# SENT TO THE BC CANDIDATES DURING THE 2017 ELECTION CAMPAIGN

We sent individual emails to 86 Liberal, 80 NDP and 79 Green Party Candidates on 14 days during the most recent election campaign. Those emails were subsequently sent to approx. 1,000 subscribed individuals in our news list. The purpose of this was to give the reader an understanding of our experience during the judgement phases of the Environmental Assessment process and the impact of the decisions by the Ministers involved.

> by PACIFIC BOOKER MINERALS INC. #1103 - 1166 Alberni Street Vancouver, BC V6E 3Z3 <u>www.pacificbooker.com</u> Phone: (604) 681-8556 Toll Free: 1-800-747-9911 Fax: (604) 687-5995

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### **REJECTED? BUT WE HAVE NO SIGNIFICANT ADVERSE EFFECTS...**

We are the proponent of the Morrison Copper/Gold project, located near Granisle, BC. Years of science based study performed by qualified professionals in a number of scientific disciplines determined that our project could be constructed, operated and decommissioned without significant adverse effects on the local environment.

The decision refusing to issue an Environmental Assessment Certificate in October 2012 was made by Terry Lake as Minister of Environment and Rich Coleman as Minister of Energy & Mines.

This was an unpleasant surprise as we were advised that the Assessment Reports contained statements of no adverse effects, which is the goal of any potential mining project.

On June 17, 2012, we received an email from Chris Hamilton, Executive Project Director of the BCEAO, that stated "We will go over this ("*Certified Project Description"*) document in a fair bit of depth Wed and we want it ready to go to the WG (*Working Group*) by Friday, along with our Assessment Report (with conclusions this time - no significant adverse effects found), FN (*First Nations*) consultation plans (but only to the appropriate FN), along with your 3<sup>rd</sup> Party Review Response Report, 3rd Party Review Response Report Addendum One, Christoph Wel's Report on hydrogeology and Dr Bernard Laval's report on lake behaviour." (Note: words formatted in *italics* have been added to the text for clarity.)

On June 25, 2012, we received an email from Chris Hamilton, Executive Project Director of the BCEAO, that was also sent to 2 staff members from the Ministry of Forests, Lands and Natural Resource Operations to introduce the 3 individuals to each other stating "I wanted to put you all in touch to manage the potential handoff of concurrent permitting for the Morrison Mine project." (Note: the permitting referred to are the permits that need to be acquired after the EAC decision and before work starts on building the mine.)

In August 2012, the Assessment Report was given to Derek Sturko, Associate Deputy Minister and Executive Director for his Recommendation report before the referral to the Ministers. The final document was dated "updated September 20, 2012". At the top of page 32 of 33 are the following words: "I recommend Ministers consider the Assessment Report prepared by my delegate, which was an analysis of the technical aspects of the Project as proposed by the Proponent. The Assessment Report indicates that, with the successful implementation of mitigation measures and conditions: • the proposed Project does not have the potential for significant adverse effects; and, • First Nations have been consulted and accommodated appropriately".

In July 2013, we received anonymously by regular mail (postmarked Victoria) a copy of the Recommendations of the Executive Directors Report, prepared by Derek Sturko, BCEAO ADM/ED. That document can be seen at: <u>http://www.pacificbooker.com/pdf/AffidavitTornquist.pdf</u>

On August 27, 2012, we received an email from Nicole Vinette, Project Assessment Officer of the BCEAO, which stated "I was able to reach Chris (who is out of the office this week) and he asked that I send you the final Assessment Report that was submitted to ministers, as well as the EA certificate, which contains the Certified Project Description and the Table of Conditions as Schedules A and B." Attached to that email was a unsigned copy of the Environmental Assessment Certificate (numbered #M12-01) that states "Now Therefore, we issue this Environmental Assessment Certificate to the Proponent for the Project, subject to the following conditions and to the conditions set out in Schedule B."

On September 20, 2012, in writing to Robyn McLean, Project Manager, Canadian Environmental Assessment Agency, we committed our Compliance with Table of Commitments and Follow-up Program Requirements under CEAA, as follows "This letter is intended to respond to the request made by the Canadian Environmental Assessment Agency to state categorically that Pacific Booker Minerals Inc. will

comply with the environment related commitments summarized in the Table of Commitments [Comprehensive Study Report, Appendix E]. The Table of Commitments summarizes commitments made by Pacific Booker Minerals, through various environmental assessment and consultation activities to date related to the Morrison Copper-Gold Mine Project. This letter is also intended to state categorically that Pacific Booker Minerals will undertake the Follow-up Program under the Canadian Environmental Assessment Act as specified in Section 9 of the Comprehensive Study Report prepared for the Morrison Copper-Gold Mine Project."

Through Freedom of Information requests, we have learned that a change in that document was requested by Minister Lake in September 2012.

## THEY SAID WHAT?

The recommendation made by Derek Sturko, ADM/ED (BCEAO) and the decision made by Minister Terry Lake (Environment) and Minister Rich Coleman (Energy, Mines and Natural Gas) not to award the EA Certificate, effectively reversed the determination of no significant adverse effects received by the project during the Environmental Assessment Process.

On October 1<sup>st</sup>, we received a brief telephone call around 8:30am that informed PBM that the EAC was refused, that the file was closed and that the only option was to resubmit the application. The official announcement was not made until approx. 2pm. While we were trying to prepare the news release to our shareholders and the public the decision and before the official announcement had been made by the BC Government, we received a phone call from a Kamloops newspaper asking about the rejection. Since the news had not been made public, we asked where he heard had that, and the reporter said that he had been told by "the Ministers office" about the decision.

The trading price of our shares went from a previous day's close of \$14.95 to a close price on the day after of \$4.95, a change in value of \$10 per share and total market capital loss of \$120 million from this decision.

After many attempts to address the misinformation that resulted in the negative decision, and no arbitration method available in the circumstance, the only recourse left to challenge the decision was through the courts. We have recently prepared a powerpoint that summarizes the misinformation used in the decision making phase. It is available at: <u>http://pacificbooker.com/pdf/corporate\_presentation.pdf</u>

Environment Minister Terry Lake was quoted in the media as saying the following about the Morrison Project:

To the Canadian Press on October 1, 2012: "This is a part of the province that has a genetically unique species of salmon that could be put at risk." Terry Lake said there were many factors about the proposal that took him and Mines Minister Rich Coleman out of their comfort zone, including a five-square-kilometre liner of the mine's tailings pond. "This one simply had too many risks associated with it. We didn't have a high enough confidence level to give it a 'Yes'." Lake said the provincial government considered the current mine proposal finished. If the company wants to continue to pursue the mine, it would have to reapply and start the process over again with a new proposal.

To Les Leyne, The Victoria Times Colonist on October 10, 2012: Lake said Sturko considered the EAO document, but took other reports into account as well, as he is expected to do. He said it came down to not having a high degree of confidence that all the mitigation efforts devised during the years the mine was in the approval process would work. Lake said some of the measures - like a five-square-kilometre membrane on the bottom of a lake - were "way outside the box," and he associated it with "mining on the moon. "He found that despite all the study, there were still unanswered questions."

To Vaughn Palmer, Vancouver Sun columnist on October 18, 2012: "There just wasn't enough information and a confidence level that would allow us to go forward on it. I think we owe it to a company like that to give them a clear no, rather than give them a whole list of conditions that are very, very difficult to meet." A video of that interview is available at: <u>https://vimeo.com/50833337</u>

At the same time as our decision came down, the B.C. government was facing heavy pressure to reveal its stand on the environmental impacts of the proposed Enbridge pipeline between Alberta and B.C. To the Canadian Press on October 1, 2012, Lake said one had nothing to do with the other and each project is judged on its own merits. "It would send a very negative message to the investor community if we were to pick things to say 'No' to just to make a point." B.C. Premier Christy Clark said the rejection shows the province has a rigorous environmental process. "I hear our critics talking about how our environmental process approves everything and that's just simply not true."

Les Leyne, The Victoria Times Colonist on October 10, 2012 questioned that Sturko was named deputy minister of agriculture soon after, a move Lake said arose out of a coincidental deputy shuffle. Derek Sturko remains in that office at this date.

## WE GO TO COURT AND WIN

In August 2013, PBM was in BC Supreme Court, represented by well-known lawyer John Hunter, Q.C.

Following are some excerpts from the court case: (full text of transcript available at <a href="http://www.pacificbooker.com/pdf/combined-transcript-Aug7-9,2013.pdf">http://www.pacificbooker.com/pdf/combined-transcript-Aug7-9,2013.pdf</a>)

SAID BY THE COURT: Then the executive director, tells the ministers that they should decide against the petitioner. It appears that the petitioner went through an elaborate process, satisfied all the environmental concerns that needed to be satisfied and then a decision is made against it not by the ministers, but by the executive director who had been engaged with them entirely throughout the process and it **looks like a sham**, they've been drawn into something in which they've done everything they are supposed to do and they still, they are handed the [indiscernible]. So, on the surface it looks like a sham. You can tell me why that's not so.

SAID BY MS. HORSMAN (Council for the BC Government): Now, My Lord, it was with Your Lordship's suggestion to me that the submissions made to you may have left the impression that the environmental assessment process had been -- a sham was, I think, the way Your Lordship put it.

THE COURT: My use of the word sham was not meant to imply that this was all some kind of a phony exercise. My concern that I expressed is driven by the fact that what happens here is that eventually the petitioner is told you have reached the point where we are satisfied that the potential environmental impacts can be adequately mitigated. And, ultimately, as I say, it comes to the point where it has jumped through all the hoops. And, then, notwithstanding that, the recommendation goes forward to the ministers that they should decline the certificate. **That's what I meant by sham**. That you, to put it a bit differently, you kick the ball and it goes through the goalpost, but then the referee says no, sorry, we moved the goalpost just before you kicked the ball or just after you kicked it, however the metaphor works.

MS. HORSMAN: With your comment about they jumped through all the hoops, they hadn't jumped through all the hoops, because **the most important hoop is to get the certificate** from the ministers.

ASKED BY THE COURT: That takes me to asking you about the remedy that you seek. Just to be certain that I understand what you are asking for, you want the question of the application for the certificate to be sent back to be reconsidered by whom?

MR. HUNTER: By the ministers. My preferred remedy is that it be sent back to the ministers for consideration based upon the assessment and anything else they regard as relevant, tracking the language of the statute, but not this recommendation document, that not be before them. But the preferred remedy is that it go to the ministers for decision on proper materials, namely the assessment that's been done and such other materials they regard as appropriate but not, specifically not the executive director's document, the recommendation document.

Following is an excerpt from the judgement: (full text of Judgement available at <u>http://www.courts.gov.bc.ca/jdb-txt/SC/13/22/2013BCSC2258.htm</u>)

Remedy--The petitioner is entitled to a declaration that the executive director's referral of the application for a certificate to the ministers and the ministers' decision refusing to issue the certificate failed to comport with the requirements of procedural fairness. There will be an order in the nature of certiorari quashing and setting aside the ministers' decision and an order remitting the petitioner's application for a certificate to the ministers for reconsideration. On the reconsideration the petitioner and the interveners will be entitled to be provided with the executive director's recommendations, if any, to the ministers, and will be entitled to provide a written response to the recommendations. Each of the interveners will be entitled to respond to any written submission made by the petitioner on the executive director's recommendations. **The petitioner is entitled to costs on scale B.** 

The court challenge was based on the belief the government erred in overlooking conclusions in their own 206-page comprehensive assessment report dated August 21, 2012. That report, which represented the culmination of an environmental assessment process that lasted almost 10 years and cost the Company approximately \$10 million, stated that, based upon successful implementation of mitigation measures and legally-binding conditions, the Environmental Assessment Office "is satisfied that the proposed Project is not likely to have significant adverse effects." The comprehensive assessment report also concluded that the First Nations consultation process was "carried out in good faith," was "appropriate and reasonable in the circumstances," and was sufficient to "maintain the honour of the Crown."

The statute governing the EAO process says it has to be an assessment prepared by the executive director that goes to the ministers. The Executive Director doesn't have to prepare it personally, but it's his responsibility, his assessment. In this case, he sent an assessment up to the ministers and that says there will be no adverse effects that can't be mitigated and at the same time sends a recommendation against it.

## **RECONSIDERATION?**

The BC Supreme Court Judgement was received on December 9, 2013. A 30 day period for the BC Government to challenge the decision ended without challenge. During this 30 day period there was no acknowledgement of the judgement in favour of PBM or of the decision not to challenge the judgement.

Our first communication with the BC Government representatives was on January 24, 2014, when PBM received (SENT VIA EMAIL) a letter from Doug Caul, Executive Director, EAO, as follows: "I write further to the December 9, 2013 decision of the British Columbia Supreme

Court in Pacific Booker Minerals Inc. v. British Columbia (Environment), 2013 BCSC 2258. By cover of this letter, I formally provide you with a copy of the September 20, 2012 Recommendations of the Executive Director and invite Pacific Booker to respond. As contemplated by the Court in its December 9, 2013 judgment, I will also invite the members of the Working Group, including Lake Babine Nation and the representatives of Gitxsan and Gitanyow Nations, to respond to the Recommendations and to Pacific Booker's forthcoming response to the Recommendations" (there is no mention of the working group in the court judgement, only the interveners (Lake Babine Nation and Gitxsan hereditary chiefs).

