

**IN THE MATTER OF THE ENVIRONMENTAL ASSESSMENT ACT S.B.C. 2018, c.51
(ACT)
AND
NON-COMPLIANCES
WITH ENVIRONMENTAL ASSESSMENT CERTIFICATE M05-02
ORDER UNDER SECTION 53(1)**

WHEREAS:

- A. The Red Chris Porphyry Copper-Gold Mine Project (Project) is a reviewable project under the *Environmental Assessment Act* (the Act).
- B. Environmental Assessment Certificate M05-02 (Certificate) for the Project, held by Newcrest Red Chris Mining Limited (Certificate Holder), has a requirement in Commitment M4 of the Table of Proponent's Commitments (Schedule B of the Certificate) with respect to using proven management practices to control runoff water and sediment during operation of the mine.
- C. On July 18, 2023, the Environmental Assessment Office Compliance and Enforcement Branch (EAO CEB) conducted a field inspection of the Project and determined that the Certificate Holder was not compliant with Commitment M4 due to a failure to implement erosion and sediment control mitigations on newly realigned sections of the Project access road. The inspection findings are documented in inspection record 20230059_IR001.
- D. Section 53(1) of the Act specifies that the Chief Executive Assessment Officer may order the Certificate Holder to carry out measures to mitigate the effects of non-compliance.
- E. The undersigned has received written delegation of the Chief Executive Assessment Officer's powers under Section 53(1) of the Act.

DEFINITIONS:

In this Order,

Environmentally Sensitive Receptor refers to the location of a stream as defined in the *Water Sustainability Act*, red and blue listed plants and communities, traditional use sites, and similarly sensitive features.

NOW THEREFORE:

Pursuant to Section 53(1) of the Act, I order that the Certificate Holder must:

1. Control the risk of sediment transport to Environmentally Sensitive Receptors on the Project access road by implementing the following:
 - Stabilize exposed surface material and subsoil where the potential for erosion exists;
 - Plan and install erosion and sediment control measures; and
 - Maintain these measures to ensure they continue to function as intended.
2. Complete the measures in clause 1 to the satisfaction of EAO CEB.
3. Complete the measures identified in clause 1 unless otherwise authorized by EAO CEB.



Christie Lombardi
Compliance and Enforcement Officer
Environmental Assessment Office

Dated August 15, 2023
Order Ref: 20230059_OR002