
From: Ruth Swan
Sent: August 24, 2020 2:15 PM
To: Minister, ENV ENV:EX ; [Minister, EMPR EMPR:EX](#)
Cc: Braun, Nathan EAO:EX ; [Murphy, Shelley EAO:EX](#)
Subject: RE: Morrison Project: Correspondence from the EAO

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Mr. Heyman

I received the letter from Nathan Braun by email on Thursday, August 20th. I was disappointed that Mr. Braun did not clarify whether or not the EAO believes that the Morrison project is located at the headwaters of the Skeena River.

His comment: "Your letter requested clarification regarding the 'Skeena Headwaters', and expressed surprise that the 2012 Information Bulletin referenced the Morrison project as being in the headwaters of the Skeena River."

Yes, we were surprised at the 2012 statement in the information Bulletin that "the proposed Morrison Mine project was to be located directly adjacent to Morrison Lake, **at the headwaters of the Skeena River.**" This was the first time that the Skeena River Headwaters statement was made. If you review the original Schedule A, the Certified Project Description document, dated August 2012, you will find that there is no mention of the project being located at Skeena River headwaters.

His comment: "With respect, this point is not material to the provision of a draft SAIR."

How can this detail be considered not material? The SAIR is described as a Supplemental to the original application. A factor as significant as being located at the headwaters of the Skeena River, if correct, must be considered material. In fact, it was material enough for the Ministers to state it as the primary reason for the refusal to grant the certificate in 2012.

His comment: "The fact is that water from the area of the proposed project eventually flows into the Skeena River."

Eventually is right. Morrison Lake drains via the Morrison Creek into the northeastern arm of the Babine Lake (175 km long). Babine Lake flows into Nilkitkwa Lake. Nilkitkwa Lake flows into the Babine River. The Babine

River meets the middle section of the Skeena River approx. 50 kms north of Hazelton. From this meeting, the Skeena River flows approx. 225 kms to the ocean.

The Morrison Project is located approximately 65 km northeast of Smithers, 35 km north of the Village of Granisle and east of Morrison Lake. Morrison Lake is located at the eastern edge of the Skeena River watershed, not in the Skeena River Headwaters.

His comment: " In any event, I note that the 'Klappan Plan' which you mention in your email, refers to the 'Sacred Headwaters' area of the Skeena River Watershed, a specific location in that watershed identified as important to Lake Babine Nation."

The Skeena River headwaters is not in the traditional territory of the Lake Babine Nation and is not mentioned in the LBN incremental treaty documents that we have seen. To the best of our recollection, the Skeena River was not part of the required information in the original terms of reference and only became a factor after the Gitksan and Gitanyow First Nations were added by the Section 13 order issued in March 2011.

He also thanked me for an email of July 20, which was not sent by me but was sent to me by you. It does not seem that proper attention was given to the emails I did send and the response sent by Mr. Braun to me.

His letter has not provided anything new and only repeats what has been said by the EAO to PBM since 2015, that "the next step in the Environmental Assessment process for the Morrison project is for Pacific Booker Minerals (PBM) to provide a draft Supplementary Application Information Requirements (SAIR) that is satisfactory to the Environmental Assessment Office for review by the working group. Please let me know by September 30, 2020 whether PBM intends to provide a substantively revised draft SAIR. When a satisfactory draft SAIR is provided, we will be able to further discuss your concerns regarding the issues you raised."

For your information (as both you and Mr. Ralston mentioned this document in your answers to Mr. Weaver's questions in the house), I have attached the December 2019 draft that I sent to Katherine St. James for a review before an official submission of that document. In January, Katherine responded "Thanks for your submission of the draft SAIR for discussion. We have reviewed it, and it is improved but could still use some work. For the next step, we would like to suggest that we meet in person to discuss this draft and what is left to be done." I questioned whether the discussion was to be on technical (scientific) matters and her reply was "We won't be commenting specifically on the technical aspects, no. But we can talk generally about content (where there are still some gaps)." We met in February in Victoria and discussed the draft as sent for review.

There were various items I was asked to remove from the draft. First item was the removal of the "Proponents Statement". Katherine said it could be used in the covering letter as part of the submission. She requested the removal of it from the document as that document will become the base for the report that would be sent to the technical working group to determine if the programs suggested would "meet the need" and if there were outside aspects to the document, it would slow down the process with the working group. The discussions on the "commitments" (aka certificate conditions) would need to be reworded or removed. She also indicated that "can" statements were not as strong as "will" statements, which they would prefer. I indicated that I was expecting that I would be asked to remove the Proponents Statement, but it is part of our history in this exercise and we wanted it "on record". She also suggested that I refer back to the letter from Kevin Jardine (February 2016) in regards to our relationship with the LBN. That more or less covered the report discussion. I said I would revise the document with consideration given to the points raised.

Katherine asked me if there was anything I wanted to address. I said I had a couple of items that I hoped could be addressed. #1-Morrison Creek or Morrison River?--I said: "I had always understood it to be Creek, but that at some point, it was changed to River. The Atlas of Canada says Morrison Creek and that is what I have been using in these reports." Katherine said that the FLNR Ministry database would be their "bible" on that and she would check. #2-Headwaters of the Skeena River?--I asked if we could get that statement removed as it is untrue. Katherine said she would check on that as well. In a phone meeting later in February, Katherine confirmed that they had checked the FLNR database and it showed the name of that

waterbody as Morrison Creek, so that would be the correct name going forward. The Headwaters question seems to be more of a debate.

I was advised that the working group would be the ones to decide the work program required to provide the additional information from the suggestions prepared by KCB and submitted by PBM. Katherine asked PBM to commit to proceeding with the SAIR. I told her that PBM has the financial resources and access to the technical expertise to complete the SAIR work and the will to take the Morrison to production, so it is a matter of whether or not the board is willing to proceed with an unknown work requirement in the hopes that the certificate would follow.

When I updated the board on the meetings and calls with the EAO, I received the following comment from our Chairman of the Board, William Deeks. "If the issue is proceeding with the SAIR work which from the EAO end has not been identified then the Board would have to state we cannot proceed with the SAIR without knowing what is required. On identifying the work wanted the Board can then make a decision."

Why are we required to submit a satisfactory draft SAIR before we are able to further discuss our concerns regarding the issues raised by my emails? It is necessary for PBM to know where the EAO thinks the project is located before we can consider committing to the next draft of the SAIR and/or the work programs. If our questions can be addressed, then it will be possible to advise Mr. Braun by September 30th whether PBM intends to provide the next draft of the SAIR.

I appreciate the response.

Regards,
Ruth Swan
Bookkeeper/CFO