

# **Minister's Reasons for Decision**

**MT. POLLEY COPPER/GOLD PROJECT'S SPRINGER EXPANSION  
CONSENT FOR MATERIAL ALTERATION**

**AUGUST 28, 2025**

## 1.0 CONTEXT

The Mt. Polley Copper/Gold Project (Mt. Polley Mine) is an open pit copper/gold mine located in the Cariboo region of central British Columbia, approximately 56 kilometres northeast of Williams Lake. On October 6, 1992, a Mine Development Certificate (MDC) was issued to Imperial Metals Corporation (now the Mount Polley Mining Corporation or "MPMC") for the Mt. Polley Mine. The MDC continued in force as a Project Approval Certificate #M96-07 under the first *Environmental Assessment Act* (1994) and then as an Environmental Assessment Certificate (EAC) under the *Environmental Assessment Act* (2002) and later the *Environmental Assessment Act* (2018) (the Act) (EAC M96-07). Following the initial certification, permits were issued to MPMC under the *Mines Act*, *Environmental Management Act*, and other required authorizations.

In July 2024, MPMC submitted a *Mines Act* permit amendment application for the Springer Expansion, which proposes the mining of additional areas within the existing site, to extend the life of the mine by approximately eight years to 2033. On February 18, 2025, the Minister of MCM determined that the proposed Springer Expansion is a material alteration to the Development.

Typically, where a Holder wishes to carry out its project in a way that is not authorized in its EAC, it must request an amendment under Section 32 of the Act. However, as an older style of EAC, Mt. Polley's EAC M96-07 contains Condition #2, which requires that MPMC must obtain the written consent of the Ministers of Mining and Critical Minerals (MCM) and Environment and Parks (ENV) prior to any material alterations to the Development as described in the EAC<sup>1</sup> ('Consent for Material Alteration') and that the determination of what may constitute a material alteration is made by the Minister of MCM.<sup>2</sup> On August 6, 2025, the Supreme Court of British Columbia confirmed via oral reasons for decision that MPMC's MDC is deemed to be an EAC pursuant to the transitional provisions in the versions of the *Environmental Assessment Act* described in the paragraph above, and that the Legislature intended Condition #2 to remain in full force and be applied. Unless the EAC is cancelled or suspended, it remains in effect for the life of the Mt. Polley Mine.

Condition #2 does not spell out a process leading to the Ministers' decision concerning their consent. The Environmental Assessment Office (EAO) determined, with the input of First Nations, the proponent and other interested parties, the process to be followed. The EAO heard from First Nations of their interest in following a process that closely followed a Section 32 assessment and the importance of consensus-seeking activities. Therefore, while not required under legislation, the EAO proposed a process that incorporated two key aspects of the Section 32 review: consideration of matters under Section 25 of the Act and consensus-seeking with First Nations on process steps and the recommendation to us. The EAO sought input from First Nations and MPMC on the proposed process before implementing it for the Springer Expansion.

In accordance with Condition #2, MCM reviewed MPMC's proposed Springer Expansion to consider whether the change was material. On February 18, 2025, the Honourable Jagrup Brar, Minister of MCM, determined that the Springer Expansion is a "material alteration" as described in Condition #2. Our consent is therefore required for MPMC to proceed with the Springer Expansion.

As described above, the EAO conducted a process to review the request from MPMC for the Springer Expansion, assessed the effects of the Springer Expansion under Section 25 of the Act, where relevant, and sought consensus with Williams Lake First Nation and Xat'sūll First Nation on the review process and assessment. At the completion of this process, the

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<sup>1</sup> The EAC describes the Development as consisting of an open pit copper/gold mine, waste dumps, tailings storage site, transmission line, water collection structure and access roads, and will exclude any other off site-infrastructure.

<sup>2</sup> We note that the Springer Expansion does not require any changes to the EAC itself, and therefore no amendment process under Section 32 of the Act was required. As noted, condition 2 concerns "material alteration[s] of the Development as described in the Application". This is distinct from amendments to the EAC itself, such as the amendments to conditions 3 and 4 made in May 2016 (Amendment #2). Where the EAC itself is amended, the EAO would follow the process in Section 32.

