information necessary for an effective assessment by the Executive Director of the proposed change.
5. The Proponent must submit a report to the Executive Director on the status of compliance with the Conditions of this Certificate and the commitments made in documents listed in Schedule A (the Proponent's commitments in Schedule A are summarized for ease of reference in Schedule B), four weeks prior to significant surface disturbance during construction, four weeks prior full scale commercial production, and one year following the start of full scale commercial production of the Project.
6. This Certificate is of no force or effect until signed by the Ministers.
7. This Certificate does not constitute a permit, licence, approval or any other authority required under any other enactment.

8. The Proponent must obtain the written consent of the Minister, such consent not to be unreasonably withheld, prior to disposing, whether legally, beneficially or otherwise, of:
- a) this Certificate, or any right, title or interest conferred by this Certificate; or
 - b) the Project.

Duration of Certificate

9. The Proponent must have, in the reasonable opinion of the Minister, substantially started the construction of the Project within five years of the date of issue of this Certificate, if not this Certificate expires.

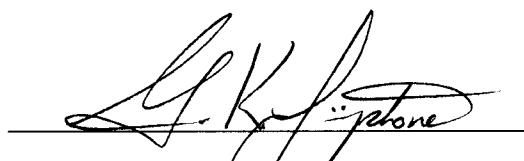
Suspension, Cancellation and Amendment of Certificate

10. This Certificate may be subject to cancellation, suspension in whole or in part, amendments, or the attachment of new Conditions, for any of the following reasons:

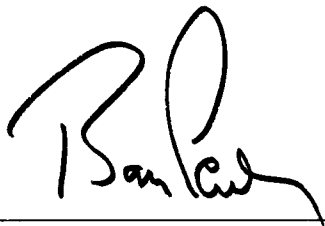
- a) the Minister has reasonable and probable grounds to believe that the Proponent is in default of:
 - i. an order of the Court under section 35(2), 45 or 47 of the Act;
 - ii. an order of the Minister made under section 34 or 36 of the Act; or
 - iii. one or more requirements or Conditions of this Certificate.
- b) the Proponent or its officers or employees when acting on behalf of the Proponent, have been convicted of an offence under the Act, with respect to the Project; or
- c) an order is made or a resolution is passed, for the winding up, or dissolution of the Proponent, or the Proponent is in receivership or bankruptcy proceedings, without such order or resolution being rescinded or stayed and, in the case of any of the foregoing, the Minister has reasonable and probable grounds to believe that a breach of, or default under, this Certificate has occurred or is likely to occur.

The Conditions of this Certificate are agreed to by the Proponent this

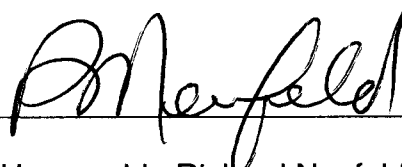
_____ 01 day of June _____, 2006

A handwritten signature in black ink, appearing to read 'G. Livingstone', is written over a horizontal line.

Gary Livingstone
President and CEO
Western Canadian Coal Corp



Honourable Barry Penner
Minister of Environment



Honourable Richard Neufeld
Minister of Energy, Mines and
Petroleum Resources

Issued this 4th day of July, 2006 in Victoria, British Columbia.

SCHEDULE A

DOCUMENTATION AND CORRESPONDENCE FOR THE BRULE COAL PROJECT PREPARED BY OR FOR THE PROPONENT

1. November 2005 - Volume 1 Main Document – Application for an Environmental Assessment Certificate for the Brule Mine Project submitted by Western Canadian Coal Corp. to Bob Hart (EAO) on December 5, 2005. **Updated Table of Contents Jan 06**.
2. November 2005 - Volume 2 Main Document – Application for an Environmental Assessment Certificate for the Brule Mine Project submitted by Western Canadian Coal Corp. to Bob Hart (EAO) on December 5, 2005.
3. November 2005 - Volume 3 - Figures for the Application for an Environmental Assessment Certificate for the Brule Mine Project submitted by Western Canadian Coal Corp. to Bob Hart (EAO) on December 5, 2005. **Updated Figure 4.4.3-3 Jan 06**.
4. November 2005 - Volume 4 - Appendices Volume 1 – to the Application for an Environmental Assessment Certificate for the Brule Mine Project submitted by Western Canadian Coal Corp. to Bob Hart (EAO) on December 5, 2005.
Updated Appendix A-1 Jan 06.
5. November 2005 - Volume 5 - Appendices Volume 2 – to the Application for an Environmental Assessment Certificate for the Brule Mine Project submitted by Western Canadian Coal Corp. to Bob Hart (EAO) on December 5, 2005.
6. January 30, 2006 – Memorandum from Alan Martin, Lorax Environmental to Travis Anderson, Western Canadian Coal with comments on “Dillon Water Quality-2005 Update”.
7. January 31, 2006 – Memorandum from Alan Martin, Lorax Environmental to Sylvia Van Zalingen and Travis Anderson, Western Canadian Coal with comments on “Water quality impact predictions for Falling and Beaudette Creeks”.
8. February 2006 – Brule Mine Project, - Supplementary Consultations and Communications with First Nations and Kelly Lake Communities.
9. February 16, 2006 – Memorandum from Stephen Day, SRK Consulting to Travis Anderson, Western Canadian Coal regarding “On-site Barrel Tests Results Update”.
10. February 27, 2006 - Email attachments from Alan Martin, Lorax Environmental to Bruce Carmichael, Ministry of Environment regarding “Mass Balance Predictions”.

