

Tenas Project – Working Group Meeting (Virtual)

Wednesday, May 6, 2020 from 1:30-4:30pm

Meeting Summary Notes FINAL

Meeting Participants

Provincial Government

Terry Pratt, Environmental Assessment Office (EAO)

Heather Noble (EAO)

Matt Rodgers (EAO)

Jillian Zavediuk (EAO)

Nikki Dodd, Energy, Mines & Petroleum Resources (EMPR)

Andrea Ross (EMPR)

Morgan Dyas (EMPR)

Alexis McPherson (EMPR)

Teresa Morris (EMPR)

Brian Heron-Herbert, Environment & Climate Change Strategy (ENV)

Jeanien Carmody-Fallows (ENV)

Liz Freyman (ENV)

Lorna Green (ENV)

Rusto Martinka (ENV)

Erin Rainey (ENV)

Trina Orchard (ENV)

Chris Schell, Forests, Lands, Natural Resource Operations & Rural Development (FLNRORD)

Cheryl MacKenzie (FLNRORD)

Leanne Helkenberg, Transportation and Infrastructure (TRAN)

Office of the Wet'suwet'en

David DeWit

Mike Ridsdale

Northern Health

Paula Tait

Village of Telkwa

Debbie Joujan

Councillor Rick Fuerst

Councillor Leroy Dekens

Town of Smithers

Councillor Gladys Atrill

Regional District of Bulkley-Nechako

Jason Llewellyn

Jennifer MacIntyre

Federal Government

Kathryn Marshall, Environment & Climate Change Canada (ECCC)

Proponent and Consultants

Angela Waterman, Telkwa Coal Limited (TCL)

Megan MacCallum, TCL

Kirsten Roberts, TCL

Dan Farmer, TCL

James Henderson, TCL

Trevor Welton, Hemmera

Mark Milner, Hemmera

Cathy MacKay, EDI

Anna Sundby, ERM

Rick Budhwa

Meeting Objectives

- For Telkwa Coal Limited (TCL) to provide an overview of the Tenas Project and an overview of the draft Application Information Requirements (dAIR); and
- For the Environmental Assessment Office (EAO) to provide an overview of the environmental assessment (EA) process, timelines and next steps;
- For the technical working group (WG) to ask initial questions and discuss the dAIR and to ask the EAO questions on the EA process and timelines.

Welcome/territorial acknowledgment; agenda overview; introductions

- The EAO welcomed everyone, provided a territorial acknowledgment and led the round of introductions of meeting participants.
- OW welcomed the group and stated that the project is on CasYex House of Gitumden territory and Kwen Bea Yex House of Laksilyu territory.

EAO Presentation: EA Process overview and next steps (Terry Pratt, Project Assessment Director)

- The EAO presented an overview of key dates and milestones to date. TCL developed a valued components (VC) document, which identifies values to be assessed in the EA and feeds into the Application Information Requirements (AIR).
- In September 2019, TCL asked the EAO to put the EA for the project on pause, providing time for Wet'suwet'en to have reconciliation discussions with BC. The EAO agreed, the EA for the project was paused and the EAO provided TCL's draft Application Information Requirements (dAIR) document to the WG for their information only.
- The EA resumed on April 30, 2020 and on May 4, 2020, TCL provided the EAO with a revised dAIR for review.
- Currently, the project is in the pre-application phase of the EA, which has no legislated timelines. The project did not trigger a Federal EA, although ECCC is on the WG, and provides input on the potential effects on the Telkwa caribou herd as well as species at risk and migratory birds.
- The Tenas Project is being reviewed under the 2002 *Environmental Assessment Act* because it received a section 11 Order prior to the 2018 *Environmental Assessment Act* coming into force in December 2019.
- It is important that the revised dAIR be reviewed closely by OW, the WG and the public because it identifies the information that the proponent will need to collect and assess for the EA. All comments on the dAIR are collected and responded to by the proponent. The EAO reviews proponent responses. The dAIR will be posted to the EAO's website following final EAO approval.
- ENV spoke to a slide in the presentation on concurrent permitting. Although it is an option under the 2002 *Environmental Assessment Act*, the Concurrent Approval Regulation is intended for smaller projects and is not typically used for large mining projects such as the Tenas Project. The EAO noted that further meetings will be held with TCL to discuss options for permitting processes.
- There will be a public comment period on the dAIR and the EAO is exploring virtual open houses as an option during the COVID-19 pandemic. The EAO is also considering extending the public comment period from 30 days to a 45-days. The public comment period may begin in June.
- **Next steps:** On May 4, 2020, the revised dAIR was sent to WG for review. Another virtual WG meeting on the dAIR is proposed for late May. The EAO stated it is open to other ways to do virtual meetings if others on the WG have ideas. Following finalization of the AIR, the EAO is expecting to receive TCL's Application for an EA Certificate in late fall 2020.