EAO prepared a report entitled 'EAO's Recommendation Regarding Consent for Material Alteration' (the EAO Report) summarizing the application, the review and engagement process with First Nations, the key issues and effects identified, and staff's conclusions regarding matters that may be pertinent to our decision.

On August 28, 2025, we provided consent for the material alteration. These are the reasons for our decision.

## 2.0 CONSIDERATIONS

We considered all of the information provided in the EAO Report, including the submissions and correspondence from Xat'sül First Nation referenced therein, the EAO's assessment of Section 25 matters, and the EAO's consultation processes with Williams Lake First Nation and Xat'sül First Nation. We also considered a separate submission from Williams Lake First Nation dated April 30, 2025. These materials have been posted to the EAO's Project Information Centre (EPIC) [website](#).

We understand that the assessment of the potential effects of the Springer Expansion was informed by the issues and findings of the joint *Mines Act* and *Environmental Management Act* amendment application process. The assessment of the potential effects of and associated mitigation measures for the Springer Expansion were conducted by MCM, in cooperation with ENV, which led a thorough review of MPMC's application and consulted with Williams Lake First Nation and Xat'sül First Nation. Concerns raised by MRC reviewers and First Nations during the permit application review regarding technical concerns, effects of the proposed changes, mitigations, and impacts to asserted or established Aboriginal rights and title, recognized and affirmed by Section 35 of the *Constitution Act* (1982) ("Section 35 Rights") were addressed through technical discussions and/or permit conditions.

We note that the EAO assessed the positive and negative direct and indirect effects of the Springer Expansion, including environmental, economic, social, cultural and health effects and adverse cumulative effects. We have reviewed the EAO's conclusions that the Springer Expansion could have minor adverse and cumulative effects to air quality, water quality, aquatic resources, terrestrial resources, heritage resources, and health, and that these impacts would be effectively managed under the *Mines Act* and *Environmental Management Act* permit requirements and regulations.

We have reviewed the concerns of Xat'sül First Nation and Williams Lake First Nations regarding MPMC's assessment of potential effects on water quality, aquatic health, and fish and fish habitat, related to the lack of predictions for receiving water quality. We note that Xat'sül First Nation is of the view that there is not enough information for MPMC to conclude that there would be no significant adverse effects on these VCs.

We have reviewed the responses from MPMC, ENV and the EAO and understand that the potential impact on the receiving environment were comprehensively reviewed as part of the Springer Expansion *Mines Act* and *Environmental Management Act* permit amendment application and that conditions for an updated water balance water quality model including receiving environment predictions and a receiving effects assessment, are proposed as part of the *Environmental Management Act* permit amendment for MPMC. We understand that MPMC has a Comprehensive Environmental Monitoring Plan as part of their *Environmental Management Act* permit which is designed to identify and report on any mine related impacts in the receiving environment and that there are proposed *Mines Act* permit conditions related to water quality as well. We are satisfied that this issue has been reasonably considered and addressed.

We also note that the Springer Expansion would have positive socio-economic impacts, by extending the life of the mine and providing continued employment and regional economic development. We are aware that Economic and Community Development Agreements for Mt. Polley Mine have provided First Nations with direct mineral tax revenue to support the enhancement of social, economic and cultural well-being of the First Nations' members. We are satisfied that the EAO also considered how the Springer Expansion could impact other assessment matters under Section 25(2)(b)-(k) of the Act, including but not limited to risk of malfunction or accidents and greenhouse gas emissions.

We have considered the EAO's analysis of the impacts of the Springer Expansion on First Nations. We are aware that Xat'süll First Nation raised concerns about the potential adverse impacts of the Springer Expansion on its Section 35 Rights, through allowing further ore to be extracted from the lands, ongoing impacts to harvesting, hunting and fishing due to concerns related to contamination, and extending the duration of these effects over a longer mine life. We have reviewed the EAO's conclusions that, while the Springer Expansion does not propose new disturbance outside the existing mine footprint, the temporal extension of mine operations and the expansion of the mined area (within the mine boundary) may result in continued minor impacts on Xat'süll First Nation's and Williams Lake First Nation's Section 35 Rights.