11. March 16, 2006 Brule Mine Project - Update to Supplementary Consultations and Communications with Public Stakeholders.
12. June, 1, 2006 - Letter from Kathy Pomeroy, Western Canadian Coal Corp with attachment entitled, "Summary of Western Canadian Coal Corp's Commitments for the Brule Mine" to Bob Hart, EAO.

SCHEDULE B

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
---	------	---------	-----------	--------------------	----------------------

CONSTRUCTION MANAGEMENT

1	Construction Mgmt	WCCC, in consultation with stakeholders, will update and implement a Traffic Management Plan for the Construction of the Falling Creek Connector Haul Route.	Brule EA Application	EAO, MOF	EA Commitment
2	Construction Mgmt	WCCC will assign the responsibility for Environmental Monitoring and regular Environmental Site Inspections on all construction sites to the WCCC Environmental Superintendent. The Environmental Superintendent, as well as the Mine Manager, WCCC Project Manager, and Site Supervisors will have the authority to shut down activities in the event of unacceptable impact to, or unacceptable risk of impact to, the environment. Reporting to MOE will be according Effluent Permit requirements.	Brule EA Application	EAO	EA Commitment
3	Construction Mgmt	WCCC will assign responsibility to the WCCC Project Manager, the EPCM Project Manager, and the Brule Mine Manager for implementation of environmental design commitments and environmental management plans in their areas of responsibility, as per regulatory approvals and permits. The Manager of Technical Services and the Environmental Superintendent will be assigned lead roles in supporting implementation; the VP Environmental & Regulatory will be responsible for monitoring compliance.	Brule EA Application	MEMPR, MOE	EA Commitment

FUEL MANAGEMENT PLAN

4	FMP	Brule Mine Project contractors will be required to comply with the Project Fuel Management Plan.	Brule EA Application	MEMPR, MOE	EA Commitment
---	-----	--	----------------------	------------	---------------

CHEMICAL AND MATERIALS STORAGE AND HANDLING PLAN

5	CMSHP	Brule Mine Project contractors will be required to comply with the Project Chemicals and Materials Storage and Handling Plan.	Brule EA Application	MEMPR, MOE	EA Commitment
---	-------	---	----------------------	------------	---------------

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
ENVIRONMENTAL MANAGEMENT SYSTEM					
6	EMS	WCCC will develop an Environmental Management System for the construction and operations phases of the Project.	Brule EA Application	MEMPR,	EA Commitment
7	EMS	The Project site orientation will include an introduction to the Environmental Management System (EMS).	Brule EA Application	EAO	EA Commitment
EMERGENCY PREPAREDNESS AND RESPONSE PLAN					
8	EPRP	The Emergency Preparedness and Response Plan for the Dillon Mine will be customized and updated to apply to Brule Project Sites.	Brule EA Application	MEMPR	EA Commitment
9	EPRP	WCCC will orient contractors and employees to the Emergency Response Plan	Brule EA Application	MEMPR	EA Commitment
10	EPRP	WCCC will co-ordinate Emergency Response Planning with Burlington Resources and Talisman Energy with respect to their operations and facilities on the Brule Mine site and along the Falling Creek Connector Haul Route and the Blind Creek Road.	Brule EA Application	MEMPR, OGC	EA Commitment
EROSION CONTROL					
11	Erosion Control	Surface Erosion Prevention and Sediment Control Plans (SEPSC) will be a part of the contract documents for earthworks contracts for construction of the Brule Mine, Falling Creek Flats Loadout, Falling Creek Connector Haul Route, and Powerlines. Plans for the mine and loadout will be part of the water management plans for those facilities.	Brule EA Application	MOE MEMPR	EA Commitment
12	Erosion Control	WCCC will refer the final site specific SEPSC plans for the Loadout to DFO, Prince George, for information.	DFO Tracking Table	DFO, MEMPR MOE	EA Commitment
ML/ARD					
13	ML/ARD	WCCC will sample and test the water quality of runoff from existing Dillon Mine Coal Stockpiles as an input to defining	ML/ARD & Water Quality-	MOE	Loadout Effluent Permit