In March 2014, PBM submitted a response to the letter from Doug Caul (ADM/ED BCEAO). Klohn Crippen Berger prepared a report that clarified the remaining concerns of the EAO regarding the Project. This information should allow the EAO and the Ministers to make an informed decision with respect to supporting the conclusion that "EAO is satisfied that the Assessment process has adequately identified and addressed the potential adverse environmental, economic, social, heritage and health effects of the proposed Project, having regard to the successful implementation of the conditions and the mitigation measures set out in the draft EA Certificate".

On March 12, 2014, Chris Hamilton emailed the EAO Working Group stating: **"The court ordered that the matter should be remitted back to the EAO** to allow for that opportunity of response by Pacific Booker. The EAO has established a process with the proponent Pacific Booker (*process was decided by BC Government without consultation with PBM*) and the First Nations intervenors to govern this remittal process. Without placing restrictions on input, I note it would be helpful if members of the Working Group could focus on the implications of Pacific Booker's response, if any, for the risk/benefit factors highlighted by the Executive Director at page 32 of his September 20, 2012 recommendation".

On May 23, 2014, PBM received a letter by email from Doug Caul (ADM/ED BCEAO) advising that the application for the EAC for the Morrison Project was referred to the Minister of Environment and the Minister of Energy and Mines for reconsideration on July 4, 2014.

On August 19, 2014, Mary Polak, Minister of Environment, suspended the environmental assessment pending the outcome of the Independent Expert Engineering Investigation and Review Panel in relation to the tailings dam breach at the Mt. Polley mine.

On February 26, 2015, PBM received a letter from Doug Caul (ADM/ED BCEAO) providing the opportunity to comment on the Mount Polley Investigation and Report, focusing on the potential implications of the recommendations to Morrison and effects relating to its proposed tailings management facility. He had provided that same opportunity to the Lake Babine Nation, the Gitxsan Treaty Society and the Gitanyow Hereditary Chiefs, stating "any materials provided by them will be forwarded to you, with a short opportunity to respond. The same opportunity to respond to your submissions will be provided to them."

On March 23, 2015, PBM submitted a report to the BCEAO, MEM and MOE in response to the Mount Polley Independent Technical Review Board Panel Report Recommendations. The report, prepared by Harvey McLeod of Klohn Crippen Berger Ltd., continues to support the opinion that the Project has been designed using Best Available Practices and can be safely constructed,

operated, and closed to protect the environment. It also states that the design of the Tailings Storage Facility uses Best Available Technologies that are appropriate for the conditions.

On May 11, 2015, PBM submitted a response in response to the Aboriginal groups' comments on both the Mount Polley Independent Technical Review Board Panel Report Recommendations and Pacific Booker's response.

On June 10, 2015, Minister of Environment, Mary Polak, lifted the suspension of the Environmental Assessment. The time period remaining for the decision is 30 days, ending on July 9, 2015.

On July 8, 2015, Minister of Environment and Minister of Energy & Mines ordered that the Project undergo further assessment.

On July 21, 2015, PBM met with the BCEAO and had subsequent meetings with Ministers and Deputy Ministers of the MEM and MOE. The purpose of these meetings were to have preliminary discussions on the potential path forward and to understand the potential expectations of the Regulatory agencies.

On December 23, 2015, PBM submitted a response to the July 2015 decision that the Project undergo further assessment. The response says "A key consideration in development of the Supplemental Application Information Request is clarifying the requirements for baseline data and analyses which are part of an Environmental Assessment, whose main objective is to be able to conclude that there are no risks of significant adverse effects". Collection of baseline data is ongoing over the life of a mining project, starting in exploration, carrying on during the EA, into Permitting and throughout operations and closure. PBM proposed a series of technical sessions be held to assist In determining the Scope for further assessment. The document was been acknowledged as received by Kevin Jardine, BCEAO, but no other response was made.

It does not appear that we received a fair reconsideration by the Ministers.

## WE GOT REFUSED, BUT THEY APPROVED THESE PROJECTS

Since the refusal to issue an Environmental Assessment Certificate for the Morrison Project, the following projects (and others) have been granted a certificate. While you are reading this, please keep in mind that the Morrison is located in an area that had 2 producing mines and received the determination of no significant adverse effects that could not be mitigated with the planned programs.

Roman Coal Project (conditional EAC awarded December 2012--owned by Peace River Coal Inc., a subsidiary of Anglo American plc) is located 30 kilometres south of Tumbler Ridge. Tumbler Ridge is located in the north east corner of BC, on the eastern slopes of the Rocky Mountains, 100 km south of Chetwynd BC. The proposed project is a 499-hectare expansion of an existing mine. The EAC includes 25 separate conditions (many with numerous sub-conditions). There is **one significant adverse effect** and **a lack of consensus among experts** about the effectiveness of the mitigation measures effectiveness. The plan includes three linear open pits, waste rock dumps (with some backfilling into Trend pits), a network of mine access and haul

roads tying into the existing access route, water management structures (sedimentation ponds and collection ditches), an in-pit tailings management facility, selenium, sulphate and nitrate treatment facilities and a new coal processing plant (for both the proposed Roman Mine and the Trend Mine).

Kitsault Mine (EAC issued March 18, 2013--owned by Alloycorp Mining Inc's. subsidiary, Avanti Kitsault Mine Ltd.) is located 140 km north of Prince Rupert, BC, south of the head of Alice Arm, between Observatory Inlet and the Nass Valley, approximately 200 km from Terrace, BC and is located on **Nisga'a traditional territory in the Nass Wildlife Area**. The Kitsault mine was a producer of molybdenum between 1967 and 1972 and again between 1981 and 1982. The Environmental Assessment Certificate includes 34 conditions and a Certified Project Description. The EAO **concluded that there were potential adverse residual effects which would be adequately mitigated by proposed certificate conditions** or subsequent

authorizations and permitting requirements.

Key conditions for the Kitsault Mine project that the proponent must meet include:

- Water quality must meet BC Water Quality Guidelines or approved Site Specific Water Quality Objectives for mine contaminants
- Develop and implement Aquatic Effects and Marine Environment Monitoring Programs
- Develop and implement a Wildlife Corridor Management Plan
- Provide \$100,000 in annual funding to support recovery of the Nass moose population and the Northwest Assessment and Monitoring Trust
- Develop and implement a Geographical Response Plan for spills and a plan describing appropriate forms of barrier protection along areas of the transportation route, which have bodies of water at risk from spills and hazardous materials
- Collaborate on water, air and noise monitoring plans and protocols for sharing monitoring information and emergency plans and develop a communications Memorandum of Understanding with Kitsault Resorts Ltd. including protocols for sharing information related to road use, monitoring information and emergency plans
- Complete management and mitigation plans (Social and Cultural Management, Recruitment, Training and Employment, Business Capacity, Economic Closure, and Communication) in consultation with Nisga'a Lisims Government

Brucejack Gold Mine Project (EAC issued March 26, 2013--owned by Pretium Resources Inc.) is located approximately 65 kilometres northwest of Stewart. The Brucejack project is an underground gold and silver mine, will not have a tailings management facility with a dam and will store the tailings underground in spent mine workings and in Brucejack Lake. The certificate was issued with 15 legally enforceable conditions that have given them the confidence to **conclude** that the project will be constructed, operated and decommissioned in a way that ensures no significant adverse effects are likely to occur. Additional information is **required** to determine the significance of effects on water quality and the effectiveness of the proposed water treatment plants. To avoid significant adverse effects to the Unuk River and the environment at the mine site, certificate conditions require Pretium Resources to provide the necessary additional information prior to construction. The project will move forward to construction only when, and if, regulators are satisfied that discharges will comply with provincial requirements and therefore will not cause significant adverse effects downstream from the mine and to the Unuk River. The proponent made best efforts to address issues related to mine site water quality and aquatic resources during the Application Review period, but was unable to address and resolve all issues raised by the Working

# Group due to unavailability of information concerning aspects of water modelling, hydrogeological modelling and water treatment effectiveness.

Key conditions for the project require Pretium Resources to:

- Hire an independent environmental monitor to ensure that construction activities comply with the conditions of the environmental assessment certificate
- Provide additional information to confirm the effectiveness of the water treatment plants
- Complete additional modelling of local groundwater conditions to increase confidence in the understanding of how water will interact with the mine
- Mitigate potential impacts on regional health services
- Ensure communication with Aboriginal groups and regional communities about regional economic and training opportunities and mitigations for avoiding adverse social impacts
- Enter into an agreement with the Province to provide financial support for, and participate in, activities to support the recovery, conservation and management of the Nass moose population

In addition, Pretium Resources proposed a number of design changes during the environmental assessment, based on feedback received during the process including constructing the transmission line by helicopter to reduce impacts from the construction of new roads, including impacts from increased access and disturbance; and increasing the thickness of the tailings paste being deposited in Brucejack Lake to reduce the negative impacts on water quality from tailings in the lake.

KSM Project (EAC issued July 30, 2014--owned by Seabridge Gold Inc.) is located in the Iskut-Stikine River region, approximately 65 km northwest of Stewart, BC. The EAC was issued with 41 legally-enforceable conditions that have given them the confidence to conclude that the project will be constructed, operated and decommissioned in a way that **ensures that no significant adverse effects are likely** to occur. EAO recognizes the detailed plans and monitoring programs **proposed as conditions will be considered in greater depth during the joint Environmental Management Act and Mines Act permitting process**, that baseline work and water quality predictions could be carried over to permitting. The proposed tailings impoundment includes a fully lined central, 625 hectare cyanide treatment area (a hectare is 10,000 square meters). The project is made up of three deposits and one is located beneath a glacier. The project plans on twin 23 kilometre-long tunnels as access routes. Key conditions for the project include that Seabridge Gold must:

- have a fully **operational selenium treatment plant** by year five of operations
- construct water treatment facilities prior to the mining of any ore
- make financial contributions to a trust that is being established by the Ministry of Forests, Lands and Natural Resource Operations to support moose recovery initiatives in the northwest
- develop a Wetlands Management Plan that includes compensation and monitoring plans for wetland habitat affected by the project
- develop a procedure to minimize risks of bear-human conflicts
- develop a Wildlife Collisions Protocol to ensure accurate annual monitoring and reporting of collisions and mortality

So, as you can see, in some projects, the required information can be provided after receiving the EAC and before mine permitting. In some projects, the mitigation measures are accepted as working as proposed. In our project, those items were part of the stated reasons for the refusal. Is that fair?

### **IMPACT STATEMENT FROM AN INVESTOR**

This is an email that we received from one of our shareholders earlier this month.

Our family is invested into this mine. Highly invested. We have been for about four years. I use to keep up with the news feed frequently and was up to date on what was going on with the company. Then in the last year I have not been able to. As much as the details mattered to me I just had to focus all my energy on our youngest son. At 22 he was in a catastrophic car accident that left him with a spinal cord injury leaving him a quadriplegic. He was in ICU for two months with many multiple organ injuries. Our lives have been forever altered. There is no greater pain than to watch your child struggle to take every breath of life. I'm blessed to say that after what became the hardest year of our life that he is finally back in his home. Our son was a very productive member of society being a red seal electrician prior to his accident. He also had invested money into BKM. I recently took the time to read the news feed on the stock-house feed. I'll be the first to admit that I'm not knowledgeable on politics or stock investing but what I see is a lot of anger and hurt from the words that I read. Mostly about John. That is sad to me. I realize that management hold the key to financial relief for many struggling good and hardworking people. Every one of them with their own stories of need for this mine to be up and running. For us it is also urgent. We have sold our home to relocate so that we can care for our son. My husband is a very loyal father and husband who works long hard hours to provide for his family. We had huge faith in BKM. We prayed that my husband would be able to reduce his work hours. He has physical issues of his own. But now it seems that he will have to work as he says "till he dies". So sad but so true. I can't help but think that there is a lot of Ego involved in the management of this company. I plead with all those involved. Please do not let this mine go under. If I have learned one thing this year it's that this life is not about stuff. It is not about winning. It's about the kind of person that you are. In the end, do we have what it takes to be of good character? Are we leaving people and situations better than we found them. I have seen many hurting people this year fighting the biggest struggle of their lives and not one of them ever said that they wished they had more money. They were just happy to be alive and struggling to breathe, talk, feed themselves. To regain some form of dignity. I've seen family pull together to help their loved ones. Would money help our lives be more tolerable. Of course. There are many items our son will need to live his adapted life. His care will be costly. I'm not saying oh how great life would be if we could take a vacation once a year. We want you to help us care for our son. I plead with those of you that can make a difference in our life. Please think of us as you make decisions with BKM. Life is too short to be lived in stressful situations. Let's get this permit.

In part, we responded as follows:

It was with great sadness that we read your story. Unfortunately, from what we have heard from other shareholders, your family was not the only one negatively impacted by the misinformed decision of the BC Government in October 2012.

I noted that you have been getting your information from the stock-house feed, and I believe that you mean the "Bullboard". And you are correct when you say that you are seeing a lot of anger and hurt in the words that you read. The bullboard is a place where individuals can freely express their thoughts and/or concerns. The bullboard is not a place that we would post information or challenge the statements made by posters. Not everyone posting on that site is doing so "in good faith". Some people have axes to grind and have blamed John for all the difficulties that they/we are facing.

A lot of the anger is directed at John. That is unfair to him as we are also caught in a struggle to make the Government folks listen to the scientific facts and not make their political points using a company that is just trying to accomplish what it set out to do. Believe me, it is not ego on John's part, it is about what is right or wrong and what the government did to the shareholders of this company was wrong.