We understand that Xat'süll First Nation raised concerns about the process for the Consent for Material Alteration review, and that, while certain process matters have been resolved by the courts as described above, Xat'süll First Nation remained concerned that the process lacked opportunities to discuss Xat'süll First Nation's key concerns. Although there is no statutory requirement for consensus-seeking with First Nations for this Consent for Material Alteration process under Condition #2 of the EAC, we are aware that the EAO chose to undertake a consultation process with the potentially affected First Nations grounded in the principles of consensus-seeking. It is our view that the EAO made reasonable efforts support the reconciliation purpose of the Act and to seek consensus with First Nations by inviting comments on the proposed process, seeking review and soliciting comments on documents that assessed effects of the Springer Expansion, offering meetings and sharing drafts of the EAO's draft report.

We also considered that the process included an assessment that was informed by the *Mines Act* and *Environmental Management Act* permit applications and permitting review process. We understand that MCM and ENV have conducted a detailed permit amendment process, which included three rounds of review on the application and two rounds of review on draft permits, as well as meetings with First Nations. We are aware that MCM and ENV made meaningful changes to permits to address Xat'süll First Nation's and Williams Lake First Nation's comments. MCM has indicated that the majority of technical and consultation-related comments, including those from Xat'süll First Nation, have been resolved.

Although consensus was not reached with Xat'süll First Nation, based on these steps carried out by the EAO, in addition to the engagement carried out by MCM and ENV during the permitting process, we are satisfied that the process followed by the EAO was of appropriate depth and scope for the proposed Springer Expansion and we are satisfied that EAO's consultation efforts with First Nations are sufficient to inform our decision on consent for the Springer Expansion. We agree with the EAO's conclusions that any potential impacts on Xat'süll First Nation's and Williams Lake First Nation's Section 35 Rights from the proposed Springer Expansion are being appropriately mitigated through *Mines Act* and *Environmental Management Act* permit requirements and regulations. We are also aware that the Province continues to work closely with Xat'süll First Nation to discuss their overarching concerns about mining within their traditional territory through other forums, including the development of a new government-to-government mining agreement and that MPMC is working directly with Xat'süll First Nation on a Participation Agreement.

Based on the assessment and information in the EAO Report, we are satisfied that the potential effects of the proposed Springer Expansion were adequately identified and assessed by the EAO, with supporting information from the MCM and ENV permitting process. We agree that any changes to the effects from the proposed Springer Expansion assessed under Section 25 of the Act would not be significant. We agree with the conclusions reached by the EAO in the bullets in Section 5.0 of the EAO Report, for the reasons detailed therein, in particular that:

- The effects of the proposed Springer Expansion on First Nations and their Section 35 Rights have been appropriately assessed and have been addressed to the satisfaction of the EAO;
- The review undertaken by the Mine Review Committee and the permitting conditions applied by MCM and ENV to the issues raised was comprehensive, addressed technical issues raised by First Nations on permits, and did not result in gaps;

- The matters described in Section 25 of the Act have been considered and there would not be any significant changes in these effects as a result of the proposed Springer Expansion;
- Efforts to seek consensus on concerns that the First Nations raised with the proposed Springer Expansion and these conclusions were undertaken; and,
- The EAO has fulfilled its constitutional obligations owed to First Nations relating to the Consent for Material Alteration Review for the proposed Springer Expansion.

### 3.0 CONCLUSION

After consideration of the EAO Report and the consultation process with First Nations, we grant consent for the Springer Expansion under EAC M96-07 condition #2.



Tamara Davidson  
Minister of Environment and Parks



Jagrup Brar  
Minister of Mining and Critical Minerals

Signed this 28<sup>th</sup> day of August 2025