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
		the source term for the Loadout coal stockpiles for Loadout Effluent Permit Application.	Working Group Final Meeting Notes, March 20, 2006		
14	ML/ARD	As a precautionary measure, Coarse Coal Rejects (CCR) material will be placed in a controlled manner in the Northeast Dump to mitigate the potential for acidic generation and metal leaching.	MI/ARD & Water Quality-Working Group Final Meeting Notes, March 20, 2006	MEMPR	Mine Permit
15	ML/ARD	WCCC will commit to ensure that dump development schedules provide for adequate neutralization potential from prime waste is available for the CCR during all years of operation.	MI/ARD & Water Quality-Working Group Final Meeting Notes, March 20, 2006	MEMPR	Mine Permit
16	ML/ARD	Low detection limit analyses for mercury will be conducted on one suite of humidity cell samples	MI/ARD & Water Quality-Working Group Final Meeting Notes, March 20, 2006	MEMPR	Mine Permit
GEOTECHNICAL					
17	Geotechnical	Water tables in the southeast dump toes will be monitored and remedial action will be taken if an increase in the phreatic surface impacts dump stability.	MI/ARD & Water Quality-Working Group Final Meeting Notes, March 20, 2006	MEMPR	Mine Permit
18	Geotechnical	A qualified engineer will complete permit-level field and lab	Brule EA	MEMPR	Mine Permit

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
19	Geotechnical	geotechnical studies, stability analyses, and construction and operating specifications for the Northeast and Southeast waste dumps for review by MEMPR as part of the Mine Permit Application. A qualified engineer will complete permit-level field and lab geotechnical studies, stability analyses, and construction and operating specifications for Sediment Pond 2 for submission to MEMPR and MOE as part of the Mine Permit and Water License Application.	Application Brule EA Application	 MEMPR MOE	 Mine Permit, Water License
AIR QUALITY					
20	Air Quality	Loadout- Coal stacking emissions at the loadout will be minimized by the use of a luffing stacker that can be raised or lowered to minimize drop height	Brule EA Application	MOE	Loadout Air Permit – AQ Management Plan
21	Air Quality	Loadout- Wind erosion from stockpiles at the loadout will be managed by maintaining the forested area around the loadout for natural wind sheltering and by using rainbird water sprays and chemical dust suppression during winter months as required. If ambient monitoring indicates that these mitigation measures are not sufficient, additional mitigation measures will be considered.	Brule EA Application	MOE	Loadout Air Permit- AQ Management Plan
22	Air Quality	WCCC will review alternatives to open burning at the loadout (Clearing phase).	MOE, Dave Sutherland Tracking Table	MOE	EA Commitment
23	Air Quality	WCCC will carry out dust suppression measures to reduce dust generation from coal handling activities at the Brule Mine site and the Falling Creek Flats Loadout. WCCC will use adequate controls to manage fugitive dust emissions at the minesite and loadout	Brule EA Application	MOE	Air Permits – AQ Management Plans
24	Air Quality	As part of a loadout dust control contingency plan, WCCC will review the use of bag houses at the truck unloading and rail loading stations at the loadout, if proposed control	MOE, Dave Sutherland Tracking Table	MOE	Loadout Air Permit- AQ Management Plan

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
		measures prove inadequate.			
25	Air Quality	WCCC will collect a full year of baseline PM10, PM2.5, and dustfall data at an agreed baseline site located northeast of the loadout prior to loadout construction. The weather station at the Falling Creek Loadout will contain equipment and be located so as to meet provincial standards for use of the wind speed, wind direction and air temperature data to model impacts from future developments in this area.	MOE, Dave Sutherland Tracking Table	MOE	Air Permit
26	Air Quality	During operations, WCCC will maintain weather stations at the Brule Mine and near the Falling Creek Flats Loadout to provide data for air quality management, hydrological analyses, and reclamation.	Brule EA Application	MOE	Air Permits
27	Air Quality	WCCC will water or apply surface treatments on roads to reduce dust emissions when required to meet public safety, to achieve ambient air quality and dustfall permit objectives, and to achieve safe operating conditions.	Brule EA Application	MOE, MEMPR	Mine Permit, Air Permit
28	Air Quality	During construction of the Falling Creek Connector Haul Route, WCCC will water roads in the community of Hasler, if and when needed, to mitigate dust impacts of traffic generated as a result of road construction activity on the Falling Creek Connector Haul Route.	Brule EA Application	EAO	EA Commitment
29	Air Quality	WCCC will install additional upgrades to the Dillon crushing plant prior to mining at Brule.	MOE, Dave Sutherland Tracking Table	MOE	Minesite Air Permit
30	Air Quality	WCCC will seek to collaborate with Cline Mining Corp. and Pine Valley Coal/Falling Mountain Coal on air quality monitoring programs near the Falling Creek Flats Loadout.	Brule EA Application	MOE, MAL	EA Commitment
31	Air Quality	The boxes of the Brule Project coal haul trucks will be covered during transport to and from the Mine, the Falling	Brule EA Application	MOE	Air Permit

