



The EAO's Assessment of an Application for Certificate Amendment Amendment #4 - Increased Camp Capacity

RED CHRIS PORPHYRY COPPER-GOLD MINE PROJECT

REQUESTED BY:
NEWCREST RED CHRIS MINING LIMITED

May 3, 2020

Pursuant to Section 32 of the Environmental Assessment Act, S.B.C. 2018, c.51



EAO

Environmental
Assessment Office

ACRONYMS AND ABBREVIATIONS

Act	<i>Environmental Assessment Act</i> , S.B.C. 2018, c. 51
Amendment Application	Application to amend the Environmental Assessment Certificate
B.C.	British Columbia
CPD	Certified Project Description of the Environmental Assessment Certificate
EA	Environmental Assessment
EAC or Certificate	Environmental Assessment Certificate
EAO	Environmental Assessment Office
FLNRORD	Ministry of Forests, Lands, Natural Resource Operations and Rural Development
EMLI	Ministry of Energy, Mines and Low Carbon Innovation
ENV	Ministry of Environment and Climate Change Strategy
ha	hectare
km	kilometre
NRCM	Newcrest Red Chris Mining Limited
Red Chris Mine	Red Chris Porphyry Copper-Gold Mine
RDKS	Regional District of Kitimat-Stikine
TAC	Technical Advisory Committee
TCG	Tahltan Central Government
This Report	The EAO's Assessment of an Application for Certificate Amendment: Amendment #4 - Increased Camp Capacity
VCs	Valued Components

1.0 OVERVIEW OF PROPOSED AMENDMENT

Background

Red Chris Porphyry Copper-Gold Mine Project (Red Chris Mine) is an existing open-pit copper-gold mine and mill located in Tahltan territory on the Todagin Plateau in northwest British Columbia (B.C.), approximately 18 kilometres (km) southeast of the Village of Iskut and 80 km south of Dease Lake. On August 24, 2005, the Minister of the Environment and the Minister of Energy, Mines and Petroleum Resources issued Environmental Assessment Certificate #M05-02 (Certificate) under the *Environmental Assessment Act*, 2002 for the Red Chris Mine to the Red Chris Development Company Ltd.

The Environmental Assessment Office (EAO) has issued three amendments to the Certificate:

- Amendment #1 (February 24, 2012): to add a requirement for compliance reporting and revise Condition 1 to reflect updated standard language for proposed changes to the Red Chris Mine;
- Amendment #2 (August 19, 2016): to allow design changes around the Tailings Impoundment Area and to the South Dam related to water management; and
- Amendment #3 (August 15, 2019): to transfer of all legal interests and certain beneficial interests in the Red Chris Mine from the Red Chris Development Company to Newcrest Red Chris Mining Limited (NRCM).

Amendment Request

On March 16, 2020, NRCM submitted an Amendment Application (Amendment Application) to the Certificate for the Red Chris Mine under [Section 32](#) of the *Environmental Assessment Act*, S.B.C. 2018, c.51 (the Act). NRCM requested this fourth amendment to the Certificate to expand the work camp from a maximum of 275 people to 650 people.

On June 5, 2020, NRCM submitted supplemental information to support the Amendment Application which included additional information on the proposed changes, existing conditions, socio-economic setting, the potential interactions of the proposed amendment with valued components, and [Section 25](#) assessment matters under the Act. A revised version of this document was submitted on November 3, 2020 to address comments from the Tahltan Central Government.

On February 26, 2021, NRCM submitted a further revision to the supplemental information seeking approval to increase the work camp to maximum of 800 people (within 800 rooms) and to implement a phased approach to the expansion. Phase 1 would bring capacity up to 550 people with all supporting facility upgrades within the current footprint. This would include replacement of two old bunks with newer double decker bunks as well as one additional bunk wing (Figure 1). Phase 2 would bring capacity up to 800 people by adding self-contained temporary bunk houses (Figure 2) for approximately 12 months within the disturbance area of the current camp facilities and surrounding laydown areas. Temporary bunk houses would be self-contained units with potable water to be delivered to site by a licensed facility and wastewater collection to be disposed of offsite at a licensed facility. Phase 3 would consist of a replacement of the remainder of the single level bunks with newer double decker bunks and removal of the temporary bunks from Phase 2 to support a permanent camp capacity of 800 people. This final phase would include upgrades to the drinking water, wastewater, and camp amenities within the same footprint (Figure 3).