OW (David DeWit, Natural Resources Manager)

- OW hoped everyone is taking care, being responsible and resilient during these times and remembering what is important.
- OW recognized TCL for pausing the EA for the project until April 30, 2020.
- OW also wanted to ensure that the WG was aware of the press release regarding the Memorandum of Understanding (MOU) between the Province, Canada and Wet'suwet'en that recognizes Wet'suwet'en title. OW stated that the discussions between the Wet'suwet'en, the

Province and Canada are ongoing and there are risks in pursuing the Tenas Project EA during these discussions.

- OW also wanted to ensure that the WG was aware that the climate has changed now and it's not business as usual. There are currently no agreements in place with the Wet'suwet'en and capacity remains an issue. It's not just a matter of turning on a switch and re-engaging. OW want to have more than agreements and want commitments to come out of this for the whole EA process.

TCL Presentation: Tenas project overview and updates

- TCL acknowledged that there are new WG members and that if anyone would like to receive project updates, they can do so outside of this meeting. Information in the mine plan has been revised and is reflective of government engagement to date.
- Acknowledgement that the project is located on the territory of the Wet'suwet'en.
- TCL gave a presentation that described mine plan revisions to the components of the project that have been made while the EA was paused.

Questions and Discussion:

- EMPR ask how dams are being constructed.
 - TCL responded that they will have a central line earth and dam structure.
- ENV asked if there were plans for water treatment.
 - TCL responded that based on current information available, water treatment is not expected to be needed. Water quality and quantities are not expected to need complex water control, and there will be flocculant for sediment control; but no plans for water treatment.
- ENV commented that they are interested to see TCL's predictions and documentation on selenium concentrations.
 - TCL responded that selenium concentration in rocks is low and TCL will submerge potentially acid generating (PAG) rock under water. Submerging PAG rock, which may contain selenium, prevents oxidation of the rock and prevents acidification, greatly lowering the potential for selenium leaching.

TCL Presentation: Overview of the draft Application Information Requirements (dAIR)

TCL presented an overview of the dAIR by valued component, including identifying regional and local study areas for each valued component.

Valued Components (VCs) – biophysical and social related components.

Overview of Biophysical VCs and Intermediate Components (ICs)

Groundwater IC

- Will be evaluated against groundwater quality guideline and baseline conditions.
- TCL have a lot of information on studies done. TCL suggested that the WG review ERM baseline report previously submitted in early 2019.
- Mining water management – a 3d model is being developed.

Surface Water IC

- Subcomponents: Surface Water Quality and Quantity.

- Surface water local study area (LSA) where direct discharges occur and regional study area (RSA) to WQS-12 (just past Telkwa) in the Bulkley River.
- ENV asked where the discharge point from the mine will be and what will be in the discharge.
 - TCL answered that a water pipeline containing mine contact water from management ponds will discharge into the Telkwa River at WGS09. Starting point offered in last year's ERM baseline report, which includes data collection, updating another report, and historical data. TCL offered to meeting and go through material with WG members and/or with ENV.

Aquatic Resources IC and Fish and Fish Habitat VC

- Subcomponents: Aquatic Resources IC, and Fish and Fish Habitat VC.
- Aquatic Resource LSA and water areas potentially effected downstream, pipe to river, looking at limits to RSA for fish and fish habitat. The Aquatic Resources IC will be adjusted to be consistent with the Groundwater IC.
- Fish IC to review info from previous work. TCL is completing flow needs studies for seasonal changes.
- Assessment will look at legislation and best practices with methods and standards used.
- ENV commented that with other coal mine sites with low selenium concentrations in the rock (e.g. in the Elk Valley), selenium turns into a form that bioaccumulates and becomes a problem. ENV recommended that TCL have a contingency plan to mitigate for elevated selenium, even if there are currently low concentrations of selenium in the rock.
 - TCL responded that they are interested in finding out more on selenium issues in other mine sites and requested that ENV provide TCL with more information.