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
		Creek Flats Loadout, and the Bullmoose Loadout to minimize coal dust generation.			
WATER MANAGEMENT					
32	Water MGMT	WCCC will maximize recycle and reuse of water used in industrial operations at the mine where practical	Brule EA Application	MOE	EA commitment
33	Water MGMT	WCCC commits to having a flow measuring system in place for SP2 prior to discharge.	MOE, Bruce Carmichael Tracking Table	MOE,	Effluent Permit
34	Water MGMT	Sediment Pond 2 and the East and South Brule ditches will be in place for the start of mining in the southern extent of the Brule Pit.	MOE, Bruce Carmichael Tracking Table	MOE MEMPR	Effluent Permit Mine Permit
35	Water MGMT	WCCC will refer the final site design for water management of the Minesite to DFO	DFO Tracking Table	DFO	EA Commitment
36	Water MGMT	WCCC will refer the final site design for water management of the Falling Creek Flats Loadout to DFO.	MOE, Bruce Carmichael Tracking Table	DFO	EA Commitment
37	Water MGMT	Design of the following clear span replacement structures, Talisman High Grade Road, Talisman Mink-Highat Road, Whiskey Road, Falling Creek Road and Whiskey North Road will be referred to DFO, if at final design they do not meet the criteria stated in the "Pacific Region Operational Statement".	MOE, Bruce Carmichael Tracking Table	DFO	EA Commitment
38	Water MGMT	Design for Duke Kwoen Powerline-Sukunka and Tributary Crossing; Pole and Access Road Design, will be referred to DFO if they do not meet the criteria stated in the Pacific Region Operational Statement for Construction of Overhead Powerlines.	MOE, Bruce Carmichael Tracking Table	DFO Tracking Table	EA Commitment
WATER QUALITY					
39	Water Quality	No significant water quality impacts are predicted for Mink	MI/ARD & Water	MOE	Effluent Permit

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
		Creek. WCCC will, however, conduct limited water quality verification monitoring at Mink Creek; timing and scheduling to be decided at permitting.	Quality- Working Group Final Meeting Notes, March 20, 2006		
40	Water Quality	As part of any future groundwater programs designed to monitor changes in groundwater chemistry at the minesite, the historic data set will be re-evaluated.	MOE, Bruce Carmichael Tracking Table	MOE, MEMPR	Mine Permit, Effluent Permit
41	Water Quality	Groundwater quality of the well located at SP1 will be monitored to assess potential groundwater impacts of the Northeast Dump (which includes CCR storage).	MI/ARD & Water Quality- Working Group Final Meeting Notes, March 20, 2006	MOE	Mine Permit, Effluent Permit
42	Water Quality	Sulphate test work will be conducted during operations to establish a site-specific water quality objective at the minesite, at such time as sulphate levels rise towards the 100mg/l objective	MOE, Bruce Carmichael Tracking Table	MOE	EA Commitment
43	Water Quality	Loadout- if the ditches and pond are unlined, WCCC will ensure that there is a total of one up-gradient and three down-gradient groundwater monitoring wells during WCCC operations at site.	ML/ARD Working Group Final Meeting notes, March 20 th , 2006	MEMPR, MOE	Mine Permit, Effluent Permit
44	Water Quality	Quarterly <i>C. dubia</i> toxicity testing will be conducted in the first year at Brule for the discharge from SP1, and requirements for effluent toxicity testing reviewed with MOE following the first year.	MOE, Bruce Carmichael Tracking Table	MOE	Effluent Permit
45	Water Quality	If concentrations of nitrate, or other water quality parameters, exceed the Canadian Drinking Water Quality Guidelines, WCCC will post signs at the confluence of Blind Creek and the Sukunka River noting that the water	Brule EA Application	MOE	EA Commitment

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
46	Water Quality	is non-potable. WCCC will conduct a shake flask test to predict runoff quality for coal that will sit on the ground at the loadout prior to Effluent Permit Application. If leachate water quality indicates that the stockpile runoff is judged, at permitting, to be unacceptable for discharge to groundwater, the loadout stockpile area will be constructed with a low permeability liner and the West ditch and pond will be lined.	MI/ARD & Water Quality-Working Group Final Meeting Notes, March 20, 2006	MEMPR, MOE	Mine Permit, Effluent Permit
HYDROLOGY					
47	Hydrology	The continuous flow monitor will continue to record flows during the ice free period at BC-01	DFO Tracking Table	DFO, MOE	Effluent Permit
48	Hydrology	WCCC will conduct spot flow measurements during the winter low flow period on both Blind Creek and a (yet to be identified) analogous reference creek	DFO Tracking Table	DFO, MOE	EA Commitment
49	Hydrology	WCCC will consult with DFO on the proposed Blind Creek winter low flow measurement program prior to its implementation	DFO Tracking Table	EAO, MOE	EA Commitment
50	Hydrology	WCCC will provide DFO with an annual report of the winter low flow monitoring data and an assessment of the flow model prediction accuracy and net impact to fish habitat within Blind Creek, based on the low flow assessment. If enhancement is determined by DFO to be required, WCCC will consult with MOE and DFO to determine acceptable enhancement options.	DFO Tracking Table	DFO, MOE	EA Commitment
AQUATIC BIOLOGY AND SELENIUM MANAGEMENT					
51	Selenium	Results of 2005 Brule Benthic invertebrates sampling will	MOE, Bruce	MOE	EA Commitment