NRCM noted that this amendment would allow for better support in operational surges over the long-term, as well as near-term mine planning, construction, and compliance activities associated with waste and water management on site. NRCM also noted that this amendment would provide appropriate camp standards and facilities that support a positive camp culture, personal well-being, and health and safety. It would also address needs for social distancing under the COVID-19 response implemented on site to reduce the risk of transmission. NRCM plans to increase camp occupancy entirely within the existing footprint and disturbance area of the current camp facilities, which is within the *Mines Act* Permit (M-240) Permitted Mine Area.



Figure 1. Phase 1 of camp expansion



Figure 2. Phase 2 of camp expansion.



Figure 3. Phase 3 (completion) of camp expansion.

2.0 AMENDMENT REVIEW PROCESS

In considering the changes proposed in the Amendment Application, the EAO determined it was a “typical amendment”. This was based on the number and scope of the physical design changes proposed, and the scope of the engagement that would occur on the Amendment Application.

The Red Chris Mine exists entirely within the territory of the Tahltan Nation and the EAO concluded that Tahltan Nation would be the only Indigenous nation affected by the proposed amendment. Tahltan Nation, as represented by the Tahltan Central Government (TCG), notified the EAO of its intent to participate in the amendment review process as a participating Indigenous nation. NRCM engaged the TCG on the proposed amendment prior to formally submitting the Amendment Application to the EAO. The EAO worked in collaboration with the TCG to discuss project-specific issues and potential adverse effects on asserted or determined Indigenous interests and to seek consensus on the amendment. The review process was coordinated with the TCG as per the Red Chris Management Agreement, a government-to-government agreement between Tahltan Nation (as represented by the TCG) and the Province of B.C. Issues raised by the TCG are discussed in [Section 3](#) of this Report.

The EAO also convened a Technical Advisory Committee (TAC) to assist the EAO with its review of the Amendment Application, with representatives from the TCG, Northern Health, the Regional District of Kitimat-Stikine (RDKS), the Ministry of Transportation and Infrastructure, and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD). The issues raised by the TAC and the outcomes are provided in [Section 3](#) of this Report. A draft of the EAO's Amendment Assessment Report and draft Order under [Section 32](#) of the Act was provided to the TAC for review and comment.

Red Chris Mine is a remote mine and the three local communities (Iskut, Dease Lake, and Telegraph Creek) are represented by members on the TAC. In the EAO's view, there was limited potential for the public interest in the proposed changes. Thus, the EAO did not require a public engagement and comment period for the Amendment Application, and there was no Community Advisory Committee established.

3.0 SUMMARY OF ISSUES AND EFFECTS

3.1. Effects Assessed by NRCM

Valued Components

NRCM noted that the following Valued Components (VCs) had the potential to be impacted by the proposed increase in camp capacity:

- Wildlife and Wildlife Habitat
- Traffic
- Community Health
- Demographic change, Housing
- Employment Contract and Business Opportunities
- Education and Training
- Land Use

As a result of increased camp occupancy, there is the potential for increased traffic. Wildlife could be subject to increased direct mortality from this traffic, as well as increased indirect mortality of wildlife associated with increase camp garbage and potential camp personnel behaviours. NRCM noted that the Wildlife Management Plan, required as a commitment under the Certificate, includes measures to reduce human-wildlife interactions at the mine site and wildlife mortality on

the roads. NRCM also noted that workers are picked up from marshalling points and flown into the Dease Lake airstrip, then bussed into site; therefore, NRCM did not anticipate residual effects to traffic. Combined with the continued implementation of Wildlife Management Plan, no new residual effects to wildlife are anticipated.

For community health, demographic change, housing, employment opportunities, contract and business opportunities, education and training, and land use, NRCM identified the potential for both positive and adverse impacts. NRCM stated that it is committed to work with the TCG, communities, the provincial and federal governments, and Northern Health to reduce adverse effects on neighbouring communities and enhance positive outcomes of the Red Chris Mine. NRCM noted that current on-site services to support and ensure the health and safety of mine workers and minimize mine-related impacts on community health, demographics and housing include:

- A new medical centre;
- Camp accommodation to mitigate impacts to services and housing availability in local communities;
- A stand-alone medical evacuation provider;
- Establishment of a community relations department primarily comprised of Tahltan members to design and implement community engagement and lead issues management processes;
- Ban on alcohol and drugs at the mine site, including the work camp; and
- Work rotation that supports Indigenous employees to engage in traditional and cultural activities.