Atmospheric IC

- Subcomponents: Air Quality, Greenhouse gas (GHG) emissions, Noise.
- Air Quality RSA is 35 by 35 km grid to include Smithers. TCL may refine Air Quality LSA to capture Telkwa. Dust fall has been monitored as well as PM₁₀ and PM_{2.5}.
- Noise LSA is 3 km from main mine components and the Noise RSA is 5km from main mine components. Noise 24-hour measurements have been conducted. The highest noise levels were measured from aircraft and trains near the rail load out station.
- GHG emissions will be compare to provincial and federal inventories.

Terrestrial Resources ICs/VCS

- Terrain and Soils ICs subcomponents: Soil quality and Terrain Stability.
- Vegetation VCs, subcomponents: Old Growth Forest, Wetlands, Listed Ecological Communities,
- Culturally important species, Rare plants and Lichens.
- Wildlife VC with subcomponents: Caribou, Moose, Grizzly Bear, Furbearers, Bats and Western Toad.
- Avian Species VCs, subcomponents: Migratory breeding birds, listed bird species and Raptors.
- Study areas LSA project area + 5km, terrain and soils LSA add on 1 km for wetlands. RSA different for each.
- Caribou – TCL has reviewed the work done with WG and caribou sub-working group input to date as follows. Study areas include both the 2014 ECCC critical habitat delineation and 2019 Province of BC core and matrix habitat areas. TCL has summarized potential effects to be assessed and indicators to be used in assessing each potential effect.

Overview of Social and Heritage VCs

Economic

- Two VCs: Labour market and Economic Development. Subcomponents: Local Business and Industry.
- LSA and RSA include nearby communities and the Regional District of Bulkley Nechako (RDBN).
- RDBN noted that the RSA has no proposed camp for potential workers and Smithers could be regional service area, Witset included.
- ERM and TCL developed baseline study with key stakeholders. Report currently in draft that includes desk base and interview with service providers. TCL will use BC stats input-output model for economic modelling and will provide info for employment and gross domestic product (GDP).
- Economic development VC – Plan ahead to mitigate and benefits described for socio economic management plan.

Social ICs/VCs

- Infrastructure and Services (VC), subcomponents: Housing and Accommodation, Community and Infrastructure and services, and Transportation.
- Community Well-Being (VC), include socio-economic determinants of health.
- Demographic (IC), indicators population and demographics.
- Land and Resource Use (VC), subcomponents: Commercial and Land Use, Public Recreation Use, current use of land and resources for traditional purposes.
- Visual quality (IC), subcomponents: Visual Quality and Ambient Light.
- OW reiterated concerns around ungulate and moose mortality related to increased rail traffic from Tenas Project as well as potential impairment to emergency vehicles due to increased rail traffic. OW also noted that the recommendations from the inquiry into missing and murdered Indigenous women and girls need to be adhered to.
 - The EAO will follow-up on moose mortality by reaching out to CN Rail to see if they are able to attend the next WG meeting on the dAIR in late May.
 - TCL acknowledged OW's comment on missing and murdered Indigenous women and girls. TCL has made note of the comment and it will be considered in the assessment.
 - TCL noted that ungulate and moose mortality will be assessed as part of the wildlife VC (e.g. increased risk of mortality from rail traffic).
 - TCL also noted that the Tenas Project would lead to the addition of one train a week on the CN rail line. For context, TCL understands that there are currently 24 trains per day going along the tracks.

Human Health VC

- One VC for health, based on Air Quality study area, LSA and RSA (same areas).
- Human Health VC assessment will be supported by human health risk assessment (HHRA) to quantify potential biophysical risks to human health under baseline and future (predicted) conditions. The HHRA will be completed in 2020.

Heritage Resources VC

- Archeological Resources and Historic and Cultural sites are the sub-components.
- Study area buffer area of the project, RSA on house boundaries with Wet'suwet'en.
- Draft Archaeological Impact Assessment report and cultural study near complete, and then will provide to Wet'suwet'en for their review.

- Part C – Indigenous interests. Consultation, direct input from Wet'suwet'en, plus the Cultural Use Study, will be used to assess impacts on Wet'suwet'en Interests.
- TCL added at the end of the presentation that they will be seeking input over next weeks and beyond, happy to have one-on-one technical conversations on specific issues as needed.

Next Steps & Overview of Action Items

- The EAO let the WG know that if they have any questions during their review of the dAIR to reach out to the EAO.
- **Next steps:** the EAO will send out a placeholder for the next WG meeting in late May, which will be for WG members to ask any questions or seek clarifications following their initial review of the dAIR and provide any comments to discuss.

Meeting ended at 4:30 pm