



NEWS RELEASE

For Immediate Release

Ministry of Aboriginal Relations and Reconciliation

2014ARR0024-001208

August 18, 2014

First Nations and government partner on response to Mt. Polley Mine breach

WILLIAMS LAKE – Williams Lake Indian Band and the Soda Creek Indian Band (Xatśúll First Nation) signed a letter of understanding with the Government of British Columbia to work in partnership to address all aspects of the breach of the tailings storage facility that occurred at the Mount Polley Mine on Aug. 4, 2014.

The agreement has five components that will be conducted in accordance with First Nations traditions and scientific knowledge and recognizes that the health and safety of the public and workers, including members of the First Nations, are paramount:

1. A principals table consisting of the Chiefs of the First Nations and the Ministers of Environment, Aboriginal Relations and Reconciliation, and Energy and Mines will oversee a government-to-government response.
2. A senior officials committee from the three ministries and designates for the First Nations will be responsible for overseeing all of the response activities such as assessing impacts, clean up, remediation planning and decisions related to the future of Mount Polley mine. They will also address long-term funding requirements to respond to all aspects of the Mount Polley Mine incident.
3. \$200,000 to each First Nation (\$400,000 in total) to cover costs already incurred and future costs related to the tailings pond breach.
4. The recognition of the important economic contribution of mining to British Columbia and the commencement of a dialogue about existing laws, regulations and policies in relation to the mining sector in British Columbia.
5. Agreement that the entities responsible pay for all costs and damages incurred in relation to the Mount Polley Mine Incident in accordance with applicable legislation.

The provincial government and First Nations have been clear since the breach occurred that finding out exactly what happened, ensuring this never happens again and moving quickly on remediation plans to protect and preserve the environment are top priorities.

Earlier this morning, the provincial government, with the support of the Williams Lake and Soda Creek Indian Bands, announced an independent engineering investigation into the tailings pond breach and steps to ensure all permitted tailings ponds across the province are safe.

The investigation will be led by a panel of experienced geotechnical experts who will have the ability to compel evidence and witness testimony. The Williams Lake and Soda Creek Indian Bands will appoint a liaison to work with the panel.

The panel will provide recommendations through a final report by Jan. 31, 2015. This report will be provided to government and the Williams Lake and Soda Creek Indian Bands at the same

time and will then be made public.

Quotes:

Minister John Rustad, Minister of Aboriginal Relations and Reconciliation –

"I am pleased the Province has come together with the Williams Lake and Soda Creek Indian Bands to work in collaboration to oversee the response activities from the tailings pond breach at Mount Polley. There is a great deal of work ahead of us but I know our strong working partnership will help move the process along more quickly so local First Nations in the area can have confidence their natural environment is a safe place for their families."

Minister Mary Polak, Minister of Environment –

"I'm confident we will work constructively with the local First Nations to build their trust and to create a forum to establish an ongoing relationship."

Chief Bev Sellars, Soda Creek Indian Band (Xatsúll First Nation) –

"Until now, there has not been the level of cooperation and collaboration required between the provincial government and our nations to adequately respond to the Mount Polley mine disaster. Not only does this agreement commit our respective governments to joint oversight and decision-making in regards to all aspects of response to the Mount Polley mine disaster, it also allows First Nations and the provincial government to begin a necessary conversation about the adequacy of existing laws, regulations and policy in regards to the overall mining sector in British Columbia."

Chief Ann Louie, Williams Lake Indian Band –

"This letter of understanding is only the beginning of a process for mining reforms in British Columbia. The provincial government bears the responsibility to effectively collaborate with First Nations on a government-to-government basis on meaningful reforms to build confidence with all our communities that mineral exploration and mining is a safe industry. At this point that confidence still needs to be earned."

Letter of Understanding follows as a backgrounder.

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BACKGROUND

For Immediate Release
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Ministry of Aboriginal Relations and Reconciliation

Letter of Understanding

Letter of Understanding between

Soda Creek Indian Band, Williams Lake Indian Band

And

The Province of British Columbia

Guiding principles:

The Soda Creek Indian Band and the Williams Lake Indian Band (collectively, the “**First Nations**”) and the Province of British Columbia (“**British Columbia**”) agree to work in partnership, on a government-to-government basis through shared decision-making wherever possible, to jointly address all aspects of the tailings storage facility breach at the Mount Polley Mine (“**Mount Polley Mine Incident**”).

The First Nations and British Columbia (collectively, the “**Parties**”) agree that the processes for the joint oversight set out below will be conducted in accordance with the First Nations’ traditional protocols, having regard to both traditional and scientific knowledge, and as expeditiously as possible.

The Parties agree that the health and safety of the public and workers, including members of the First Nations, are paramount.

The Parties therefore agree as follows:

1. The Parties agree to establish a principals table consisting of the Chiefs of the First Nations and the Ministers of Environment, Aboriginal Relations and Reconciliation, and Energy and Mines to oversee a government-to-government response to the Mount Polley Mine Incident (“**Principals Table**”).
2. The Parties agree to establish a senior officials committee consisting of designates of the First Nations, and the Assistant Deputy Ministers of the Ministries of Environment, Aboriginal Relations and Reconciliation, and Energy and Mines, and other ministries as appropriate (“**Committee**”). The Committee shall be responsible for overseeing the following activities in response to the Mount Polley Mine Incident:
 - i. assessing impacts, monitoring, cleanup, remediation planning and implementation, and any decisions related to the future of Mount Polley mine;
 - ii. developing a plan to provide safe access to the impact zone for the purposes of assessing archaeological and environmental impacts;
 - iii. discussing permitting required for future work at the Mount Polley mine;
 - iv. assessing the adequacy of existing laws, regulations and policies in relation to the Mount Polley Incident;

- v. addressing the First Nations' immediate and long-term funding requirements to respond to all aspects of the Mount Polley Mine Incident;
- vi. identifying economic opportunities for the First Nations to participate in responding to the Mount Polley Mine Incident;
- vii. reporting back to the Principals Table; and
- viii. addressing any other issues related to the Mount Polley Mine Incident as agreed to by the Committee.

The Parties agree that this letter of understanding does not fetter statutory decision makers in carrying out their duties and responsibilities under the relevant provincial laws and regulations that apply to the Mount Polley Incident.

3. British Columbia agrees to provide \$200,000 to each of the Soda Creek Indian Band and the Williams Lake Indian Band as soon as possible to cover costs already incurred and to be incurred in responding to the Mount Polley Mine Incident.
4. The Parties acknowledge the impact of the Mount Polley Mine Incident on public confidence in mining and recognize the important economic contribution of mining to British Columbia. Accordingly, British Columbia, in partnership with the Soda Creek Indian Band and the Williams Lake Indian Band, commits to commencing a dialogue about existing laws, regulations and policies in relation to the mining industry in British Columbia. The scope and mechanism for this dialogue will be considered by the Senior Officials Committee and recommendations will be made to the Principals Table. Those future discussions will be informed by the collaborative work between the Parties on the Mount Polley Mine Incident.
5. The Parties agree that the entities responsible, in accordance with applicable legislation, be required to pay for all costs and damages incurred in relation to the Mount Polley Mine Incident.

Chief Bev Sellars, Soda Creek Indian Band

Chief Ann C. Louie, Williams Lake Indian Band

The Honourable John Rustad, Minister of Aboriginal Relations and Reconciliation

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