Impacts to contract and business opportunities from the camp expansion are expected to be positive due to the potential for an increase in employment and contracting/business opportunities in surrounding communities. NRCM noted that the Impact Benefit Co-Management Agreement between NRCM and the TCG includes the following beneficial measures:

- Following a Tahltan hiring preference policy;
- All positions are posted on the job posting system and shared with the Tahltan Director of Employment;
- Funding for development of Tahltan Human Resources Inventory (in progress);
- Human Resources Strategy outlining processes to meet preferential hiring, cultural sensitivity training, strategies to maximize Tahltan employment and training; and
- Employment targets of 40 percent Tahltan to be achieved within five years of commercial operations.

Education and training would also be expected to be positively impacted with NRCM noting initiatives that include providing on-the-job training and apprenticeship programs for Tahltan members and contributions to training funds to enhance business opportunities and build local business capacity.

NRCM noted that camp changes would be expected to have limited impacts on tourism and recreation because the impacted area is within the existing camp footprint and NRCM will continue to engage the affected guide outfitter to ensure that potential impacts are satisfactorily mitigated and that the Amendment does not result in additional effects.

Considering commitments in the Impact Benefit Co-Management Agreement between NRCM and TCG and those in the Certificate, NRCM predicted that the proposed design changes to the work camp are not expected to cause any adverse or cumulative effects on VCs beyond the effects that were considered during the environmental assessment (EA) of Red Chris Mine. NRCM further noted that these changes are expected to provide several benefits, including a positive camp culture, increased personal well-being, increased worker health and safety as well as provide economic benefits to local communities.

Required Assessment Matters

[Section 25\(1\)](#) of the Act requires an assessment of the effects of the project on Indigenous nations and rights. NRCM reported in the Amendment Application that the proposed amendment is not anticipated to affect existing Indigenous and treaty rights and title including rights that now exist by way of land claims agreements. The proposed change to camp capacity is spatially limited to the current disturbance area of the existing accommodation site, and workers would be restricted to those areas on site; therefore, there is limited interaction and potential for effects on subsistence activities including hunting, fishing, gathering, and trapping.

[Section 25\(2\)](#) of the Act outlines additional matters that must be considered in every assessment. NRCM reported that the increase in camp capacity is not anticipated to result in any changes to most of those matters. However, NRCM reported that the proposed change has the potential to interact in a disproportionate manner on distinct human populations ([Section 25\(2\)\(d\)](#)), specifically on the nearby Tahltan communities. These potential effects are both adverse and positive and relate to considerations on the following VCs: community health, demographic change, housing, alcohol and drugs, employment opportunities, contract and business opportunities, education and training, and land use. These potential effects and the associated mitigations and relevant NRCM initiatives are discussed above.

After considering the scope of the Amendment Application, the potential for amendment effects, the Certificate conditions, and additional commitments and initiatives under the Impact Benefit Co-Management Agreement, the EAO concludes that there would be negligible negative impacts and moderate potential for positive impacts to [Section 25](#) matters as a result of the amendment. As discussed above, adverse or cumulative effects on community health, demographic change, housing, alcohol and drugs, and land use from the amendment are not expected to be beyond the effects that were considered during the EA of Red Chris Mine. Effects to employment contract and business opportunities and education and training from the amendment are expected to be positive. [Section 25](#) matters were not assessed separately in the original EA because the original EA occurred under the previous *Environmental Assessment Act*, 2002.

3.2. Issues Raised by the TAC

Comments on the Amendment Application were received from the TCG, RDKS and Northern Health. Key issues raised on the Amendment Application and a draft of this report related to the camp facilities, alcohol and drugs, community health and wildlife and are provided below. All comments from technical reviewers are available in the Issues Tracking Table on the EAO's website¹.

