

# BC MINING LAW REFORM




Dirty Dozen 2025:

# B.C.'s top polluting and risky mines

THIRD EDITION





"Bypassing environmental assessments and fast-tracking projects results in local communities and ecosystems paying a high cost."

COPPER MOUNTAIN MINE. PHOTO: BENJAMIN DRUMMOND AND LIGHTHAWK

## Introduction

With global commitments to address climate change has come a big push to develop more mines to meet anticipated growing mineral demand for a low-carbon future. Minerals like lithium, cobalt, and nickel are needed for renewable energy technologies, including electric vehicles and large-scale battery storage. Deposits and refining of these minerals are quite concentrated in a handful of countries. The recent rise of political tensions and tariffs has put an even greater emphasis on "critical minerals" extraction for metals and minerals that not only support decarbonization technologies, but also military production and general infrastructure and industrial use.<sup>1</sup> In B.C., most "critical minerals" mines focus on extracting copper. Added to the push for critical minerals are calls to "cut red tape" and "fast-track" projects. Many regions, including British Columbia, have promised to do just that—streamline, fast-track and "find efficiencies"<sup>2</sup> that will ultimately reduce or eliminate environmental and social protections built into the regulatory regime over the decades.

When it comes to mining, there is little evidence that burdens on proponents are due to regulatory issues in B.C. In fact, most B.C. mine start-up delays are predominantly due to financing and economic factors, or proponents not doing the right baseline studies or engagement groundwork. A recent study makes it clear that i) financial dynamics, not regulatory challenges, largely cause project delays and ii) despite rhetoric from lobbyists, the Environmental Assessment (EA) process and subsequent mine permitting almost always result in project approval.<sup>3</sup> Some mines even make it through the EA process within 3 years, yet never get built because of lower quality ore deposits and volatile markets.<sup>4</sup>

## Key regulatory issues

Environmental assessments exist for good reason—as a planning tool, to do baseline studies, review scientific evidence, evaluate risks, mitigate impacts, modify projects to better suit local needs, engage Indigenous rights holders, weigh proposed benefits against costs, etc. Taking the time to do an EA for complex projects, like mines, helps ensure projects that go ahead are done more responsibly. In B.C., however, not all mines undergo EAs. The Reviewable Projects Regulation states that mineral mines require a production capacity of  $\geq 75,000$  tonnes/year of mineral ore to trigger an EA, and expansions must impact at least 50% more than previously permitted disturbance.<sup>5</sup> Bypassing EAs and fast-tracking projects results in local communities and ecosystems paying a high cost, such as when the Yellow Giant mine skirted under the amount needed to trigger an EA, and then left Gitxaała Nation reeling with a polluted mine site and tailings dumped in the ocean where they traditionally harvest seafood. This report highlights other examples of cautionary tales in B.C. where projects go under the EA thresholds (or were started before the province even had a proper EA process, and continue to expand without receiving one).

Fast-tracking can also lead to conflict with Indigenous peoples and undermine their right to exercise Free, Prior and Informed Consent (FPIC) (which is a commitment under the *Declaration on the Rights of Indigenous Peoples Act*). The recent list of B.C.'s expedited projects<sup>6</sup> included four mines, including Red Chris, which has an agreement that any changes to the mine (such as the current proposal to shift to block cave mining) can only proceed with the consent of the Tahltan.<sup>7</sup> Other expansion proposals, despite Indigenous opposition, have also been expedited.<sup>8</sup>

An additional problem is that B.C.'s mining development continues to focus on gold, which is not a critical mineral and is instead primarily used for luxury goods and financial investment.<sup>9</sup> The two most recent mines to receive Environmental Assessment approval in the province (Blackwater Gold and Cariboo Gold), one of B.C.'s "fast-tracked" mines (Eskay Creek), and many other mines currently undergoing the Environmental Assessment process (e.g., New Polaris and Spanish Mountain) are all gold mines.<sup>10</sup> As this year's report highlights, some previously approved copper-gold projects, like KSM, are also being redesigned to prioritize gold extraction. The Province lacks any regulation or policy to weigh the benefits and risks of mining for critical minerals vs. non-critical minerals, nor do they have any requirements to track critical minerals products to ensure actual use in renewable energy technology.