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
	MGMT	be reported when data becomes available.	Carmichael Tracking Table		
52	Selenium MGMT	WCCC agrees to review the 2005 aquatic sampling results and confirm sampling programs with MOE prior to 2006 sampling.	MOE, Bruce Carmichael Tracking Table	MOE	EA Commitment
53	Selenium MGMT	Photos will be taken to document sample sites and communities during the 2006 Brule benthos and periphyton study program.	MOE, Bruce Carmichael Tracking Table	MOE	EA Commitment
54	Selenium MGMT	Additional rainbow trout will be collected in Blind Creek in 2006 and tissue metal levels analysed as part of the Selenium management plan for Brule.	MOE, Bruce Carmichael Tracking Table	MOE	EA Commitment
55	Selenium MGMT	WCCC will sample Blind Creek for Se speciation in spring 2006.	MOE, Bruce Carmichael Tracking Table	MOE	EA Commitment
56	Selenium MGMT	The Se Management Plan will be revised so that both periphyton and benthos (and fish) tissues are measured for at least the first two years following initiation of mining.	MOE, Bruce Carmichael Tracking Table	MOE	Effluent Permit
57	Selenium MGMT	On a contingency basis WCCC will address unacceptable biological effects of Se, if any through mitigation or treatment	MOE, Bruce Carmichael Tracking Table	MOE	EA Commitment
58	Selenium MGMT	WCCC commits to the establishment of a biological/sediment baseline in the area of the layout.	Brule EA Application	MOE	EA Commitment
SEDIMENT QUALITY					
59	Sediment Quality	Sediment Quality Objectives (SQO) for PAHs will be developed during mine permitting based on 2 Standard Deviations of baseline.	MOE, Bruce Carmichael Tracking Table	MOE	Effluent Permit
60	Sediment Quality	PAH data will be normalized to Particle Size Distribution in future assessments	MOE, Bruce Carmichael Tracking Table	MOE	EA Commitment

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
WILDLIFE MANAGEMENT					
61	Wildlife	WCCC will maintain and update as needed a Wildlife Protection Plan for the Brule Project, and will submit this plan to MOE every two years.	MOE, Bruce Carmichael Tracking Table	MOE	EA Commitment
62	Wildlife	WCCC will communicate Wildlife Protection requirements to staff and contractors at the site Orientation.	Brule EA Application	MOE	EA Commitment
63	Wildlife	WCCC will prepare site specifications for contractors for clearing (including hand-cutting) at crossings of fish-bearing streams along the power lines, namely at the Pine River, Sukunka River, and Martin Creek.	MOE Tracking Table (Rodger Stewart)	MOE	EA Commitment
64	Wildlife	Employees and contractors will avoid disruption of bird nests and eggs during the breeding bird window. Dens will also be avoided, except where clearing and mining activities cannot be adjusted (e.g., mine site).	MOE Tracking Table (Rodger Stewart)	MOE	EA Commitment
65	Wildlife	WCCC will limit snow bank height at known wildlife crossing points determined by the Environmental Superintendent to a level that allows for ungulates and other large mammals to cross the road safely.	MOE Tracking Table (Rodger Stewart)	MOE	EA Commitment
66	Wildlife	Clearing plans for the loadout will be reviewed with the objective of maintaining maximum vegetation buffers adjacent to facilities and access roads in and around the proposed Falling Creek Flats Loadout, except where safety (visibility) concerns are an issue	MOE Tracking Table (Rodger Stewart)	MOE	EA Commitment
67	Wildlife	Wildlife crossing points (i.e., shallow slopes on ditches) will be provided, at intervals along Falling Creek Connector Route ditches at sites determined by the Environmental Superintendent, with the provision that ditch function is not compromised	MOE Tracking Table (Rodger Stewart)	MOE	EA Commitment
68	Wildlife	Detailed engineering of embankments/dams/ditches will provide allowance for escape routes (i.e. shallow slope on	MOE Tracking Table (Rodger	MOE	EA Commitment

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
		banks) for wildlife, particularly ungulates.	Stewart)		
69	Wildlife	Any observations of a sow and cub (bears) will prompt a safety warning to staff.	MOE Tracking Table (Rodger Stewart)	MOE	EA Commitment
70	Wildlife	If the monitoring data from the Brazion area caribou studies are relevant, the data will be used as part of the Brule Mine/haul route mitigation planning	MOE Tracking Table (Rodger Stewart)	MOE	EA Commitment
71	Wildlife	A wildlife/danger tree assessment will be conducted in areas of high potential occurrence i.e. in older structural stages along proposed powerline, and periphery of minesite and loadout, prior to clearing with a view to minimizing cutting of wildlife trees.	MOE Tracking Table (Rodger Stewart)	MOE	EA Commitment
RECLAMATION					
72	Reclamation	Direct replacement of salvaged soil on reclaimed slopes (i.e. without stockpiling) will be maximized	Independent Consultant Tracking Table	MEMPR	Mine Permit
73	Reclamation	A baseline assessment of trace metals in vegetation at the Brule Minesite will be conducted in 2006.	Independent Consultant Tracking Table	MEMPR	Mine Permit
74	Reclamation	Monitoring of reclamation success will be conducted during mine life to determine survival and growth of vegetation selected to meet end land use objectives.	Independent Consultant Tracking Table	MEMPR	Mine Permit
75	Reclamation	WCCC will develop and implement a plan to discourage the introduction of invasive or undesirable vegetation from encroaching on disturbed areas or recently reclaimed areas on an as needed basis.	Brule EA Application	MEMPR	EA Commitment
76	Reclamation	WCCC will carefully examine what species are included in seed mixtures in an effort to maximize native species and where use of introduced agronomic species is unavoidable – limit their use to species that can be expected to provide adequate cover while allowing for	MOE Tracking Table (Rodger Stewart)	MOE (Stewardship) MEMPR	EA Commitment Mine Permit