The TCG inquired if the sewage treatment system for the camp could handle the increased capacity. NRCM confirmed that the current facility could accommodate up to 700 personnel and, with minor upgrades, could accommodate up to 900 personnel. Northern Health inquired if additional medical staff would be needed to accommodate the increase in camp capacity. NRCM responded that it has a fully furnished mobile medical facility that is attended by a registered nurse and an advanced care paramedic. A permanent medical facility will be constructed to replace the mobile unit. NRCM stated that the medical staffing levels are appropriate for the size of the operation. RDKS noted concerns that a camp expansion would result in additional camp and construction waste and would impact local waste management infrastructure and asked to review waste management plans. NRCM responded that camp waste would not increase significantly because the majority of it is incinerated. NRCM provided the waste management plans and noted that RDKS

¹ Issues Tracking Table and other decision materials are available on the Red Chris Project page on EPIC: <https://www.projects.eao.gov.bc.ca/api/public/document/608c70fee09ead0022ff44a6/download/Red%20Chris%20-%20Camp%20Expansion%20Amendment%20-%20Issues%20Tracking%20Table%2020210430.pdf>

was welcome to submit feedback and comments on them. NRCM noted that it is required to send waste projections to the RDKS every six months as part of bylaw and permit requirements.

Northern Health commented that there may be increased risks for alcohol and drug use with more people lodged onsite. Northern Health noted its applicable guidance regarding zero tolerance policies and the consequences of hidden use: [Health and safety during the opioid overdose emergency: Northern Health's recommendations for industrial camps](#). Northern Health recommended onsite naloxone kits along with proactive resources and opportunities for employee wellness being strongly encouraged. NRCM acknowledged this concern and noted that it has the following measures related to alcohol and drugs in place: a zero tolerance policy on site with testing currently in place; random drug searches on a regular basis; and an employee assistance program in place for employees and onsite contractors. In addition, an onsite medical team, which is trained to support declared dependencies is available. NH noted that overdose recognition and response measures are not incompatible with zero tolerance policies and asked that management plans and policies are reflective of emerging health and wellness risks.

The TCG asked what NRCM is doing to ensure that workplace bullying, harassment and sexual harassment are not an issue and will not increase because of the increase in workers. In response, NRCM stated that all Red Chris employees and contractors must complete the Newcrest Code of Conduct and Workplace Behaviour. There is a zero-tolerance policy for breaches of this code. NRCM stated its committed to ensuring all employees and contractors are able to work in an environment that is free from discrimination, harassment, bullying, vilification and victimisation and aware of the standard of conduct required in the workplace. NRCM further noted that there is a fair treatment process in place to provide an avenue for employees to raise a concern, complaint, or grievance about any action, decision or behaviour that adversely affects them, and which provides an orderly and fair resolution to the grievance without disruption to work.

The TCG inquired about the impact of additional workers on wildlife and guide outfitters from workers hunting while off-duty. NRCM responded that camp residents do not have a direct impact on wildlife due the controls in-place. Hunting and firearms are not allowed on site (this includes all areas inside the gate, including the parking lot on site). In addition, the workforce is rotational-based, and workers must return to the muster point via charter. People cannot hunt on their way home as there are hunting exclusion zones around highways in B.C. NRCM noted that further information on mitigations for wildlife are described in the Wildlife Management Plan and Waste Management Plans and the effectiveness of these controls is documented in the Annual Reports.

The TCG and RDKS were satisfied that these issues were addressed for the purposes of this Amendment. Northern Health noted that its capacity to participate in this process was significantly constrained by COVID-19 and it did not have sufficient time to fully understand how commitments were being made by NRCM in regard to updated/expanded health and medical services onsite. It appreciated the efforts made by NRCM to respond to and accommodate the larger workforce and also respond to COVID-19 and looked forward to further engagement with NRCM. Northern Health recommended that additional mitigations or updated policies to accommodate a significantly larger workforce be documented in a Health and Medical Services Plan and welcomed the opportunity to engage or consult on this plan. Regarding original Certificate Commitments, Northern Health noted that it would appreciate being added as a consulting agency for Commitments A1, A2, and K5, which relate to worker camp, alcohol and drugs and employee health and safety programs, respectively. NRCM acknowledged this comment and noted that it looks forward to engaging with Northern Health on the COVID-19 protocols in place as well as emerging health and medical services issues associated with the larger workforce. NRCM also has the following existing management plans applicable to the Red Chris Mine and related to medical services:

- Red Chris Emergency Response Plan;
- Pre Emergency Plan;
- Red Chris Medical Clinic Management Plan; and

- Occupational Health Plan.

The EAO was satisfied that the issues above were addressed for the purposes of the Amendment.