What is sad for me is that many people believe that management holds "the key to the financial relief of so many hardworking people". Management has fought for five and a half years to get the decision overturned and to get this mine approved. We went to the Supreme Court of BC and received the judgement that the procedure we were subjected to was not according to procedural fairness and the Judge overturned the decision. And now, they are trying to say that we didn't complete the work that they said was necessary. Our technical professionals say that we have done all that was requested at the beginning of the process. The government now says it wants more. Our feeling is that no amount of additional technical information will change a decision that was made for reasons other than technical issues.

We are not owned by any major (mining or any other kind of) company. To the best of our knowledge, no major company is a shareholder either. Most of the shareholders of PBM are individuals that have invested their hard earned, after tax dollars in a project. Most had "done their homework" before investing and a lot were prepared for the "long haul" that is the fate of any start up company and many have been shareholders for years. All have been impacted by this decision.

# OUR RELATIONS WITH OUR LOCAL **FN**

Lake Babine Nation ("LBN") is one of the largest First Nation communities in BC with a population which includes the communities of Fort Babine, Old Fort, Tachet, Donald's Landing/Pinkut and Woyenne.

In the early days at Booker, LBN members were often on our work crew. In some cases, we assisted individuals when financial assistance was needed, because we care about these individuals and their community. In those days, the relationship was mostly one of mutual respect.

In May 2007, the location of the Morrison project was included in the Morice Land and Resource Management Plan. This plan gave investors the reassurance that the Morrison Project would remain in a resource development area. The letter from Pat Bell, Minister of Agriculture and Lands and addressed to Rich Coleman (Minister of Forests and Range), Richard Neufeld (Minister of Energy, Mines and Petroleum Resources), Kevin Krueger (Minister of State for Mining), Barry Penner (Minister of Environment), Michael de Jong (Minister of Aboriginal Relations and Reconciliation) and Stan Hagen (Minister of Tourism, Sport and the Arts). It states in part: "On behalf of Cabinet, I am pleased to confirm the approval of the LRMP, and convey it to all participating ministries for implementation activities. Government-to-government discussions with the Office of the Wet'suwet'en, Lake Babine Nation/Nedo'ats Hereditary Chiefs, and Yekooche First Nation have enriched the Morice LRMP through the inclusion of traditional and cultural information and perspectives in the Morice LRMP area. I would like to commend the achievement of these partnerships in creating a new relationship between First Nations and the Province which will form the basis for implementing the Morice LRMP."

The first indications that the relationship had soured was on October 14, 2008, when Chief Betty Patrick of the LBN issued a media news release stating that it was withdrawing from dialogue due to serious concerns regarding Pacific Booker's conduct. The release also accused PBM of improperly questioning "our members about our confidential traditional uses without asking permission". It continues with "gone are the days when First Nations are not entitled to legal representation and we are not going to let them dictate to us who is on our team. These are examples of their [PBM] self-serving intention to move the Project forward without demonstrating a real commitment to relationship building. Their actions to date are disrespectful and do not encourage us to trust them."

It was surprising since at virtually the same time of issuing the release on October 14, the LBN sent a letter to PBM with the following message: "We look forward to confirming a meeting to first discuss an agreement that establishes a framework for us to engage with both you and the regulators in respect to the project." The LBN's letter asked that PBM contact Chief Betty Patrick to coordinate the meeting and concludes by saying that "We look forward to developing a stronger and mutually supportive relationship."

PBM responded to the positive invitation in the LBN **letter** of October 14, an on November 6, 2008, PBM and LBN entered into a capacity funding agreement, which provided the LBN with funding to participate in the EA process, improve communications, share information, address specific concerns, and a commitment to work together to build a long lasting and mutually supportive relationship. PBM had for several years been attempting to engage the LBN in developing a framework agreement, related consultation protocols, funding arrangements and proposals for employment and training. Chief Betty Patrick stated that "this is a good first step in our relationship of mutual respect and we look forward to entering into many more agreements with PBM, including an Impact and Benefits Agreement."

On March 5, 2012, while attending the PDAC (at PBM expense), Deputy Chief Frank Michell and Councillor John Bertacco signed a Memorandum of Understanding for the Morrison Project. Chief Wilf Adam was also in attendance at the time of the signing. But on Day 2 of BC Supreme Court case, Ms. Nouvet, Legal representative for the LBN said "Lake Babine disputes having entered into that memorandum of understanding. And if the court considers the alleged memorandum

of understanding to be a relevant issue, my submissions on that matter are contained at paragraphs 19 to 24 of my factum. I personally don't think it is relevant, but I do raise it because it is referred to in my friend's (*Mr. Hunter, PBM legal representative*) written submissions."

In Brian Morton's Vancouver Sun article on October 1, 2012, Chief Wilf Adam was quoted as saying: "We're very happy, It's about time government listened to us. It's all about the protection of the salmon. We're not against development, but if it will affect us severely in the resources we depend on, like salmon, we have to take a stand. I was very surprised. I was bracing for a fight with the government."

During the BC Supreme Court case, Ms. Nouvet, Legal representative for the LBN, started with "Lake Babine Nation is participating in this judicial review because it is a stakeholder. It was a stakeholder in this environmental assessment process. Lake Babine Nation's reasonably asserted aboriginal rights and title stand to be adversely affected by the Morrison mine. As a result, the environmental assessment for the mine triggered the Crown's constitutional duty to consult with and provide reasonable accommodation to Lake Babine in respect of those rights."

From about this time forward, PBM has been instructed to deal with Ms. Nouvet, Legal representative for the LBN, and not to contact the Chief or Council directly.

On Tuesday, February 16, 2016, three PBM directors (John Plourde, William Deeks and Victor Eng) and Robin Junger, of McMillan LLP, attended a meeting in Prince George at the request of the LBN. Dominique Nouvet of Woodward and Company (Legal representative for the LBN) initiated the meeting on behalf of the LBN and was in attendance. The Chief and Councillors spoke from prepared notes and the meeting had a scripted appearance. Our directors were advised that the LBN's Chief and Council would not support the Morrison project. There was no additional discussion on the Morrison project. Most of the discussion was in regards to treaty issues.

An announcement had been prepared and released to a newspaper by the LBN in advance of the meeting. On the same day as the meeting, the announcement was posted on the LBN website stating "BC rejected this Mine for good reason in 2012". That release also states that the court case was won because the EAO had recommended that the Ministers reject it without informing PBM of this negative recommendation. On the contrary, the decision was reversed because PBM was not given the chance to challenge the negative assumptions that were used to support the decision.

On May 3, 2016, Nelson Bennett, (Business in Vancouver) wrote "The chief of the Lake Babine Nation is warning the B.C. government that its support for a natural gas pipeline for the Pacific NorthWest LNG project could be in jeopardy if the province does not stick to its guns in rejecting a proposed open-pit copper-gold mine next to Morrison Lake. Lake Babine Nation Chief Wilf Adam last week warned the provincial government that approving the mine might jeopardize its co-operation on other projects, including the Prince Rupert Gas Transmission line, which would feed the \$36 billion Petronas Pacific NorthWest LNG project. "If they overturn or change their decision in favour of PBM [Pacific Booker Minerals] to start this mine, then all gloves are off – and any agreement we made with the province," Adam told BIV.

Can you see why Nelson Bennett, (Business in Vancouver) referred to us as a political football.

# **NOT ENOUGH INFORMATION?**

The most recent time the Morrison project was in the Minister's hands, their decision was that they did not have enough information to make the decision.

The original EAC documentation contained approximately 16,000 pages and has been supplemented by an Addendum to the Application; a Review Response Report Revision 1; a Review Response Report Revision 2; a 3rd Party Review Response Report and a 3rd Party Review Response Report Addendum.

All work was completed according to the Approved Terms of Reference, which specified the information requirements for conducting the environmental assessment.

To keep track of all the information that applied to any topic point, PBM prepared an Application Information Key. The AIK's purpose was to assist readers by identifying the more current documents that take precedence over prior documents. This AIK was prepared and submitted to the EAO in March 2011 and posted on our website in January 2013. Additional reports have been submitted since then, including our Response to the EAO Decision, Response to the Working Group (comments) and the Response on Mount Polley Panel Recommendations.

If you are interested in viewing this table, it can be found at: <u>http://www.pacificbooker.com/pdf/Application%20Information%20Key.pdf</u>

A visual image of the reports is available at: <u>http://www.pacificbooker.com/environmental.htm</u>

There has been a **lot** of information provided, but it appears that it wasn't enough.

## FROM FOI REQUESTS--EMAILS TO THE MINISTERS FROM THE PUBLIC OR INVESTORS

In an effort to understand what happened to cause the refusal of the Morrison EAC, , we requested (through Hunter Litigation under the Freedom of Information Act) correspondence relating to the project. While reviewing the 4,301 pages, we found the following letters sent to the Ministries and the Premier. It was very interesting to find out how other people reacted to the news (and sad to see the responses given to them).

These communications were dated between October 14 and November 5, 2012

- From: (name withheld under personal privacy rule)
- To: Rich Coleman; Office of the Premier; John Rustad
- Subject: Pacific Booker Minerals application for Environment Certificate REJECTED--Re: Pacific Booker Minerals application for Environment Certificate - REJECTED
- Message: Honorable MLA's: I have been following the application for an Environmental Certificate to establish a copper/gold mine at their Morrison property. As I read through the application documents and "Terms of reference" for this application, it

appeared that the proponent met all of the requirements to receive approval for the Environmental Certificate. I found it shocking and dumbfounding that the Ministers chose to reject the application. It appears that the ministers chose to accept the recommendation of a bureaucrat who I believe did not base his recommendation on subject matter applicable under the BC environmental act or with in the "Terms of reference" for this application. Mr. Sturko also acted contrary to the recommendation of the "subject matter experts" in your BC Environmental Assessment Office, and I'm left to wonder what your government truly considered in rendering its decision. I am surprised that the Ministers have not fully considered the recommendation from an expert in Mr. Chris Hamilton of the Environmental Assessment Office. Please read this article http://www.timescolonist.com/Mine+project+rejection+seems+strange/7367582/story.html. The questions that I am requesting clarity on are as follows: Why would the government deny Pacific Booker Minerals an Environmental Assessment Certificate in light of 3 independent reports indicating there would be no impact to fish, water to or to the environment? Since BKM met all of the requirements requested by the EAO, why would the government introduce new conditions that weren't included under the BC environmental act or within the "Terms of reference" for this application? Have the Ministers or Mr. Derek Sturko read the engineering reports of other nearby (now dormant) mines - Granisle and Bell. The reports involve thousands of water samples over decades. These reports indicate no negative environmental impact. How does any proponent have confidence in the Government of BC to properly adjudicate future projects. Why would any proponent consider investing in BC? I look forward to your response.

- From: (name removed under personal privacy rule)
- To: Terry Lake
- Subject: Declined
- Message: It is with great sadness that you Terry Lake have taken away my retirement fund. That I have been a Liberal member and supporter for many years. This province needs its natural resources to help the people of this province with jobs and good jobs at that. Me and my wife have lost our retirement funds. What about the 8 mines Christy was going to see go ahead. Please reconsider your decision. I am leaving the Liberal party to campaign against you.
- From: (name removed under personal privacy rule)
- To: Minister Rich Coleman; Office of the Premier; John Rustad
- Subject: Denial of mine in Northern BC?

Message: Honourable MLA's: There appears to be a disconnect which is an embarrassment and negative towards promotion of Mining in BC. Please read this article <u>http://www.timescolonist.com/Mine+project+rejection+seems+strange/7367582/story</u>.<u>html</u> Why would my Liberal government deny Pacific Booker Minerals an Environmental Assessment Certificate in light of 3 independent reports indicating there would be no impact to fish, water to or to the environment? What went wrong with this application? The EAO and BKM both spent millions of dollars and years of time to develop environmental risk solutions for the construction, operation, and closure of this mine. BKM met all of the requirements requested by the EAO, but were denied the application in the eleventh hour! Why? And who in their right mind would want to attempt another mining application? I question if Mr. Derek Sturko even read the

engineering reports of other nearby (now dormant) mines - Granisle and Bell. The reports involve thousands of water samples over decades. These reports indicate no negative environmental impact. The message that the Liberal government sent to BKM and the mining industry is that it is now impossible to have any mine approved in BC - even after EAO approval. The mining community was rocked and shocked by this decision . I request that you to get the governmental process back on track by approving the BKM Environmental Assessment Certificate. Either this gets done immediately, or this blemish on BC's number one industry, will prove to be a disastrous precedent! I live in the north, and I love this province, and I make my living off industry, so I will not permit silence to be a sign of acceptance, for this decision to deny this application was a travesty, and needs to be reopened and accepted before this multibillion dollar industry get the message we are closed for business ..... hell, I didn't vote NDP! Thoroughly frustrated

- From: (name removed under personal privacy rule)
- To: Minister Rich Coleman; Office of the Premier; John Rustad Subject: BC NOT OPEN FOR BUSSINES ??
- Message: Honourable MLA's: There appears to be a disconnect which is an embarrassment and negative towards promotion of Mining in BC. Please read this article <a href="http://www.timescolonist.com/Mine+project+rejection+seems+strange/7367582/story">http://www.timescolonist.com/Mine+project+rejection+seems+strange/7367582/story</a> .html Why would my Liberal government deny Pacific Booker Minerals an Environmental Assessment Certificate in light of 3 independent reports indicating there would be no impact to fish, water to or to the environment? What went wrong with this application? The EAO and BKM both spent millions of dollars and years of time to develop environmental risk solutions for the construction, operation, and closure of this mine. BKM met all of the requirements requested by the EAO, but were denied the application in the eleventh hour! Why? And who in their right mind would want to attempt another mining application? I guestion if Mr. Derek Sturko even read the engineering reports of other nearby (now dormant) mines - Granisle and Bell. The reports involve thousands of water samples over decades. These reports indicate no negative environmental impact. The message that the Liberal government sent to BKM and the mining industry is that it is now impossible to have any mine approved in BC - even after EAO approval. The mining community was rocked and shocked by this decision. I request that you to get the governmental process back on track by approving the BKM Environmental Assessment Certificate. Either this gets done immediately, or this blemish on BC's number one industry, will prove to be a disastrous precedent! I live in the north, and I love this province, and I make my living off industry, so I will not permit silence to be a sign of acceptance, for this decision to deny this application was a travesty, and needs to be reopened and accepted before this multi-billion dollar industry get the message we are closed for business
- From: (name removed under personal privacy rule)
- To: Eric Foster
- cc'd to: Premier Christy Clark; Rich Coleman; Terry Lake
- Subject: Enbridge and others
- Message: Honorable Eric Foster: I heard your news clip yesterday discussing that if Enbridge can't meet all the safety and environmental requirements than BC should not approve-