Compounded with the push to deregulate industrial development are cuts to budgets<sup>11</sup> and freezes on hiring.<sup>12</sup> The 2016 Auditor General's report on compliance and enforcement in mining highlighted that real environmental risks and consequences arise when ministries lack dedicated resources for monitoring, compliance, and enforcement—especially when resources remain dedicated to processing permit applications and meeting provincial goals of seeing mines built.<sup>13</sup> While some changes have been made since the Mount Polley mine disaster and the 2016 Auditor General report, a robust compliance and enforcement program that includes adequate staffing and budgets for them to perform on-site visits is essential to ensure that the environment and communities are protected.

One of the changes that resulted from the Mount Polley disaster was the creation of an Administrative Monetary Penalty (AMP) within the Ministry of Mining and Critical Minerals. Where voluntary compliance cannot be achieved or non-compliance poses significant risks, the Ministry may impose an AMP with maximum limits of \$40,000, \$100,000 and \$500,000, depending on the offence.<sup>14</sup> Administrative penalties can also be issued by the Ministry of Environment and Parks to mines when they contravene their environmental permits (e.g., effluent discharge permits). The Province has used these tools,<sup>15,16</sup> however, as cases in this report highlight, fines are often negotiated down by the proponents to the point that they may not be enough to deter non-compliance or push the mining company into compliance.



AERIAL OF YELLOW GIANT MINE. PHOTO: DANIEL MESEC / GITXAŁA NATION



The biggest environmental challenges facing the mining industry are waste and water management. British Columbia has an estimated 2.5 billion cubic metres<sup>17</sup> of toxic tailings waste—a volume that would fill B.C. Place stadium 943 times—stored in mine tailings storage facilities (TSFs) throughout the province. These TSFs are increasing in height and volume, and there are proposals to raise the heights even further of some dams, such as at Mount Polley (the same facility that breached, was rebuilt, and filled again), that are being challenged by Indigenous governments.<sup>18</sup> British Columbia has a number of proposed and approved mines that could result in some of the highest and largest tailings facilities in the world.

Mine waste must be monitored and cared for in perpetuity as it presents a public liability that is not always properly dealt with. The follow-up 2022 audit of B.C.'s attempted improvements to its compliance and enforcement regime highlighted that there are ongoing inconsistencies in monitoring major mines for compliance, and there is no framework for assessing abandoned mines' risks to the environment.<sup>19</sup> While there are 90 abandoned mines the Province has accounted for, there are others, such as the former Cassiar asbestos mine, that have had little reclamation despite creative arrangements to have a jade mining company take on that responsibility.

Mining is also a major source of water pollution and other damage to river systems. Multiple case studies in this report showcase mines vastly exceeding their discharges of toxic metals and other contaminants into downstream waters and failing to implement successful water treatment technology. Even when mines remain within their permit limits, pollution of groundwater and surface water can still occur as a result of insufficient provincial requirements for baseline studies, ongoing monitoring, or mitigations, as well as permit limits that allow mines to worsen downstream water quality beyond levels known to cause negative impacts.<sup>20</sup>

## Overview and updates of mine changes

The past two years have seen less progress on mining reform and dealing with key issues at certain mines than previously.<sup>21</sup> However, there has been some movement. The Tulsequah Chief mine, which has been dumping acid mine drainage into the Taku watershed for nearly 70 years, now has some committed action in place, including water quality monitoring and cancelling of mine permits.<sup>22</sup> The Province, Taku River Tlingit First Nation, and the mine's

previous owner, Teck Resources, now have a Memorandum of Understanding in place and are working to finalize a reclamation and closure plan<sup>23</sup> that will hopefully see actual remediation begin in 2026.