4.0 INDIGENOUS NATION ENGAGEMENT

The Red Chris Mine exists entirely within the territory of the Tahltan Nation. The TCG indicated that, “The Tahltan Central Government (TCG) is the administrative governing body of the Tahltan Nation. The Iskut Band and the Tahltan Band continue to govern Tahltan interest in respect of the *Indian Act* but have endorsed the TCG as the representative government of the Tahltan Nation in respect of inherent Aboriginal title and rights.”²

NRCM-Led Engagement

In the Amendment Application and supplemental information, NRCM reported that it engaged the TCG in regard to increasing camp flexibility and occupancy prior to submitting the Amendment Application to the EAO. Based on initial engagement and input from the TCG, two additional VCs were identified for inclusion into the assessment of potential effects for the amendment: traffic and land use. NRCM noted that ongoing engagement identified no major concerns from the TCG. NRCM stated it will continue to work collaboratively with the TCG as per established means of engagement within the Impact Benefit Co-Management Agreement between NRCM and the TCG.

EAO-Led Engagement

The EAO consulted with the TCG on the amendment as a participating Indigenous nation and sought to achieve consensus on the findings and conclusions of this report, pursuant to [Section 32\(7\)](#) of the Act.

The EAO conducted early engagement with the TCG when NRCM provided draft documents that described its intention to amend the Certificate. On April 7, 2020, the EAO met with the TCG to discuss the amendment request and how to ensure this process followed the Red Chris Management Agreement between the Province and Tahltan Nation. The EAO invited comments from the TCG on the initial Amendment Application, the supplemental information, and draft referral materials, asking the TCG to identify any comments or concerns that the TCG may have with the proposed amendment.

During meetings with the TCG on the proposed amendment, the TCG indicated to the EAO it was in favour of NRCM proceeding with this amendment.

Comments made by the TCG regarding the initial Amendment Application and supplemental information and outcomes of those comments are described above in [Section 3](#). The TCG reviewed the draft Amendment Report and draft [Section 32](#) Order along with NRCM's responses to the TCG's comments.

All concerns raised by the TCG were addressed by NRCM to, both, the EAO's and the TCG's satisfaction. Consensus was achieved with TCG on this amendment.

5.0 CONCLUSIONS:

Based on:

- The information contained in NRCM's Amendment Application and supplemental information provided by NRCM during the review of the Amendment Application;

² Guide to Doing Business in Tahltan Territory. 2020. TCG. Available from: https://ontrack.tahltan.org/wp-content/uploads/2020/05/Tahltan_GuidetoBusiness_Brochure_v5.pdf

- NRCM's consultation and engagement with the TCG;
- The EAO's engagement with members of the TAC, which included a representative of the TCG;
- Comments on the Amendment Application and supplemental information from the TAC and the TCG, and NRCM's responses to those comments; and
- NRCM's requirements under the Certificate to mitigate and monitor the effects of Red Chris Mine.

The EAO is satisfied that:

- The Amendment Application and supporting information adequately identified and assessed the potential positive and negative adverse changes to the environmental, economic, social, cultural and health effects of the Red Chris Mine resulting from the proposed amendment;
- The effects of the amendment on the TCG as described in [Section 25\(1\)](#) of the Act have been appropriately assessed and have been addressed to the satisfaction of the EAO and the TCG;
- The matters described in [Section 25\(2\)](#) of the Act have been considered and there would be no negative and modest positive changes in the effects on these matters as a result of the Amendment;
- Efforts to seek consensus on any concern that TCG raised with the Amendment Application and these conclusions were undertaken, with consideration given to the purpose of the EAO to support reconciliation with Indigenous peoples in B.C. as set out in [Section 2\(2\)\(b\)\(iii\)](#) of the Act;
- Notification of the TCG about the proposed amendment have been adequately carried out by the Certificate Holder and the EAO;
- The provincial Crown has fulfilled its statutory and constitutional obligations owed to Indigenous nations relating to the issuance of an amendment to the Certificate for the changes proposed in the Amendment Application; and
- The Certificate should be amended to reflect the design changes outlined in the Amendment Application.

The EAO recommends that the Chief Executive Assessment Officer of the EAO, upon consideration of the conclusions in this Report and any other relevant factors, issue an Amended Certificate under [Section 32](#) of the Act to allow the requested amendment of the Certificate for Red Chris Mine.

Addendum: Amendment # 4 Order