I agree. However that would mean if Enbridge does meet the requirements then BC would support the project. Fair enough. We have had pipelines functioning in Canada for over 50 years and I can't remember hearing of one failure or spill (there is one from Edmonton to Sarnia Ontario, another from Edmonton to Kamloops BC). As to tankers- at any one time there are hundreds, if not thousands, of tankers in waterways around the world. Yes there have been spills, I think I can count the number on one hand, usually due to incompetence of the operators. I would hope that Government's decisions are based upon science and the actions proposed by the proponent to ensure safety and environmental and social values are dealt with appropriately. On another note, I have been following a mining proposal through the Environmental assessment process and was surprised and disappointed in BC's decision to deny (only for the second time in BC history) a mining certificate - even though the EAO and their report confirms that there would be no significant environmental effects to health, FN, water quality and quantity, fish, salmon habitat, ecosystems, wildlife, social and economic values. "October 1, 2012: The Company is announcing that the Honorable Rich Coleman, Minister of Energy, Mines and Natural Gas and Minister Responsible for Housing and Deputy Premier, and the Honorable Terry Lake, Minister of Environment have decided to refuse to issue an EA certificate for the Project as proposed." The following is taken from the Recommendations of the Executive Director Report and there was not one criteria evaluated that would have any significant environmental effects. "As noted by the EAO "EAO is satisfied that, with the successful implementation of mitigation measures and monitoring, there would be no significant adverse effects on/ to: water quality resulting from seepage from the open pit to Morrison Lake, water quality resulting from seepage from the TSF to Morrison Lake, water quality or the behavior of Morrison Lake resulting from effluent discharged into Morrison Lake, water quantity in Morrison Lake or Morrison River, fish habitat on Morrison Lake, shoreline sockeye salmon spawning areas resulting from seepage from the TSF fish habitat in Morrison Lake or Morrison River, water quality or the behavior of Morrison Lake resulting from effluent discharged into Morrison Lake. EAO notes that the long term water quality of Morrison Lake will change to a new permanent baseline because of the discharge of treated effluent through the effluent diffuser. EAO interprets "no significant adverse effects" to mean that the Proponent has demonstrated that long term water quality can likely still meet British Columbia Water Quality Guidelines for the protection of aquatic life is satisfied that the additional research and monitoring would enhance understanding of the fish populations in Morrison Lake and River, ecosystems, wildlife, social or economic effects, D. CONCLUSIONS EAO is satisfied that: • the Assessment process has adequately identified and addressed the potential adverse environmental, economic, social, heritage and health effects of the proposed Project, having regard to the successful implementation of the conditions and the mitigation measures set out in Schedule B to the draft EA Certificate; • public consultation, and the distribution of information about the proposed Project, has been adequately carried out by the Proponent; and, • the Crown has fulfilled its obligations for consultation and accommodation to Lake Babine Nation, Yekooche First Nation and Gitxsan and Gitanyow Nations relating to a decision on whether to issue an EA Certificate for the proposed Project" The entire EAO report is located at *(epic link provided no longer works)*. I am concerned with the decision to refuse the certificate when it appears the proponent was willing to meet/ exceed all concerns addressed through the environmental review process (short of cancelling the

project altogether as some FN groups desired). I do not believe that this decision sends the "right" message to industry that BC is open for business. As you are aware the companies (Enbridge, Pacific Booker, etc.) invest millions of dollars in proposals and environmental assessment work in the hopes of receiving approval once they have met the requirements.

- From: (name removed under personal privacy rule)
- To: Office of the Premier

Subject: Pacific Booker Minerals Morrison Mine

- Message: Dear Christy Clark, In regards to the decision to deny an environmental assessment certificate to Pacific Booker Minerals, We find this wrong on many levels. 1. This sends the wrong message to business in B.C. and mining in particular. 2. B.C. needs more mining not less, it is a great resource and needs to be grown not cut back. 3. Requirements were met, millions were spent, reports showed nearby mines that were dormant to have no negative impact. 4. The Morrison Mine would provide employment and spinoff business for years to come, to an area which needs it desperately. 5. If this decision was totally about the environment then why is Victoria allowed to dump raw sewage into the Pacific Ocean at the rate of 1500 liters per second? 6. The way this decision played out appears suspicious at best, we can't help but think it was politically motivated. B.C. is extremely fortunate to have such amazing natural resources, we need to promote them and bring about more jobs; (name removed under personal privacy rule) would like them to know all is being done to ensure their employment futures. This decision should be overturned for a start and more needs to be done for the next generation.
- From: (name removed under personal privacy rule)
- To: Office of the Premier
- Subject: Morrison Copper
- Message: Your Honor, I cannot believe how phony your Provincial Government is! This will be my last dime I ever invest in your Province. After a vigorous environmental assessment, your department decides it is a risk assessment. The Pacific Booker Minerals shareholders spent tens of millions of dollars on an environmental assessment, meeting all the serious adverse effects requirements. It is so transparent that this was a feeble attempt to garner votes for your struggling campaign from the left that you are so badly trailing. I beg you to take the politics out of this decision, you have the power to right a wrong. There was a lot wealth destroyed with that decision along with mine as well as others retirement dreams. You should be ashamed at this ploy from Derek Sturko. You will start seeing the effects of investment money trickling into your province, keep courting the Chinese. When they buy a company they import labor as well you gain zip, but are letting your resources escape. You will eventually be a social state taking care of your unemployed population. With all due respect
- From: (name removed under personal privacy rule)
- To: Terry Lake
- Subject: New submission from Feedback
- Message: Dear Mr. Lake, I am writing to note my disappointment with the decision to reject Booker Gold's project near Smithers. I have presumed that since this project had been given previous environmental approvals, that its mine would be approved. I hope you

understand the multiplier formula when it comes to surprising a company with such a late change of heart. Our only guess is that this is some kind of precedent setting for future Enbridge applications. I am proud to state that I am against Enbridge's latest proposals as there is too much to lose for such. Please feel free to call me to discuss the Impact that your decision has had on my business and investment for the area. I would like to know what chance you can provide for Booker to remedy their situation. I will likely submit a copy of this to the Editor of the Vancouver Sun next week.

- From: (name removed under personal privacy rule)
- To: Rich Coleman; Office of the Premier
- cc'd to: Kim Bellefontaine; C Bruce Hupman; Steve Carr; Dianne Howe; Chris Hamilton; Bonnie Lee;(name removed under personal privacy rule); (name removed under personal privacy rule); <u>sunnewstips@vancouversun.com</u>
- Subject: Pacific Booker Minerals
- Message: Nov.02, 2012 Mr. Terry Lake Minister of the Environment Government of British Columbia Dear Sir; Some time ago, Sept 30, 2011, to be exact, I contacted some of your senior bureaucrats (Anne Currie, Dianne Howe and Chris Hamilton, to name a few) asking them why the permitting process for bringing a new mine into production took so long. At that time, I was assured that the permitting process in British Columbia was very thorough and required much expertise. However, when all the criteria was met, a permit would be issued. With this new wealth of information plus Christy Clark bragging about opening/expanding 17 mines in the next few years, her trip(s) to China, telling them and the rest of the world, BC is the place to invest; More than 800 days goes by on a 180 day permitting process. Indications were, Booker had met all the environmental requirements. Even the second and third party independent reviewers agreed that Booker had met or surpassed the environmental review. Thirty one days ago today, Booker was denied their permit because they didn't meet the risk assessment. Wow! When did the environment word change to risk? Terry Lake, you have made an error, I don't know who (yet) is responsible for providing you with misinformation causing you to make this error, but now you need to make it right. It isn't up to government to pick the winners or the losers, it is up to government to see that everyone has the same rules to live and prosper by. By changing the rule from an environment assessment to a risk assessment is beyond the pail. To top it off, I have now found out a local British Columbia newspaper was made aware of the permit denial before Booker. Seems to me, that would be a securities violation. Man up, Terry Lake--admit someone in your direct control or at least responsible to you, made an error which resulted in you being misinformed. Correct the error or make public the real reasons why you made this decision. I look forward to a positive outcome for all involved and a personal reply from you, not a computer generated form letter.
- From (name removed under personal privacy rule)
- To: Shirley Bond and to Rich Coleman (by separate emails)
- Subject: Pacific Booker Minerals
- Message: Below, please read my email sent to Terry Lake. I am wondering, should you be elected with a majority in the next provincial election, how would you proceed with Pacific Booker Minerals? As a foreign investor in your beautiful province I am looking forward to a positive outcome for all involved. Too that end, your interest and

questioning of our learned friend Terry Lake on this matter would be greatly appreciated. Sincerely (name removed under personal privacy rule)--(*letter dated Nov 2/12 shown directly above was included*)

In December 2013 (after BC Supreme Court judgement)

- From: (name removed under personal privacy rule)
- To: Office of the Premier; Minister, MEM; Minister, ENV
- Subject: Pacific Booker Minerals
- Message: Good Monday Morning BC Politicians. What does it take to have your Liberal administration man up and issue Pacific Booker Minerals their permit. Federal Judge Affleck has spoke, aren't you listening! You Liberals really do need to at least respond or are you up to some more tricks again? Oh and just a question, has anyone spoke to you about your governments likely contravention of the NAFTA trade agreements? Sure would be nice to put this behind you, before your Liberal party makes headlines again, by being the first government (ever) charged under NAFTA trade agreement. Sincerely and still waiting for a response.

The responses sent in reply were one of three versions (shown below).

- From: Office of the Premier
- To: (name removed under personal privacy rule)
- cc'd to: Minister of Environment
- Subject: RE: Pacific Booker Minerals application for Environment Certificate REJECTED
- Message: Thank you for your email regarding the proposed Morrison Copper/Gold Mine and for sharing your thoughts on the province's decision not to issue an Environmental Assessment Certificate to the proponent of the project, Pacific Booker Minerals Inc. This is just a quick note to advise you that we have asked the Minister of Environment, the Honourable Terry Lake, to ensure that the appropriate ministry official follows up with you at the earliest opportunity. We appreciate public feedback and we want to thank you for taking the time to share your concerns with us.
- From: Office of the Premier
- To: (name removed under personal privacy rule)
- cc'd to: Minister of Environment
- Subject: RE: Denial of mine in Northern BC?
- Message: Thank you for your email regarding the proposed Morrison Copper/Gold Mine and for sharing your thoughts on the province's decision not to issue an Environmental Assessment Certificate to the proponent of the project, Pacific Booker Minerals Inc. This is just a quick note to advise you that we have shared your comments with the Minister of Environment, the Honourable Terry Lake, with a request that the Minister or the appropriate ministry official follows up with you at the earliest opportunity. We appreciate public feedback and we want to thank you for taking the time to share your concerns with us.
- From: Dave Nikolejsin, EAO
- To: (name removed under personal privacy rule)

- cc'd to: Minister of Environment, Minister of Mines, Energy and Natural Gas and Minister Responsible for Housing
- Subject: Response: CLIFF#102220 Morrison
- Message: Thank you for your inquiry regarding the environmental assessment of Pacific Booker Mineral Inc.'s proposed Morrison Copper/Gold Mine project. On September 24, 2012, the Minister of Environment and the Minister of Mines, Energy and Natural Gas and Minister Responsible for Housing made the decision to refuse to issue an Environmental Assessment Certificate for the project. The ministers' reasons for their decision can be found in Minister Lake's September 28, 2012 letter to Erik Tornquist, Executive Vice President of Pacific Booker Minerals Inc. A copy of that letter can be found on the Environmental Assessment Office's website at: *(epic link provided no longer works)*

I think that most of us would expect that the Ministers would take the opportunity to address the points raised by those individuals. But that was not the case.

# FROM FOI REQUESTS--LETTER FROM RALPH SULTAN (MLA) TO MARY POLACK

While reviewing the 4,301 pages obtained under the Freedom of Information Act (requested through Hunter Litigation), we found this letter.