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
		succession to native species. Plants identified as important from a traditional use perspective, based on studies by WCCC in 2004, will be incorporated in revegetation programs. If the soil recovered from the pit is inadequate to meet the required quantities for reclamation, WCCC will salvage as necessary from the waste dump areas			
77	Reclamation		Independent Consultant Tracking Table	MEMPR	Mine Permit
WASTE MANAGEMENT					
78	Waste MGMT	WCCC will ensure that collection, storage, transportation and disposal of all wastes generated by all project components will be conducted in a safe, efficient and compliant manner.	Brule EA Application	MOE, MEMPR	EA Commitment
ARCHAEOLOGICAL RESOURCES					
79	A. R.	Contracts for vegetation clearing and haul road construction and maintenance will include specifications for avoidance and protection of Archaeology Site (GIRI-1) in the vicinity of the Falling Creek Connector Haul Route. Specifications will be developed based on a field visit and consultation with Landsong Heritage Consulting. The Environmental Superintendent will be responsible for marking the site, contractor orientation, and monitoring during construction.	Brule EA Application	MTSA, EAO	EA Commitment Heritage Conservation Act
FIRST NATIONS AND KELLY LAKE COMMUNITIES					
80	FN & KLC	Contracts for vegetation clearing and powerline installation will include specifications, if needed based on final powerline routing, for avoidance and protection of the three Traditional Land Use sites identified along the proposed powerline route. Final routing will be developed based on consultation with Landsong Heritage Consulting and the relevant First Nations and Aboriginal groups. The	Independent Consultant Tracking Table	EAO	EA Commitment

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
81	FN & KLCN	Environmental Superintendent will be responsible for marking the site, contractor orientation, and monitoring during construction. Contracts for vegetation clearing and haul road construction and maintenance will include specifications for avoidance and protection of the three Traditional Land Use sites identified in the vicinity of the Falling Creek Connector Haul Route. Specifications will be developed based on a field visit and consultation with Landsong Heritage Consulting and the relevant First Nations and Aboriginal groups. The Environmental Superintendent will be responsible for marking the site, contractor orientation, and monitoring during construction.	Independent Consultant Tracking Table	EAO	EA Commitment
82	FN & KLCN	WCCC will provide opportunities for First Nations and Aboriginal communities to participate in the economic benefits of the Brule Project through contract bid opportunities, jobs and training program opportunities.	Brule EA Application	EAO	EA Commitment
83	FN & KLCN	WCCC will provide regular opportunities for First Nations and Aboriginal communities to review environmental monitoring and reclamation results for the Brule Project, and to provide input to evolving monitoring programs and reclamation plans.	Tracking Table (Independent Consultant)	EAO	EA Commitment
84	FN & KLCN	WCCC is willing to arrange for annual visits to the Brule minesite for FN and KLCN.	Tracking Table (Independent Consultant)	EAO	EA Commitment
STAKEHOLDERS					
85	SH	WCCC will negotiate a mutually acceptable agreement with Burlington Resources with respect to the Brazion Lateral pipeline and the C-66-F sour gas well in the Brule Pit, either for the abandonment of these facilities prior to mining in the area; or, if necessary, for relocation of the	Brule EA Application	MEMPR, OGC	EA Commitment

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
86	SH	line and establishment of a buffer zone/setback of mining from the operating facilities. The agreement will meet the requirements of the BC Ministry of Mines and Petroleum Resources, and the BC Oil and Gas Commission. WCCC will continue to pursue negotiations for Co-operation Agreements with the three trappers (with whom settlements have not been reached) (traps 722T002, 722T006, 722T007) and the guide-outfitter (License 722P999) in the Brule Project area for mitigation and/or compensation, based on actual effects, if any, of the Brule Project on their operations.	Brule EA Application	EAO	EA Commitment
87	SH	WCCC will work with Cline Mining Corp. and other future coal producers to reach a mutually acceptable commercial arrangement for shared use of the Falling Creek Flats Loadout.	Brule EA Application	EAO	EA Commitment
88	SH	WCCC will pursue negotiations with the owner of Lot DL2704 Peace River District, Except 32142 with the objective of a mutually acceptable agreement for an easement across this property, allowing the Brule Mine Powerline right-of-way to cross the lot parallel to the existing Duke Powerline ROW.	Brule EA Application	MOE, MAL	EA Commitment
89	SH	WCCC will pursue negotiations with the property owner adjacent to the Falling Creek Flats Loadout (owner of Blocks A and B of District Lots 381, 382, 383, and 384) with the objective of concluding an agreement for mitigation/compensation for actual losses (if any) related to Project effects on the property due to operations at the loadout.	Brule EA Application	EAO	EA Commitment
90	SH	WCCC will work with Pine Valley Coal / Falls Mountain Coal to reach an arrangement with respect to management of increased construction traffic passing by	Brule EA Application	MEMPR	EA Commitment