The Province formed an Abandoned Mines unit, but has yet to publicly disclose a plan to deal with the 90 mines they have identified, or to complete an environmental risk assessment for each site.<sup>24</sup> Nothing has been done to reclaim or address the water pollution issues we raised at Anyox mine, and we are still waiting for overdue reports to be made public, such as the Crown Contaminated Sites Program 2022 and 2024 biennial reports, to learn more about the Province's work on abandoned mine cleanup in recent years.<sup>25</sup> Asbestos-related health issues led us to focus on the old Cassiar mine site, which is not part of the Crown Contaminated Sites program nor on the Abandoned Mines list because the mine's permit was acquired by a jade mining company in 2003, making it technically not "abandoned". Overall, while the province pushes to open new mines, it has failed to develop a strategy to adequately deal with many of the existing mining legacies of contaminated, or potentially contaminating, sites littered throughout the province.<sup>26</sup>

A central issue in our last Dirty Dozen was the need for reforms to the *Mineral Tenure Act*. Since the 1859 *Gold Fields Act*, prospectors have only needed to obtain a "free miner's certificate"<sup>27</sup> for a fee before staking in most areas



of the province and being granted priority use as part of efforts to colonize the province. This legacy led to the Gitxaʼa Nation taking the Province to court over mineral claims in the Nation's territory, arguing the Crown failed in its duty to consult with Gitxaʼa, and also that the *Mineral Tenure Act* is inconsistent with rights recognized in B.C.'s *Declaration on the Rights of Indigenous Peoples Act* (DRIPA).<sup>28</sup> In September 2023, the B.C. Supreme Court ruled that the province had 18 months to implement Indigenous consultation before granting mineral claims.<sup>29</sup> Prior to this decision, B.C. had made commitments to modernize the *Mineral Tenure Act* in the DRIPA Action Plan,<sup>30</sup> the Minister's mandate letter,<sup>31</sup> and on its website (including a commitment to table new legislation by the Fall of 2026).<sup>32</sup> Instead of repealing the legislation to fix a number of issues,<sup>33</sup> the Province satisfied the court ruling by introducing the Mineral Claims Consultation Framework, which requires prospectors to apply for their claims and gives affected First Nations 30 days to respond with any concerns that infringe on their rights.<sup>34</sup> No one seems to approve of this new system.<sup>35</sup> Gitxaʼa appealed the court's decision that DRIPA is not legally enforceable, arguing the *Mineral Tenure Act* should have consent requirements.<sup>36</sup> A decision on that appeal has yet to be released and there has been little movement by the Province in the past year to work in cooperation with Indigenous peoples to reform the *Mineral Tenure Act*.

Other mines removed from the list this year include: i) Telkwa Coal mine (a.k.a. Tenas Project), where the proponent (a new owner, Bathurst Resources)<sup>37</sup> has done little to move the project's environmental assessment forward, ii) Quintette, a case study that highlighted the lack of clarity of Care and Maintenance status (which has yet to be remedied), now has new ownership and is operating again, and iii) Bonanza Ledge, which has been replaced on the list by Osisko Development's other nearby proposed mine, Cariboo Gold.

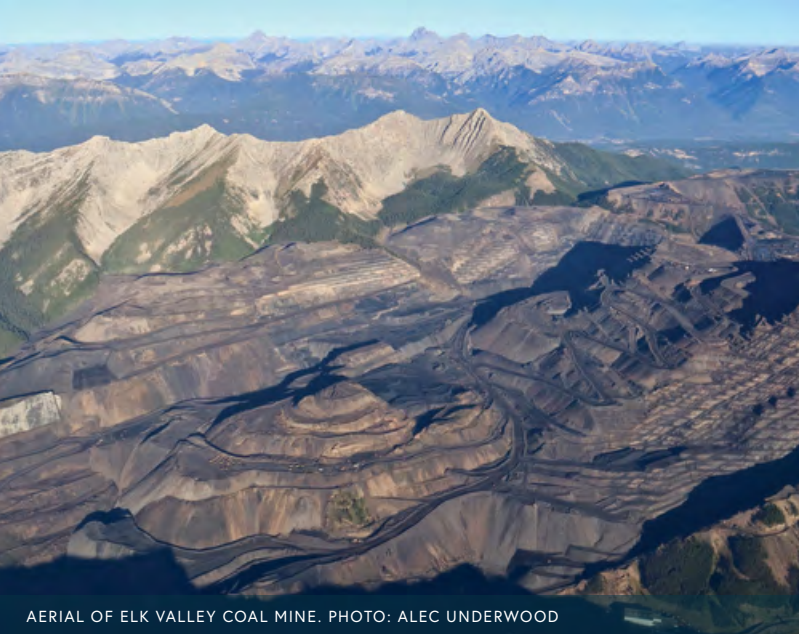
One of our priorities remains ensuring that the polluter pays. British Columbia did introduce a new bonding policy in April 2022 that was supposed to close the gap between estimated reclamation costs and financial assurances collected by the Province. Unfortunately, the 2023/2024 Chief Inspector of Mines report has yet to be made public to verify ongoing progress on this objective.<sup>38</sup> However, as highlighted in the Elk Valley case in this year's report, there is evidence that mine reclamation estimates continue to be grossly underestimated.