- Dated: December 4, 2013
- From: Ralph Sultan, MLA West Vancouver-Capilano
- To: Honourable Mary Polak Minister of Environment
- cc'd to: Hon. Bill Bennett, Minister of Energy and Mines
- Message: Dear Mary Re: Morrison Mines and Core Review of EAO My constituent owns shares in Pacific Booker which is/was the proponent of the Morrison Mines Project which passed, it appears, environmental review but was rejected by the Minister or Ministers of the day. This project has continued to be raised by my contacts in the mining exploration / development Industry as an inexplicable decision. When he came to see me about this matter, I forewarned my constituent that since this issue is before the courts-and the topic of another Globe and Mail story by Justine Hunter today- I am unable to get into the middle of any legal dispute, nor express any opinion on merits pro or con, and I think he understands that, and is furthermore not, it appears, actually involved with the company itself, but merely a concerned bystander. Based on the information and points he made to me, and without any attempt by myself to verify or challenge his perceptions, the following are some tentative private conclusions which should perhaps guide the process of mine permitting in the future. 1. It appears that this project particular passed environmental muster, but was rejected nevertheless. It seems to me the grounds for rejection were never made clear, although it was reported in the press that it was for "environmental reasons." It has been suggested to me that Minister Lake apparently told CTV that this project was something "on the other side of the moon" which, if true, seems not to have been a very professional characterization. Further comments from two senior politicians were to the effect that the company proposing the project was "tiny". 2. As one of the EAO officers remarked in the telephone briefing you offered to private members several days ago, the mistaken impression is abroad that once is project passes EAO, and

subject to subsequent multitude mine permits (the granting of environmental certificate apparently being reasonable grounds for assuming that permits are obtainable), then the mine is a "go"- which is manifestly not the case. I emphasized the contrary reality to my constituent. The Government has the last word. 3. Clearly, what has been lost in the translation is the reality, reportedly repeated again by Crown Counsel to the judge in the current court action, that "the government can do anything it wants" (famous quote of NDP Forest Minister Davld Zirnhelt in the 1990's). So your ministry has a further education task to fulfill; to instruct the mine exploration and development community that EAO is not the end of the trail, but only part way down the beginning of the trail. 4. If the fundamental reason Pacific Booker was rejected was the fact that it was "tiny" I think many of the hundreds of junior mining folks showing up for the AME Roundup Conference this coming January would find that news disturbing. But it seems that is what some of us said! 5. If the fundamental reason Pacific Booker was rejected was lack of confidence in the capacity of the organization to implement the plan presented for EAO screening, then I can understand that, but it seems to me that your ministry has an obligation to inform the exploration and development industry that "corporate capacity" and I suppose as well "corporate track record" will be an explicit box needed to be checked before the green light for further permitting will be given by the Minister. And prospectors and developers need to be informed of this reality. 6. In my view, it is a reasonable reality. It might lead, for example, to transfer of project ownership to stronger hands. 7. But if a project is declined due to lack of confidence in the ability of an organization to live up the environmental plan, however excellent it may be, we should be brave enough to say that, clearly. Assuming that the court case has cleared the docket, the upcoming Roundup Conference might offer a suitable platform for the government to make these points. Yours truly,

(Note: We think that the CTV comment above refers to the Voice of BC interview at: <u>https://vimeo.com/50833337</u>)

And the response he received was as follows:

- Dated: February 20, 2014
- From: Mary Polak
- To: Honourable Ralph Sultan, MLA West Vancouver-Capilano
- cc'd to: Honorable Bill Bennett Minister of Energy and Mines
- Message: Dear Honourable Sultan: Thank you for your letter of December 4, 2013, regarding Morrison Mines and Core Review of Environmental Assessment Office. On December 9, 2013, in the case Pacific Booker Minerals Inc. v. British Columbia (Environment) 2013, BCSC 2258, the Court ruled that the requirements of procedural fairness were not met. As a result of that ruling, the decision of the Ministers on the Environmental Assessment for the proposed Morrison Mines Project (proposed Project) has been set aside. The Province has decided not to appeal the ruling and has written Pacific Booker (Proponent) and other interested parties about the process going forward. Subsequently Doug Caul, Associate Deputy Minister, Environmental Assessment Office sent a letter to Pacific Booker to clarify, and invite a response to, the reasons which informed the Executive Director's 2012 recommendation that the proposed Project not proceed as designed. This letter is available on the

Environmental Assessment Office website at <u>http://www.eao.gov.bc.ca/</u>. It would not be appropriate for me to comment on further specifics of this project given that the Minister of Energy and Mines and I will be reconsidering the Proponent's application. Thank you for your comments on the environmental assessment process more generally. I agree that is important for the Province raise any concerns we have with a project as early as possible in the process. Those concerns may be with the project design, location or the effectiveness of the mitigations proposed by a proponent. Thank you again for relaying the concerns of your constituents and providing your thoughts on possible approaches to addressing them. Sincerely, Mary Polak

So, it appears that even MLA's don't get real answers from the other members of the BC Liberal government.

# FROM FOI REQUESTS--INTERNAL COMMUNICATIONS FROM THE MINISTRIES--PART ONE

In an effort to understand where the rejection decision came from, we reviewed the 4,301 pages obtained under the Freedom of Information Act (requested through Hunter Litigation). Pages were withheld under Section 13 (Policy advice or recommendations) and Section 14 (Legal advice). Please note that the bold formatting has been added for emphasis.

After an early morning phone call to advise PBM of the decision, we received this email:

- Dated: October 1, 2012 at 11:06am
- From: Minister Terry Lake
- To: Erik Tornquist
- cc'd to: Derek Sturko; Chris Hamilton; Minister Rich Coleman
- Subject: RE: Proposed Copper/Gold Mine Project--Signed original to follow by mail.
- Message: Rejection letter attached

Immediately after the Information Bulletin (the government's news release) was released, this email was sent to the Working Group members (the individuals involved in reviewing the data) and others:

- Dated: October 1, 2012 at 2:09pm
- From: Nicole Vinette, Project Assessment Officer, EAO
- To: Working Group
- cc'd to: Chris Hamilton & Nataliya Matsko
- Subject: Proposed Morrison Copper/Gold Mine Project Ministerial Decision re: EA Certificate
- Message: Dear Working Group members--As you are aware, on August 21, 2012, the EAO referred the proposed Morrison Project to Terry Lake and Rich Coleman for a decision on whether to issue an environmental assessment certificate. At 2pm today, Ministers announced their decision to refuse to issue an environmental assessment certificate for the proposed Morrison Mine. For more information about the decision, the following documents will be posted on EAO's website shortly at (link provided). On behalf of Chris Hamilton, the Executive Project Director for the environmental assessment of the proposed Morrison Copper/Gold Mine Project, I would like to thank you for the **years of time, effort, information and analysis you provided** to EAO in support of the environmental assessment of this project.

After the news was received, this interesting exchange was documented between Chris Schell of FLNR and Greg Tamblyn, Greg Tamblyn, RPBio, MOE Environmental Impact Assessment
Dated: October 3, 2012 at 3:03pm
From: Greg Tamblyn
To: Chris Schell
Subject: FW Mine project denied due to unacceptable risks
Message: FYI (link to cbc news article bc-mine-project-denied-certificate)

- Dated: October 3, 2012 at 3:51pm
- From: Chris Schell
- To: Troy Larden, Karen Diemert
- Subject: FW Mine project denied due to unacceptable risks
- Message: The recommendation report (Morrison copper/Gold Mine Project Recommendation of the Executive Director dated sept 2012) is actually quite an interesting read. **95% of** the report describes in great detail how the **EAO is satisfied** that there will be no significant adverse effects of the project, should mitigation work. Then the **final 2 pages**, the recommendations section, **comes out of nowhere and recommends a "no"**. This final section is worth a quick read.

On October 31, 2012, following the Company's news release announcing that a Response to Ministry of Environment was sent to Terry Lake and posted on the PBM website (at: <a href="http://www.pacificbooker.com/pdf/121030L-MorrisonEACRejectionResponse.pdf">http://www.pacificbooker.com/pdf/121030L-MorrisonEACRejectionResponse.pdf</a>), the following exchange of emails was documented between Dave Nikolejsin, Greg Leake, Karla Kennedy, Marlene Cochrane, Chris Hamilton, John Mazure, Greg Tamblyn, Jennifer McGuire, Ian Sharpe and Mark P Love

- Dated: October 31, 2012 at 1:24pm
- From: Colleen Mycroft
- To: Dave Nikolejsin
- cc'd to: Greg Leake, Karla Kennedy, Marlene Cochrane
- Subject: **Re: HEADS UP**: Proposed Morrison Copper/Gold Mine Project
- Message: This came in to the EAO Info today (*Forwarded Erik's email with the Rejection Response letter attached*)
- Dated: October 31, 2012 at 1:41pm
- From: Dave Nikolejsin
- To: Chris Hamilton & John Mazure
- Subject: **Re: HEADS UP:** Proposed Morrison Copper/Gold Mine Project Message: (*no words in email*)
- Message: (no words in email)
- Dated: October 31, 2012 at 3:13 pm
- From: Chris Hamilton
- To: Kim Bellefontaine
- Subject: **Re: HEADS UP:** Proposed Morrison Copper/Gold Mine Project
- Message: fyi

Dated: October 31, 2012 at 3:46pm

- From: Kim Bellefontaine
- To: Chris Hamilton
- cc'd to: Greg Tamblyn
- Subject: **Re: HEADS UP:** Proposed Morrison Copper/Gold Mine Project
- Message: So what does this mean? This says they don't agree. Are they asking for the decision to be reversed? Are they going to court?
- Dated: October 31, 2012 at 3:56pm
- From: Chris Hamilton
- To: Kim Bellefontaine
- Subject: **Re: HEADS UP:** Proposed Morrison Copper/Gold Mine Project
- Message: Not a clue. They just put out a news release to the same effect and Derek has been talking to Vaughn Palmer. I suspect EAO, MOE and MEM should be having a bit of a strategy session.
- Dated: October 31, 2012 at 4:52pm
- From: Kim Bellefontaine
- To: Chris Hamilton
- cc'd to: Greg Tamblyn
- Subject: **Re: HEADS UP:** Proposed Morrison Copper/Gold Mine Project
- Message: Thanks for letting us know the latest. I don't know what next steps should be.
- Dated: November 1, 2012 at 10:35am
- From: Greg Tamblyn
- To: Jennifer McGuire
- cc'd to: Ian Sharpe and Mark P Love
- Subject: Morrison Mine update
- Message: Hi Jennifer, Pacific Booker Minerals, the proponent for the proposed Morrison Copper-Gold Project, distributed a press release yesterday. This may reignite media attention on this story. Chris Hamilton, the Executive Project Director from the EAO, **has suggested that it may be worthwhile for MOE, MEM and the EAO to put together a strategy related to dealing with the media.** Will you be the coordinator for MOE's input to a spokesperson?

After the judgement from the BC Supreme Court was received, this exchange was documented between Chris Hamilton, Kim Bellefontaine and Greg Tamblyn

- Dated: December 9 at 11:39am
- From: Chris Hamilton
- To: Kim Bellefontaine & Greg Tamblyn
- Subject: Morrison
- Message: The decision came out today. The judge basically said to re-refer it, but let PBM tell the Ministers what they think of a potential no. (words removed under S13--Policy advice or recommendations)

Dated: December 30, 2013 at 10:38am

From: Chris Hamilton

- To: Al Hoffman, Kim Bellefontaine, Diane Howe
- Subject: Pacific Booker response
- Message: Hi all. On the long chance that any if you are in the office this week, **EAO is trying to finalize a letter in response to the court decision.** We have a few statements about provincial MLARD policy and liabilities. Here is one paragraph in particular I hope can be fact checked. I recall Kim saying largest bond is currently in the 50-60M range (Equity Silver?). Any help greatly appreciated. I think the letter needs to go to Dave N by the end of week. Here is the paragraph.... The project design creates enormous long-term financial and environmental liabilities. The environmental liabilities include the contamination of a fragile ecosystem that is known to be home to a genetically unique population of sockeye salmon. The magnitude of the financial liabilities is reflected in the dramatic and unprecedented value of the potential reclamation bond. The Ministry of Energy Mines has estimated the reclamation bond would be \$300 million. No previous reclamation bond in the history of the Province has exceeded \$50 million.

Dated: December 30, 2013 at 8:19pm

From: Kim Bellefontaine

To: Chris Hamilton

Subject: Re: Pacific Booker response

Message: (words removed under S13--Policy advice or recommendations)

Dated: December 30, 2013 at 8:42pm

From: Chris Hamilton

To: Kim Bellefontaine

Message: Thanks for checking Kim. Things get interesting.

The letter in response to the court decision referred to above was not received by PBM. After 30 days, we announced 30 day period for the BC Government to challenge the December 9, 2013 BC Supreme Court decision had ended without challenge from the BC Government.