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
91	SH	the Willow Creek mine plantsite and layout. WCCC will work with other coal license holders (Kennecott and Pine Valley Coal) if they identify any issues related to haul road construction across their Coal Licenses. Issue resolution with Kennecott will follow the principles outlined in the Letter "Principles for Kennecott – WCCC Joint Use Agreement" dated and signed by both two parties in April 2006.	Brule EA Application	MEMPR	EA Commitment
92	SH	WCCC will work with the commercial recreation license holder to negotiate mitigation or compensation related to losses, if any; caused by the project.	Brule EA Application	EAO	EA Commitment
93	SH	WCCC will work with PNG companies to develop Operational Agreements as needed, including agreements re: Emergency Planning Zones, pipeline and ROW crossing agreements, and other agreements re: operations (including access through the minesite)	Brule EA Application	MEMPR, EAO	EA Commitment
94	SH	WCCC will work with PNG companies and Canfor to enter into road use and maintenance agreements as needed for each segment of haul road.	Brule EA Application	MFR	Forest Act
95	SH	If PNG companies and Canfor do not require, and choose not to take on the responsibility and cost of maintaining, roads built by WCCC for this project; at closure WCCC will decommission the Blind Creek Road through the minesite, and new roads built by Western for this project, specifically connections between the two Talisman Roads (Segments 4) and the portion between Hasler FSR and Whiskey Road (Segment 7) and Falling Creek Road and Whiskey Road (Segment 9).	Brule EA Application	MFR	Mine Permit Special Use Permit
SOCIO-COMMUNITY					
96	SC	WCCC will advertise job opportunities in Tumbler Ridge and Chetwynd and, wherever possible, require contractors	Brule EA Application	EAO	EA Commitment

SCHEDULE B

**TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE
BRULE COAL PROJECT**

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
		to implement the company goal of maximizing local employment.			
97	SC	WCCC will support training programs and provide apprenticeship opportunities for local residents who meet WCCC general requirements for employment, but require skills training for specific jobs. WCCC will develop, in conjunction with local post-secondary institutions, training programs to assist workers to obtain transferable skills that can be used in other areas of life and employment. WCCC will also provide scholarships or bursaries.	Brule EA Application	EAO	EA Commitment
98	SC	WCCC will provide on-site operator training for mine and coal preparation plant positions.	Brule EA Application	EAO	EA Commitment
99	SC	WCCC will facilitate subcontracting opportunities where appropriate, for local and regional businesses. WCCC will include local contractors and suppliers in its corporate database.	Brule EA Application	EAO	EA Commitment
100	SC	WCCC will request that bidders for contracts disclose their policies and practices for providing opportunities to local businesses and residents, including First Nations and Kelly Lake Communities. WCCC will encourage contractors to hire locally and will work with contractors to promote local hiring.	Brule EA Application	EAO	EA Commitment
101	SC	WCCC will develop a community awareness program related to the Project to keep area residents apprised of developments and employment opportunities at the Project. Existing community awareness program will be on-going due to the low production rate anticipated during Project Phase 1 of Brule; with little or no major activity occurring until the increase in production in 2009. During Project Phase 2 of Brule (2009) further community awareness programs will be developed to address any	Brule EA Application	EAO	EA Commitment

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
102	SC	issues related to the larger workforce required for Project Phase 2 and associated housing requirements. WCCC will provide cultural awareness training to on-site staff	Brule EA Application	EAO	EA Commitment
103	Risk Assessment	Risk Assessment WCCC Commits to complete required hazard and risk assessment for Loadout at permitting stage			
104	ML/ARD	Final Commitments WCCC will provide the results of ongoing kinetic test work (including barrel leach tests) as part of the <i>Mines Act Permit Application</i> to confirm prediction work.			
105	Water MGMT	WCCC commits to complete riprapping and outer surfacing of SP2 prior to influent flow.	MEMPR Request MOE; May 24, 2006	MEMPR	Mine Permit
106	Water Quality	WCCC commits to complete riprapping and outer surfacing of SP2 prior to influent flow.	MOE; May 24, 2006	MOE, MEMPR	Effluent Permit, Mine Permit
107	Water Quality	A Surface Erosion Prevention and Sediment Control Plan (with detailed mapping, including location and distance from Trib 3) will be prepared and implemented prior to mining from the "potential riprap borrow area".	MOE; May 24, 2006	MOE, MEMPR	Effluent Permit/Mine Permit
108	Water Quality	WCCC commits that disturbances from the "potential riprap borrow area" for SP2 will not cause Blind Creek sedimentation to exceed objectives.	MOE; May 24, 2006	MOE, MEMPR	Effluent Permit, Mine Permit
109	Water Quality	WCCC commits to meeting Water Quality Objectives for TSS/NTU at the agreed WQO site on Blind Creek	MOE; May 24, 2006	MOE	Effluent Permit
110	Aquatic Resources	WCCC agrees to repeat RBT sampling in Blind Creek in 2005; to conduct Rbt sampling in the Sukunka River as a one-time baseline program; and to conduct one-time baseline sampling of Bull trout.	MOE; May 24, 2006	MOE	Effluent Permit
111	Air Quality	More detailed procedures for responding to ambient air quality exceedances will be provided in the AQDC plan for permitting of Loadout.	MOE; May 29, 2006	MOE	Air Permit
112	Air Quality	WCCC will collect PM10, PM2.5 and dustfall data at the loadout, throughout the life of the Project to establish	MOE; May 29, 2006	MOE	Air Permit