The following profiles highlight the top 12 polluting or otherwise risky mines in B.C. in 2025. Given the push to deregulate, this year's list was selected to highlight some of the risks and impacts when corners are cut and EAs are evaded. As opposed to fast-tracking, solutions exist that could strengthen and improve the safety of the mines and/or industry to prevent these problems from recurring. If these solutions are pursued, B.C. could come closer to realizing its claims of being a responsible jurisdiction for mining.

*This report was researched and written by Nikki Skuce (Northern Confluence Initiative—a project of MakeWay). This edition has contributions from Simon Wiebe (Wildsight), inputs from other BC Mining Law Reform Network members, and edits from Jamie Kneen (MiningWatch Canada).*

ON THE COVER: AERIAL OF THE ABANDONED YELLOW GIANT MINE ON BANKS ISLAND. PHOTO: DANIEL MESEC / GITXAALA NATION.





AERIAL OF ELK VALLEY COAL MINE. PHOTO: ALEC UNDERWOOD

#### OPERATING MINES

## Elk Valley Coal



**Mine type:** Coal; Open-pit



**Owner:** Elk Valley Resources  
(subsidiary of Glencore PLC)



**Location:** A few km east of Elkford,  
Sparwood, and Fernie



**Receiving watershed:** Elk River &  
Kootenay River (part of Columbia River  
watershed)

In southeast B.C.'s Elk Valley, Glencore subsidiary Elk Valley Resources (EVR) operates four coal mines that dominate the regional economy and impact the Elk, Kootenay, and Columbia River watersheds. Mountaintop-removal mining produces enormous volumes of waste rock that leach dangerous amounts of selenium into nearby waterways, where it accumulates in aquatic insects and fish, reducing their reproductive ability and making them susceptible to population collapse.<sup>39</sup> Selenium has also infiltrated local groundwater aquifers, forcing the downstream communities of Fernie and Sparwood to relocate municipal water supply wells.<sup>40</sup> Efforts to treat the vast amount of mine-influenced water show promise, but selenium levels continue to seasonally violate permitted limits,<sup>41</sup> which are already many times higher than B.C.'s aquatic life safety guidelines.<sup>42</sup> Glencore's purchase of the mines from Teck was finalized in 2024 under federal conditions regarding environmental and economic responsibility.<sup>43</sup> In the same year, Canadian, U.S., and Indigenous governments initiated an International Joint Commission reference,<sup>44</sup> launching an ongoing independent study of the mining pollution, its causes, and mitigation options. Concerningly, EVR's reclamation securities are missing at least \$4 billion,<sup>45</sup> leaving little assurance that water treatment facilities will be built and operated well into the next century, as EVR's models indicate will be necessary. Meanwhile, EVR continues to pursue expansion permits, including the Fording River Extension. The Ktunaxa Nation opposes this enormous expansion for many reasons, including loss of rare alpine grasslands and a history of failure to adequately safeguard the environment.<sup>46</sup> B.C. needs to implement full and transparent bonding for the mines and mandate selenium removal below B.C.'s aquatic life guidelines before expansions are considered.