This was the beginning of the "Reconsideration" process. This exchange was documented between Chris Hamilton and members of the Working Group. (*Please note that the court judgement did not indicate that the Working Group should be involved in the "redo" of the decision.*)

Dated: March 12, 2014 at 11:24am

From: Chris Hamilton

- To: Working Group
- Subject: Re: Morrison Copper Gold
- Message: As you are aware on December 9, 2013 the BC Supreme Court quashed the October 2012 decision of the Ministers declining to issue an environmental assessment certificate for the proposed Morrison Copper Gold Mine Project. The court found that the proponent Pacific Booker should have had the opportunity to provide a response to the September 20, 2012 recommendation of the Executive Director of the EAO against issuance of a certificate. The court ordered that the matter should be remitted back to the EAO to allow for that opportunity of response by Pacific Booker. The EAO has

established a process with the proponent Pacific Booker and the First Nations intervenors to govern this remittal process. The process is described in the letter of January 24th from the EAO to Pacific Booker and the Lake Babine and Gitxsan First Nations, which some minor modifications to timelines as set out in subsequent correspondence with is also attached. (link provided for 2 documents). As you can see, the timelines anticipated that Pacific Booker would provide its response to the Executive Directors recommendations by March 10th, following which members of the Working Group would have an opportunity to comment on any material received from Pacific Booker. Pacific Booker has now provided our office with its response to the Executive Director's negative recommendation. In accordance with the court's direction, members of the Working Group now have the opportunity of comment on the report provided by Pacific Booker by way of response to the **Executive Director's negative recommendation.** Without placing restrictions on input, I note it would be helpful if members of the Working Group could focus on the implications of Pacific Booker's response, if any, for the risk/benefit factors highlighted by the Executive Director at page 32 of his September 20, 2012

recommendation. The factors that led to a negative recommendation in the September 2012 are also highlighted in the attached correspondence. (more text follows with deadlines and responses)

- Dated: March 12, 2014 at 11:59am
- From: Greg Tamblyn
- To: Jennifer McGuire
- Subject: Re: Morrison Copper Gold
- Message: Jennifer As a key member of the Morrison working group (much of the just justification to turn down this project by the EAO was extracted from my assessment letter), I will need to respond to this request from the EAO. The timing for this could not be worse. I believe the response will take 3-5 days of my time. Given my current work load, I will need to drop something.
- Dated: April 11, 2014 at 9:23am
- From: Kim Bellefontaine
- To: Sara Bose
- cc'd to: Diane Howe, Nathaniel Amann-Blake
- Subject: RE: Morrison Project Pacific Booker's Response to Exec Director's Recommendations Message: Hi Sara, I spoke with Nathaniel this morning; **the path forward on Morrison is a**
- **little bit unclear as the EAO has no method in which to conduct additional analysis at this point.** I am currently reviewing the information submitted by PBM. On first glance there is not much new information. My thoughts are to prepare a high level review to the EAO and compare to our previous conclusions. I expect that this will be shared with the Proponent and also with Ministers, Diane, Al and David will be able to review the memo before it goes out. I have suggested one possible change to the paragraph below. I am not sure if that sentence is needed at this point (but I don't feel strongly either way)

This was expected to be the decision phase of the "Reconsideration" process. This exchange was documented between Chris Hamilton, Kim Bellefontaine, Greg Tamblyn and others.

Dated: July 9, 2014 at 4:36pm

From: Chris Hamilton

To: Kim Bellefontaine and Greg Tamblyn

Subject: Morrison - confidential

Importance: High

Sensitivity: Confidential

- Message: Hi Kim and Greg We briefing our Ministers yesterday on Morrison and provided them all the comments and submissions. I don't think they have fully landed on the final decision, but further assessment seems to be an option. With this in mind, I'm trying to scope out what further assessment will look like and want to try some ideas out on you. We have very little experience in the realm of "further assessment" with the only other example being the Garibaldi at Squamish (GAS) (further discussion follows on this subject) I envision the same process here. The key is to set out what we want the proponent to collect. I think we can accept their conclusions on heritage, economic, social and health and many of the environmental conclusions, but the main outstanding concerns relate to: (list of 9 items around water, waste rock disposal, TSF, lake behaviour) Those are the top of mind for me. The question is how can we increase the database of information in order to complete better models of effects so that uncertainty can be reduced. The details of these programs can be worked out in the SAIR (*Please note that as far as we can find out, the only time an SAIR has been required was for a gravel pit in Squamish.*)
- Dated: July 16, 2014 at 3:16pm
- From: Chris Hamilton

To: Sarah Bevan, (JAG)

- Subject: RE: Morrison dates
- Attached: Sept 20 2012\_Draft Clarification Requested by MTL\_Morrison\_Reasons and Recommendation\_FINAL.pdf; Penultimate

Morrison\_Recommendations\_20Aug12\_FINAL.doc

- Message: Hmm, I recall the **first PBM knew about the no was a phone call on Oct 1**, a Monday. Could you be **thinking about the two versions of the recommendations**? **One was dated Aug 21**, the date of the referral and **then Minister Lake** had asked for changes to that doc, so the **second was dated Sep 20**. Could that be it?
- Dated: July 17, 2014 at 9:44am
- From: David P Morel
- To: Michelle Carr
- cc'd to: Chris Hamilton; Doug Caul
- Subject: RE: Morrison s. 17 and reasons letter
- Message: Thanks for the opportunity to comment. In track changes are a few suggestions. In general, I think we need to target the Section 17 order to provision of additional information about the lake to mitigate risk on salmon. I have not had an opportunity to discuss and review this with Dave or the Minister.

Dated: July 25, 2014 at 3:52pm

From: Chris Hamilton

To: Doug Caul

cc'd to: Michelle Carr; Jennifer Lewthwaite; Elsie Belfry; Lori A Watson

- Subject: revised Morrison materials
- Attached: Morrison Sect 17 Order\_2014July...25 (clean).doc; Morrison Sect 17 Order\_2014July\_25.doc; 104386\_Draft\_Minister\_Decision\_letter)uly 25 (track).docx; 104386\_Draft\_Minister\_Decision\_Letter\_July 25 (clean).docx
- Message: Hi Doug As requested. There is a clean and a track change version of both the order and the letter. To make it easy, here are the main changes (in addition to the other editorial changes you asked for). The conclusion is much more clear I believe, and the **FN section in the order is also better and should give a sense we are not handing over consultation to the proponent. We consult: they go talk about their project.**

There is still more to come.

# FROM FOI REQUESTS--INTERNAL COMMUNICATIONS FROM THE MINISTRIES--PART TWO

We reviewed 4,301 pages obtained under the Freedom of Information Act (requested through Hunter Litigation). Pages were withheld under Section 13 (Policy advice or recommendations) and Section 14 (Legal advice). Please note that the bold formatting has been added for emphasis.

Then, the tailings dam failure at Mount Polley happened and our reconsideration process was suspended. We were the only project under review/reconsideration that was suspended due to the Mount Polley incident.

- Dated: August 18, 2014 at 2:55pm
- From: Chris Hamilton
- To: Working Group & others
- Subject: Morrison Copper Gold Mine
- Message: Dear Morrison Working Group members As you are aware, on December 9, 2013, the BC Supreme Court quashed the October 2012 decision of the Ministers declining to issue an environmental assessment certificate for the proposed Morrison Copper/Gold Mine Project. The BC Supreme Court found that Pacific Booker Minerals Inc. should have had the opportunity to provide a response to the September 20, 2012 recommendation of the Executive Director of the EAO against issuance of a certificate. The BC Supreme Court ordered that the matter should be remitted back to the Ministers for reconsideration, with opportunity for response to the September 20, 2012 recommendation. Over the past months, EO has completed a process designed to comply with the court's direction. On July 4, 2014 the Executive Director referred the proposed Project to the Ministers for decision. On August 4, 2014, a breach of the tailings dam occurred at the Mount Polley Mine near Likely, BC. BC takes this event very seriously. Bill Bennett, MofE&M, announced today that he has appointed an Independent Expert Engineering Investigation and Review Panel to examine the causes of the dam breach. In consideration of this review, Mary Polak MoE issued an order today under section 30 of the EA Act, suspending the Morrison assessment pending the outcome of this work. (more follows about the decision resumption plan 30 days after the panel outcome.) (Please note that we do not agree that the process was designed

to comply with the court's directions--the court judgement did not indicate that the Working Group should be involved.)

Dated: August 18, 2014 at 5:27pm

From: Greg Leake

To: Peter Walters, Giovanni Puggioni

Subject: Morrison Suspension

Message: Gentlemen: I provided the attached documents to Lisa Leslie in advance of our announcement going out this afternoon, but I wanted to ensure that you had the information, as well. This is the IB and the QA. I'm also attaching a copy of the letter that we sent to Lake Babine (identical letters went to Gitanyow and Gitxsan). This was sent immediately following the announcement at 2:30. Chris Hamilton, the project lead, also called Wilf Adam, Glen Williams and Gordon Sebastian at 2 to give them a heads up that we would be making an announcement. Please let me know if you need any further information.

This exchange was documented between Chris Hamilton, Davide Latemouille (Skeena Fisheries Commission) and Doug Caul

- Dated: February 24, 2015 at 2:42pm
- From: Chris Hamilton
- To: Davide Latemouille
- cc'd to: Doug Caul; Jennifer Lewthwaite
- Subject: Morrison information request
- Attached: Volume V\_Appendix II\_Geotechnical Feasibility Study\_Appendices I-IV.pdf
- Message: Hello Davide. I understand that you have requested a document from the original PBM application. Please let me know if this is what you are looking for.
- Dated: February 24, 2015 at 2:43pm
- From: Chris Hamilton
- To: Davide Latemouille
- Subject: Morrison documents
- Message: Hi Davide. I just sent you a document that I think you are looking for. It is 8 MB, so please drop me a line if and when it is delivered.
- Dated: February 24, 2015 at 4:00pm
- From: Davide Latemouille
- To: Chris Hamilton
- cc'd to: Doug Caul; Jennifer Lewthwaite; <u>cscot@gitksanwatershed.com</u>; Allen Gottesfeld
- Subject: RE: Morrison information request
- Message: Hi again Chris, I just finished looking at the document you sent, which is the same document hyperlinked within the letter that I e-mailed earlier today, and Appendix III is still missing This document has the right title but does not have the contents. Appendix III has two title pages but no contents. It is Appendix III of Appendix II that is missing. Appendix 11 is 255 pages long. At page 177 of 255, you will see "Appendix III, KCBL 2007 Geotechnical Site Investigation". At page 178, "2007 Geotechnical Site Investigation". At page 178, "2007 Geotechnical Site Investigation".

Investigation & Tailings Testing Data". The 2007 geotechnical site investigation materials are clearly missing from Appendix III of Appendix II; only the title page is included. If you could provide us (SFC) with the missing materials from Appendix III ASAP it would be greatly appreciated. Thanks for your help with this. Talk to you again soon.

- Dated: Feb 24, 2015 at 4:36pm
- From: Chris Hamilton

To: Doug Caul

- Subject: Re: Morrison information request
- Message: Fyi, we've reviewed the files that we have, both on I drive and on Epic and it appears that the appendix Davide is asking for was not included in the Proponent's original 2009 application, nor the 2010 addendum to EAO. Shall I let him know or would you like a more formal response? **We could request it from the Proponent, but that might start an additional discussion we don't want to have. Better to simply advise it was not in the materials provided to EAO.**
- Dated: February 24, 2015 at 4:40pm
- From: Doug Caul
- To: Chris Hamilton
- cc'd to: Paul Craven, EAO:EX; Karen Horsman and Sarah Bevan (Ministry of Justice and Attorney General); Iesha Kennedy; Karla Kennedy; Amy Hammerstedt
- Subject: Re: Morrison information request

## Message: Seems to me you should just take care of this Chris.

- Dated: February 24, 2015 at 4:48pm
- From: Chris Hamilton
- To: Davide Latemouille
- cc'd to: Doug Caul; Jennifer Lewthwaite; <u>cscot@gitksanwatershed.com</u>; Allen Gottesfeld; Paul Craven
- Subject: RE: Morrison information request
- Message: Hi Davide, We have reviewed our files and it would appear that the appendix is not present in our documents As such, it would not have been considered as part of the 2009 application or the subsequent addendums.

These emails were sent after our response to the Mount Polley Panel Recommendations was submitted. That report can be found

at: <u>http://www.pacificbooker.com/pdf/Response on Mount Polley Panel Recommendations.pdf</u>

- Dated: April 29, 2015 at 11:51am
- From: Chris Hamilton

To: Iesha Kennedy

cc'd to: Chrystal Fenton

Subject: Draft morrison s17

Message: Hi Iesha. Can you forward the most recent s I7 order (July 2014) to Chrystal so she can pass it to Kevin/Jen? Thanks!

Dated: April 29, 2015 at 12:15pm

From: Iesha Kennedy

To: Chris Hamilton

Subject: RE: Draft morrison s I7 1

Attached: Morrison Sect 17 Order\_2014July.18.doc

- Message: Hi Chris, Just having a look through. Do you mean the last draft? **It looks like we never issued a s.17. According to CLIFF we instead issued the s.30 and s.24.** Having difficulty locating anything on the i://, however I have some of Lori's old emails from back then and they include some attachments. I've attached one that you sent to Michelle and Doug on Friday, July 18th with this note: Here is the updated order with the date changed to the 4th, with all edits {the ones made in response to David Morel} accepted. Chris Hamilton. Please let me know. I am acting as Chrystal today so will forward it down to Jen once I have confirmation on what you would like sent.
- Dated: April 29, 2015 at 12:39pm
- From: Chris Hamilton
- To: Iesha Kennedy

Subject: Re: Draft morrison s I7

Message: Yes it is still draft. Whatever the attachment to that email is should work.

- Dated: April 29, 2015 at 12:47pm
- From: Iesha Kennedy
- To: Chris Hamilton
- Message: Thank you. I still don't have access to the **Morrison Privileged folder** and the s.17 isn't in the normal project folder. I will forward Jen the attachment from the email. **Both Karla and I have sent requests to EAO Support (as well as Lori back in Oct) requesting I be given access to Morrison. Still waiting to hear**
- Dated: April 29, 2015 at 1:08pm
- From: Chris Hamilton
- To: Iesha Kennedy
- Subject: Re: Draft morrison s17
- Message: Right. I forgot about that.
- Dated: April 29, 2015 at 1:15pm
- From: Iesha Kennedy

To: Chris Hamilton

Subject: RE: Draft morrison s17

- Message: Now we had a look in the Privileged folder and there was another draft from Aug 2014 and then one from Feb 2015 that looks like it has a bunch of tracked changes that you made to it. Is it still the July 2014 you would like sent?
- Dated: April 29, 2015 at 1:17pm

From: Chris Hamilton

To: Iesha Kennedy

Subject: RE: Draft morrison s17

Message: Can you send me both? I'll take a look. For some reason I can't get into the i-drive. Are there network problems at all?