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
112	Air Quality	compliance with air quality objectives. WCCC will install a dustfall station at the Dillon Campsite in order to assess potential dustfall impacts at that site.	MOE; May 30, 2006	MOE	Air Permit
113	Selenium Management	WCCC will monitor the selenium concentrations in whole body tissues in juvenile rainbow trout in Blind Creek for the first two years of production at the Brule Mine, and after that on a schedule to be agreed with MOE. If tissue selenium levels increase beyond two standard deviations of background tissue levels, then a literature review will be conducted to review the state of the science with respect to whole body tissue threshold levels that are protective for rainbow trout. Based on findings, the need for additional site specific studies, which may include reproductive assessment, will be determined. Study design will take into account movements of adult and juvenile rainbow trout in relation to Blind Creek.	MOE; May 31, 2006	MOE, MEMPR	Effluent Permit, Mine Permit
114	Wildlife	WCCC will not clear in the loadout area during the breeding bird season, which will protect nesting adults, nests, and eggs of bird species of concern.	MOE; May 31, 2006	MOE	EA Commitment
115	Wildlife	WCCC will contribute to regional efforts related to caribou management planning. Participation by WCCC will be in the context of an overall strategy led by government for cumulative effects management, and commensurate with our level of impact on key factors affecting populations.	MOE; May 31, 2006	MOE	EA Commitment
116	Vegetation	WCCC will complete additional field inventory of red and blue listed plants in wetland areas within the project footprint, which WCC agrees have the highest potential for red and blue listed plants. These surveys will be completed for the minesite in summer 2006 (prior to clearing), and in advance of construction at other project sites	MOE; May 31, 2006	MOE	EA Commitment

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
117	Vegetation	In preparing SEPSC Plans for the road and powerlines, WCCC commits to include in the planning the objective of protecting wetland red and blue listed plant species (if any) identified through the rare plant inventory	MOE; May 31, 2006	MOE	EA Commitment
118	Wildlife	WCCC will conduct bird surveys (focused on Bay Breasted warbler and Cape May warbler) periodically during operations to determine if these species are using habitats in and near the loadout.	MOE; May 31, 2006	MOE	EA Commitment
119	Selenium Management	Minesite selenium concentrations will be managed by controlled placement of coarse coal rejects during mine operation and by the timely reclamation of waste rock facilities with soil and vegetation covers which will reduce water infiltration and selenium discharge from those waste rock facilities. This selenium source management will be part of adaptive management, defined in a selenium management plan that includes regular seep and groundwater monitoring.	MOE; June 2, 2006	MOE/MEMPR	Effluent Permit/Mine Permit
120	Air Quality	WCCC commits to achieving the air quality objectives for total dustfall at the designated compliance site (of reasonable distance from the mine and coal handling areas) to be refined and agreed with MOE for Brule permitting. If these objectives are not met, WCCC commits to applying the Air Quality Dust Control Plan or other measures necessary to achieve compliance.	MOE; June 2, 2006	MOE	Air Permit
121	Air Quality	WCCC commits to achieving the site specific air quality objectives for PM10, PM 2.5, and total dustfall that will be established, based on collection of local baseline data, for MOE's air emission permit for the Falling Creek Flats Loadout. The dustfall objectives will be met at those sites designated for compliance in MOE Permit (tentatively depicted in figure 11.6.1-2, to be confirmed at permitting).	MOE; June 2, 2006	MOE	Air Permit

SCHEDULE B

TABLE 1 - SUMMARY OF WESTERN CANADIAN COAL CORP'S COMMITMENTS FOR THE BRULE COAL PROJECT

#	Type	Details	Reference	Responsible Agency	Compliance Mechanism
122	Water Quality	If these objectives are not met, WCCC commits to applying the Air Quality Dust Control Plan, or other measures necessary to achieve compliance. WCCC commits to achieving site-specific water quality objectives for agreed parameters, that will be established based on collection of local baseline data, and modifying factors including water effect ratios, dialysis, etc., for MOE's waste permits for the Brule minesite and Falling Creek Flats layout. If these objectives are not met, WCC commits to applying their Surface Erosion Prevention and Sediment Control Plan, Selenium Management Plan or other plans or measures as necessary to achieve compliance.	MOE; June 2, 2006	MOE	Effluent Permit

FMP=Fuel Management Plan; CMSHP=Chemical & Materials Storage & Handling Plan; EMS=Environmental Management System; EPRP=Emergency Preparedness & Response Plan; ML/ARD=Metal Leaching/Acid Rock Drainage; A.R.=Archaeological Resources; FN&KLC=First Nations & Kelly Lake Communities; SH=Stakeholders; SC=Socio-community