- Dated: April 30, 2015 at 8:47am
- From: Chris Hamilton
- To: Kevin Jardine
- cc'd to: Michelle Carr; Paul Craven; Chrystal Fenton, Chrystal; Jennifer Lewthwaite; Iesha Kennedy
- Subject: Morrison materials
- Message: Hi Kevin As requested following up from our Morrison meeting yesterday, here was the draft section 17 order and Ministers' decision letter they were prepared to consider last July/August. Note that we developed these materials at the Ministers' suggestion and not as any kind of recommendation. We should probably also not update these materials in anticipation of what Ministers may wish to see. I know that seems counterintuitive to our normal role, but as Paul mentioned yesterday, we will want to avoid anything that may look like a recommendation from EAO, as we currently have no legislative authority to make any recommendations. After briefing Ministers on the most recent round of comments received, we can quickly and easily update these letters and the s.17 if Ministers want us to put some options in front of them. They would need to reflect the direction we have provided other mines regarding Mt Polley. Two other quick items. First, MC may want to brief you on the reason, but we keep our Morrison material is in a separate password protected file with access **provided to only a handful of EAO staff**. Secondly, on the 2km<sup>2</sup> vs 5 km<sup>2</sup> reference to the size of the tailings pond, you are correct, the diagram says 2km2, but that refers to the size of the final water surface {the pond) as opposed to the size of the larger tailings storage facility (TSF), which is 5 km<sup>2</sup> The size of the TSF was central to a number of the recommendations and reasons Minister Lake had for saying no, so it's an important detail to clarify.
- Dated: May 27, 2015 at 11:10am
- From: Karla Kennedy (Ministry of Justice and Attorney General)
- To: Amy Hammerstedt
- cc'd to: Chris Hamilton; Iesha Kennedy
- Subject: FW: Proposed Morrison Copper/Gold Mine Project
- Attached: 283885\_ResponseNextSteps\_Morrison\_AllParties\_14May2015.pdf
- Message: **Can you pls confirm who was bcc'd on this email?** Iesha, can you pls post the attached Chris has ok'd. (appears to refer to email sent by: Kevin Jardine To: Erik Tornquist; 'Wilf Adam; 'gsebastian@gitxsan.com'; 'malii@gitanyowchiefs.com')
- Dated: May 28, 2015 at 11:43am
- From: Chris Hamilton
- To: Kevin Jardine
- cc'd to: Michelle Carr; Paul Craven
- Subject: quick Morrison question
- Message: Hi Kevin. Would you like the Morrison memo to be only about the suspension, or would you like it to act as both the re-referral and a recommendation to lift the suspension? I would recommend the later, and make a more comprehensive package with all the materials that essentially says "here are all the materials, this concludes the process, I recommend that you lift the suspension and consider the attached materials". **We should also have our legal counsel review the memos.** I'll provide a head up to them.
- Dated: June 9, 2015 at 9:37am

From: Chris Hamilton

- To: Dominique Nouvet, Woodward & Company
- cc'd to: Wilf Adam
- Subject: RE: Morrison Mine resumption of EA
- Message: Hi Dominque. Did you get the email this am? In lifting the suspension, the 30 day clock to make a decision now starts ticking. Ministers have been provided with all the submissions from LBN, the other FNs and the Proponent we have collected since the Mt Polley Report was completed in January, in addition to all the submissions collected last year. They will now consider the decision on issuing an EAC, not issue an EAC or order further assessment. There is no new recommendation from EAO (as you recall, judge Affleck quashed the minister's decision, but not the recommendation, and this whole process is to provide input into the 2012 recommendation of the Executive Director) and the working group has no role. No further submissions are being sought at this time. I hope that helps.
- Dated: June 9, 2015 at 9:54am
- From: Chris Hamilton
- To: Kevin Jardine; Michelle Carr
- Subject: FW: Morrison Mine resumption of EA

## Message: Fyi. LBN are very, very engaged in the Morrison decision.

- Dated: June 16, 2015 at 3:11pm
- From: Karen Horsman (Ministry of Justice and Attorney General)
- To: Chris Hamilton
- cc'd to: Sarah Bevan (Ministry of Justice and Attorney General)
- Subject: FW: Morrison feedback from MEM
- Attached: Morrison Sect 17 Order\_2015\_June\_16.doc
- Message: Hi Chris, I am not entirely clear why Sarah and I are being occasionally copied on emails relating to the Morrison Mine remittal. **It has been some time since we were asked to provide legal advice on the process and it appears that the EAO is a considerable distance down the remittal road.** It is my understanding that no one is currently asking for our legal advice on any aspect of the remittal. If I am mistaken in that understanding, Sarah and I require a clearer request for legal advice and the topics upon which our advice is sought, along with background information that would provide us with the necessary context. We would then coordinate the provision of legal advice with Chris Jones. **If I am not mistaken and the Ministers are content to proceed with the remittal without legal advice (which is of course their option), there is no point in including Sarah and I on the cc: list on emails relating to the Morrison <b>remittal.** Would appreciate clarity on this point
- Dated: June 19, 2015 at 7:44am
- From: Chris Hamilton
- To: Shelley Murphy; Michelle Carr
- cc'd to: Kevin Jardine; Paul Craven
- Subject: Re: MC comments and request for shelley's review: Morrison Sect 17 Order\_2015\_June\_16
- Message: Technology problems are preventing me from editing or commenting in the document itself SM, I'm not sure what you meant by the "me too" for industry. **We've only ever** had one s.17 order and it specified 3 years, which we had to extend twice to five. This

would save ministers from considering and writing more extensions and is also a more realistic time to do what is essentially a new EA. The scope of this work is much broader than a tailings alternative assessment. But you are right that 3 years is consistent with the legislation. I didn't really think of that when I put "five" in, rather I was being pragmatic. I don't think it is possible for us to put a working group together, negotiate a SAIR, complete baseline and put a new application in within 3 years, but you make a good point about the 3 years. Although if you wanted to be consistent with the legislation, it would be 3 years from approval of the SAIR. MC "is the one year of baseline only applicable to 2.1.1 a? If so, do we need to be more specific about the length/amount of baseline needed for the other items?" We could, but this was intended to give a sense of scale written right into the order so the next project lead would not have to fight about details. I originally put 2 years in, but DM asked to make it one. Understanding the lake is the most important issue and this makes that non-negotiable. I would want to leave a bit of flexibility for the other stuff, but if you want more specificity, we could. Thanks for the explanation, no further adjustments needed from my perspective. MC "Do we still need this given 2.1.4 below? Or can they be added together?" I mentioned this yesterday in my email. The main Morrison issue is impact on the lake (e.g. liners and groundwater). We could nest them together but I wanted to leave the Mt Polley bullet using the same language as in Doug's order (thanks for the 2.1.17 edits Shelley}. Let me know if you want a separate TSF section and I can do that Monday. Using this language would enable the SAIR to focus on impacts on the lake rather than just the technical siting and geotech issues. I think it will be important to be clear on why TSF is being examined in too different areas. I don't understand the nuance and am expecting Ministers and others to also ask. Is there a way to make it clearer but still separate if that is needed? MC "And 2.1.4?" Correct, I missed that number. MC "Do we need a section that describes the S application review process? It seems that there will be more than consultation on the material." We could add more. The order broadly gives authority to the lead to run the process, and the issue here is the scope of the further assessment not really the process. You could put "180" days in and provide more detail. This high level statement (same as GAS) has not been an issue at all with GAS. I think a sentence or two about the S App review process is warranted in order to balance it with the more prescriptive sections for other elements of the order. Hope this helps.

Dated: July 2, 2015 at 9:25am

From: Kevin Jardine

To: Shelley Murphy; Michelle Carr; Paul Craven: Chris Hamilton

Message: Thanks, everyone. To Chris' other question, I've updated Doug verbally. So no need to send him anything at this stage.

- Dated: July 2, 2015 at 4:13pm
- From: David P Morel
- To: Chris Hamilton
- cc'd to: Michelle Carr; Greg Leake; Karla Kennedy; Chrystal Fenton
- Subject: RE: Morrison Reasons for Decision and s.17 Order
- Message: Thanks you for the opportunity to comment. I don't have any concerns with what it is drafted and it reflects the Ministers' discussion. **Reading it all did raise a question. One of the reasons the early decision was sent back for further consideration was that Pacific Booker was not given the opportunity to comment on the Executive**

**Director's recommendation. In this case we are not providing them an opportunity to comment on the Section 17 order or the Ministers' reasons for decision. Are we confident that we are not setting government up for a similar court finding?** Should we provide the decision and ask for comments on the Section 17 order?

Dated: July 2, 2015 at 4:36pm

From: Chris Hamilton

To: David P Morel

cc'd to: Michelle Carr; Greg Leake; Karla Kennedy; Chrystal Fenton; Kevin Jardine

Subject: RE: Morrison Reasons for Decision and s.17 Order

Message: (words removed under s.14/Legal advice)

Dated: July 2, 2015, at 4:47pm

From: Kevin Jardine

To: David Morel

Message: Quite simply, David, the Ministers are the SDMs with a broad degree of discretion in terms of what they can consider in making their decision. While the principles of administrative fairness demand that all pertinent parties have an opportunity to review and comment on all of the material used to inform ministers' decisions (including the recommendations of the ED), it would be inappropriate for them to ask for comment on their actual decision as they are the final arbiter. Similarly, they are able to ask for whatever information they reasonably require in order to inform their decision, which is why there is no requirement to consult on the s.17 order either. If a Proponent wishes to challenge the s. 17 decision, it must be by JR on the grounds that it was incorrect or unreasonable. There is no other appeal mechanism, as with most SOM models. In terms of the content of the Order, there is nothing to prevent us amending it subsequently should we become convinced that it is unreasonable in some aspect or we are otherwise satisfied that the particular issue in question has been addressed.

To paraphrase the quote from Claudius O. Johnson (in Government in the United States, 1933): "I think it was Bismarck who said that the man who wishes to keep his respect for sausages and government should not see how either is made."

## **SALMON AND THE LOCAL WATERWAYS**

Salmon, and the waterways they use, have been a big point in our discussions. Here are some facts for you to consider.

The Skeena River originates (headwaters) at the southern end of Spatsizi Plateau, in a valley between Mount Gunanoot and Mount Thule, south of the Stikine River watershed.

The Skeena River mouth is located at the Dixon Entrance (between Port Edward and Port Essington). The route upstream is east to Terrace, then north east through the Kleanza Creek Provincial Park, through the Kitselas Canyon, between the Borden Glacier and Nass Ranges, through the Skeena Provincial Forest, around the Bulkley Ranges and Seven Sisters Peaks, north to Kitwanga, then north-east to **Hazelton**, through to the community of Kispiox then north to the headwaters. 50 kms north of **Hazelton**, the Babine River meets the Skeena River. Upstream

from the Babine River is Nilkitkwa Lake, then Babine Lake, then the Morrison River (also referred to as Morrison Creek) and finally Morrison Lake.

If you would like to see this on google maps, please see our video posted at: <u>http://www.pacificbooker.com/property.htm</u>. The waterways section starts at about 4:50.

Numerous studies of Babine Lake and Morrison River over the last century have made them some of the best studied sockeye producing watersheds in Canada. Sockeye salmon spawn mainly in Morrison River and Tahlo Creek. The number of spawners in Morrison Lake has also been documented. A description of the shoreline of Morrison Lake and surveys to identify potential spawning areas that might be utilized by kokanee, sockeye and lake trout have also been conducted. The Morrison sockeye salmon were enhanced by the Babine Salmon Hatchery on Morrison Creek from 1907 to 1936 and have likely been affected by the Pinkut and Fulton spawning channels since the 1960s. From the collection of eggs from Morrison Creek and from the Stuart Lake Hatchery (collected from Pierre and Pinkut creeks), the Babine Hatchery planted eggs in Tahlo Creek, fry and fingerlings in Morrison Creek, and fry in Morrison Lake. Transient populations migrate to Morrison Lake and upper tributary stocks.

The LBN Woodland Licence covers approximately 18 km along the shore of Babine Lake and is upstream from the Pinkut Creek Spawning Channels, and includes many spawning areas along the shoreline of Lake Babine. Pinkut Lake is also located within the woodland licence area.

The charts below show the Sockeye Escapement Numbers as per Department of Fisheries. (Salmon escapement is the amount of a salmon population that does not get caught by commercial or recreational fisheries and return to their freshwater spawning habitat.) Please note that the Morrison Lake is not mentioned.

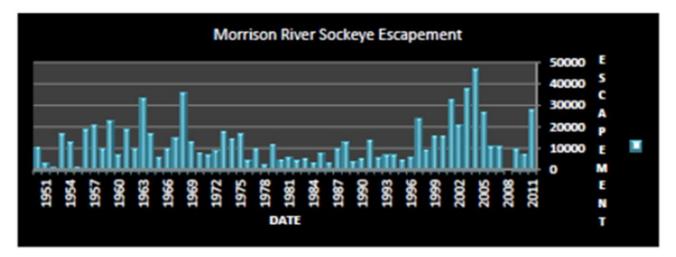


Figure 21: Sockeye Escapement Estimates. Morrison Creek, 1950-2011.

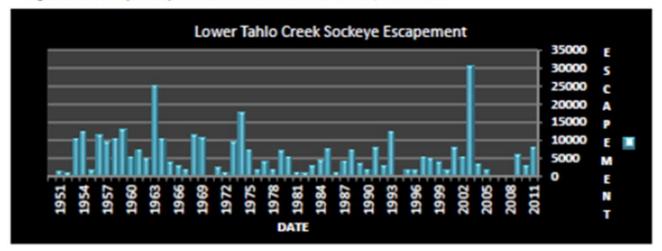


Figure 22: Sockeye Escapement Estimates. Lower Tahlo Creek, 1950 - 2011.

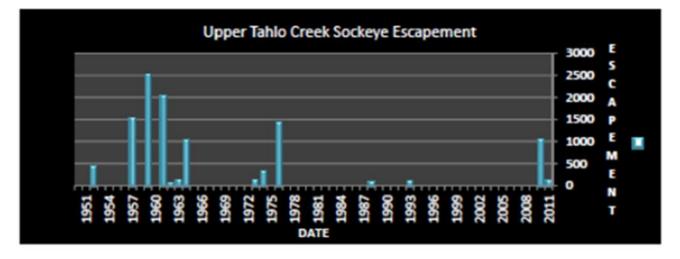


Figure 23: Sockeye Escapement Estimates. Upper Tahlo Creek, 1950 - 2011.

Our source for the following information is the 2011 Salmon Spawning Report, prepared by Lake Babine Nation for PBM.

In 2011, the sockeye populations of Morrison Watershed experienced an extraordinary abundant return with a total of 35,151 sockeye. Excellent ocean survival was heralded by the large number of sockeye jacks enumerated last year, and the return migration aided by above average stream flows throughout the Babine system. Morrison sockeye and coho escapement as enumerated with no expansion factors for 2010 and 2011 are shown below.

Morrison Watershed Sockeye and Coho Escapement Summary 2010 - 2011				
Waterway	Species	2010	2011	
Morrison River	Sockeye	6,593	27,206	
Morrison Lake	Sockeye	unknown	224	
Lower Tahlo Creek	Sockeye	2,523	7,637	
Upper Tahlo Creek	Sockeye	1,015	84	
Morrison River	Coho	1,002	402	

Using the 2011 numbers shown above, the Morrison Lake portion is less than 1% of the total Morrison Watershed escapement.

For up to date information, here is a link to the 2017 Skeena Sockeye Management Plan from the Lake Babine Nation and the text follows below.

(http://www.lbntreaty.com/updates/2017-skeena-sockeye-management-plan/)

In 2017, the total sockeye return to the entire Skeena River is expected to be 500,000. The average return is about 2 million. The predicted 2017 return would be about the same size as the return in 2013 that led to dramatic reductions in food fish harvest for LBN. LBN Fisheries is involved in watershed wide discussions to develop a plan to protect LBN wild sockeye and provide sockeye for food fish if possible. LBN should not expect a food fishery for sockeye in 2017. These efforts will help ensure more fish for future LBN generations.

In 2017, all fisheries up the line (including LBN food fisheries) for Babine sockeye will be closed until the return is certain to be greater than 600,000. This will help ensure that if sockeye for food fish are available to harvest, LBN will be able to do so.

If the return of sockeye is low, all First Nations along the Skeena River will face constraints on their food fisheries for sockeye. Watershed wide discussions are occurring to ensure equitable distribution of sockeye amongst First Nations, if enough sockeye return.

Only 1 out of 3 sockeye in the Skeena aren't from the Pinkut or Fulton River channels. A minimum return of 600,000 to the Skeena River will help protect Babine wild populations. Note

All First Nations along the Skeena are looking for ways to increase their harvest of non-Skeena sockeye, coho and Chinook salmon in 2017.

To help offset expected reductions in sockeye harvest, LBN Fisheries is proposing to harvest more Chinook and coho for food at the Babine River counting fence.

<sup>Note</sup>--if **1 out of 3** sockeye in the Skeena **aren't** from the Pinkut or Fulton River channels, that means that **2 of 3 are** from the Pinkut or Fulton River channels.

Also available is a powerpoint called "The Struggle for Lake Babine Nation's Fishing Rights" online at <u>http://www.lakebabine.com/files/Presentation%20-%20Greg%20Taylor.pptx</u>

In the presentation is the statement that Babine sockeye in the 1950's was 75% wild and that today only 25% is wild and continues that all LBN's eggs are in the Enhanced "basket". The following waterways are mentioned in that presentation--Babine River, Bernann Creek, Bourcher Creek, Donalds Creek, Five Mile Creek, Forks Creek, Four Mile Creek, Hazelwood Creek, Kew Creek, Tachet Creek, Tahlo Creek, Twain Creek, Morrison Creek, Nichyeskwa River, Nilkitwa River, Naine Mile Creek, Pendleton Creek, Pierre Creek, Shass Creek, Six Mile Creek, Sockeye Creek, Sutherland Creek, Telzato Creek, Tsezakwa Creek and Wright Creek. (Please note that Morrison Lake is **not** mentioned.)

From the Status of Wild Sockeye Stocks of the Babine Watershed (prepared for SkeenaWild Conservation Trust by Michael Price - November 2011)

**Morrison Conservation Unit**--This CU includes Morrison River, Lower Tahlo Creek and Upper Tahlo Creek, with a combined historic average annual return of 15,811 spawners to the Morrison watershed. Although this CU shows above average returns for the current decade compared to historic records, it has been experiencing a dramatic decline since 2003 to its lowest point in 2010. (Please note that Morrison Lake is **not** mentioned.)

Hopefully, you have found this information "food for thought".

# **RESOURCE PROJECTS SACRIFICED FOR LNG?**

In summary

The Morrison Project was judged to have no significant adverse environmental effects and was rejected. Other projects with significant adverse environmental effects were approved subsequent to our turn down.

We challenged the Ministerial decision in the Supreme Court of BC and received a judgement quashing the decision because of a lack of procedural fairness.

Judge Affleck stated during the hearing: My concern that I expressed is driven by the fact that what happens here is that eventually the petitioner is told you have reached the point where we are **satisfied that the potential environmental impacts can be adequately mitigated**. And, ultimately, as I say, it comes to the point where it has jumped through all the hoops. And, then, notwithstanding that, the recommendation goes forward to the ministers that they should decline the certificate. That's what I meant by sham. **That you, to put it a bit differently, you kick the ball and it goes through the goalpost, but then the referee says no, sorry, we moved** 

the goalpost just before you kicked the ball or just after you kicked it, however the metaphor works.

On May 3, 2016, Nelson Bennett, (Business in Vancouver) wrote "The chief of the Lake Babine Nation is warning the B.C. government that its support for a natural gas pipeline for the Pacific NorthWest LNG project could be in jeopardy if the province does not stick to its guns in rejecting a proposed open-pit copper-gold mine next to Morrison Lake. Lake Babine Nation Chief Wilf Adam last week warned the provincial government that approving the mine might jeopardize its co-operation on other projects, including the Prince Rupert Gas Transmission line, which would feed the \$36 billion Petronas Pacific NorthWest LNG project. "If they overturn or change their decision in favour of PBM [Pacific Booker Minerals] to start this mine, then all gloves are off – and any agreement we made with the province," Adam told BIV.

On March 28, 2017, Coal Watch Comox Valley reprinted the Business in Vancouver article on the Raven Coal Mine Project lawsuit. That article contains a statement from Minister of Environment **Mary Polak**, made in March 2015, that the government was pursuing a policy to promote BC natural gas abroad while **other resource projects "may have to be sacrificed"**. The article continues with "Soon after that announcement, Compliance president Steve Ellis got a phone call from **Energy and Mines Minister Bill Bennett**, who allegedly said **the company's application would be rejected if it didn't voluntarily withdraw**, and didn't provide any reason or explanation for the demand."

How many other things will be sacrificed to achieve the Liberals LNG dreams? Just now, it is resource projects, later who knows. Just as in the Site C Dam where professional people state that it is not required, it is opposed by individuals that it will have a personal impact on, and yet, it continues to have the support of the BC Liberals. Here is a link to an article discussing the Site C: <u>https://thetyee.ca/News/2017/04/10/Site-C-Review-Blocked-BC-Liberals/</u>

This Liberal government has demonstrated that fairness is **not a guiding principal** of their governing style as shown by recent court decisions--the BC teachers, the 2012 Ministry Of Health Employment Terminations, and others.

We have been sending this information to you with the hope that we can ensure that fair and impartial treatment to all is part of the next governing body of our province.

You may not think that a mine matters, but you could find yourself on the receiving end of an unfair decision with no recourse available. Fairness must apply to all or it isn't fair.

A personal message from John Plourde, our President/CEO: I am an entrepreneur and dreamer, attempting to successfully accomplish this goal on my way through life by following the rules along the way. It appears that the only way to get the attention of this government is either by donating to their political coffers or commit suicide because of their actions. After 4 years of hype and no results, my definition of LNG in BC is "Likely No Gas".

### WE RECEIVED THESE COMMENTS FROM OUR READERS

We have had requests to share the comments we receive in response to our sending to the candidates. Of the 86 Liberal, 80 NDP and 79 Green Party Candidates we have been sending to, none have requested that we stop sending to them.

# From Candidates

Received a call from Richard Jaques, Cariboo North Candidate, BC Greens (after Day 6 email). He expressed support for mining done in an environmentally responsible way and was pleased to provide the following news release that he wrote to his listeners in regards to Mt. Polly:.."I have reviewed the Fisheries Act, the BC Metal Mining Effluent Regulations and the industry definition of a Tailings Impoundment area; I've come to the conclusion that any further discharge regardless of the upstream filtering process would be detrimental to the Quesnel Lake basin. Quesnel Lake is a local water supply source, a salmon fish habitat and recreational area that should not incur any further industry made contamination. I would recommend that mining continue, however, mined ore should be moved downstream to a processing plant away from watershed; Federal, provincial and municipal monies should be allocated to purpose build an ore processing plant in and near the town site of Quesnel Williams Lake to ensure continued employment income for the 180+ miners and their families."

From Patti MacAhonic, MBA NDP Candidate Chilliwack Kent by email: "Hello, I am interested in hearing about this and other resource issues. I used to be executive director with the BC Wildlife Federation and know that these issues are complex and difficult. I have worked on many resource files and with FN's. We need to ensure consistency and clear processes for our resource industry stakeholders such as yourself so that it is a fair and equitable process for all. Please feel free to keep me informed."

We received an email from the office manager at a BC Liberal candidate asking "Is there a specific inquiry that I could assist you with?" to which we replied "No specific inquiry. Just some information for the candidate. Thank you for responding."

We also received an email from a BC Liberal candidate's office asking "what this is about" and we replied "We are providing this information to all candidates. Our intent is to ensure that whoever gets elected will be aware of our issue and will take steps to address the wrong done to our shareholders."

# From our News Group members:

Good day Gentlemen/Ladies, this is not a Query but rather a comment on the current state of your EA Report. It sounds ridiculous to me that the Government has refused your application. One of the reasons they state is their concern over the Liner for your Tailings Pond; well as a Utilities Operator for many years I know Liners are used successfully in Waste Water Lagoons and Potable Water Storage Reservoirs for many, many years. Their other concern was the possible negative effect on the Salmon species. Well I am not aware of any ill effects that occurred to these Salmon in previous mining operations in the area such as the Bell Mine and one other right on Babine Lake. That being said I'm sure there are more Environmental controls today than 20-30 years ago. In conclusion I hope you continue your efforts to access this

valuable resource that will be a benefit to so many individuals and communities such as Granisle, Houston, Burns Lake, Smithers and beyond.

Thank you for forwarding your PBM - Day 6 communiqué. You are to be complimented on the courage and honesty it took to face that sad story head on and with empathy! However - If John Plourde is the "John" being referred to in that story, I must say that, in two lengthy and face-to-face meetings with him I have never, ever sensed a scrap of ego in his discussions. Frustration and a defensive sense of humour about the PBM situation? Yes. Ego? Absolutely not.

This is an email I sent on Dec 17, 2013 and I gave a copy of it to Sylvia Lindgren, the NDP candidate for the Shuswap. Forwarded message Date: Tue, Dec 17, 2013 at 10:29 PM Subject: BC Liberals: To show how BC Liberals are liars, you only have to look at their mining policies to know that they cannot tell the truth. Premier Christy Clark said that BC was open for business and she planned on having 8 mines opened in the present. One of those mines was located at Morrison Lake and is owned by Pacific Booker. After spending over 10 years and \$30 million, Pacific Booker had completed all that the BC Government and the Indian Band required, complying with everything the Provincial and Federal Departments of Environment requested. Unfortunately, Pacific Booker was the last mine scheduled to be approved prior to the BC elections and Christy Clark's Liberals were not prepared to lose the election. BC Environment Minister Terry Lake would not approve the project and was unavailable for comment. At the same time a controversial mine called "Prosperity" in Williams Lake was turned down by the Federal Department of Environment. (Recently Bill Bennett travelled to Ottawa to again try to get approval for "Prosperity"). Pacific Booker, whose investors lost \$140 million, won their case in court and do not have to reapply to the BC Government and spend millions to have their case heard again. The judge (who made the BC Government pay court costs) told the Department of Environment to review the documents again. Recently, an envelope was delivered to Pacific Booker that contained what appears to be an August 13, 2012 draft of the Recommendations of the Executive Director of the Environmental Assessment Office in respect of Pacific Booker's application for an Environmental Assessment Certificate for the Morrison Copper/Gold Mine. The Company had not seen the draft Recommendations and was not aware that this document existed. The draft Recommendations do not recommend that Pacific Booker's application for an environmental assessment certificate be denied.

# From the shareholder that shared her family's story:

"I just looked on the message board and one person said they didn't believe our letter was legit. People sure do get nasty on there."

With the exception of the 2 Liberal candidate offices, everyone has given their consent for the dissemination of their comment.