GIBRALTAR OPEN-PIT MINE. PHOTO: CRISTIAN BORTES / WIKIMEDIA COMMONS

## OPERATING MINES

# Gibraltar

 **Mine type:** Copper/Molybdenum; Open-pit

 **Owner:** Taseko Mines Ltd.

 **Location:** 60 km north of Williams Lake

 **Receiving watershed:** Fraser River

Taseko's Gibraltar mine is Canada's second-largest open-pit copper mine,<sup>47</sup> which opened in 1972 before the Province enacted an environmental assessment (EA) process. Despite several major expansions since EA legislation passed, Gibraltar has still not received one<sup>48</sup> and, in March 2025, Gibraltar's newest proposed expansion<sup>49</sup> was again deemed not reviewable under the *EA Act*.<sup>50</sup> Gibraltar's newest expansion plans will raise its tailings dams by 12–42 metres.<sup>51</sup> These dams are already classified as Extreme,<sup>52</sup> potentially resulting in high loss of life and irreparable environmental damage if they fail.<sup>53</sup> The mine has also not assessed the effects of climate change on its tailings facility and dams.<sup>54</sup> To manage ongoing water surplus issues (which raise the risk of dam failure), Gibraltar discharges wastewater into the Fraser River<sup>55</sup> and continues raising its dams.<sup>56</sup> Xat'sūll First Nation sent a letter to the Ministers of both mining and the environment requesting the expansion be designated reviewable given cumulative effects from several surrounding mines, including Mount Polley and ongoing impacts from the 2014 disaster, and adverse impacts on their section 35 rights.<sup>57</sup> This request was denied. Gibraltar never received consent and Xat'sūll say that the mine has impacted cultural sites and limited access to land for traditional sustenance practices.<sup>58</sup> B.C. needs to: i) align with the *Declaration on the Rights of Indigenous Peoples Act* by obtaining Indigenous consent for the Gibraltar mine expansion, ii) regulate to reduce both tailings storage volumes and dam failure consequences across the province, iii) limit approvals for, and perform EAs on, large tailings expansions, and iv) consider cumulative effects, including from Gibraltar's discharges, on Fraser River salmonids and sturgeon.



AERIAL OF COPPER MOUNTAIN MINE. PHOTO: BENJAMIN DRUMMOND AND LIGHTHAWK

#### OPERATING MINES

## Copper Mountain

 **Mine type:** Copper/Gold/Silver; Open-pit

 **Owner:** Hudbay Minerals Inc.

 **Location:** 20 km south of Princeton

 **Receiving watershed:** Similkameen River  
(part of Columbia River watershed)

Copper Mountain, which has never undergone an environmental assessment (EA), is planning a massive expansion into Ingerbelle Pit<sup>59</sup> that adds 450 million more tonnes of tailings<sup>60</sup> and raises the tailings facility to 260 m.<sup>61</sup> This will make one dam the second tallest in the world<sup>62</sup> and almost seven times taller than the Mount Polley tailings dam when it collapsed.<sup>63</sup> Residents and downstream U.S. Tribes are concerned about risks and impacts on salmon of a dam failure<sup>64</sup> and the degradation they are observing from mine discharges of mine toxins into Wolfe Creek.<sup>65</sup> Copper Mountain has faced repeated fines for polluting nearby waterways,<sup>66</sup> including illegal discharges into the Similkameen River.<sup>67</sup> Despite this poor track record and several requests to designate the expansion as a reviewable project (from Lower Similkameen Indian Band,<sup>68</sup> numerous conservation groups,<sup>69</sup> and the State of Washington<sup>70</sup>), the Province determined no EA was required.<sup>71</sup> Added to the potential impacts of the mine expansion, portions of Ingerbelle are occupied by Envirogreen Technologies Ltd., which treats hazardous waste materials.<sup>72</sup> Under Envirogreen's environmental permit to discharge emissions and store hazardous waste, it is acknowledged that the location is on a Crown Grant<sup>73</sup>—an old colonial designation.<sup>74</sup> Envirogreen has been operating in contravention to this Crown Grant, which is limited to "the business of mining."<sup>75</sup> These old designations create barriers to identifying the right regulator to take action when issues arise,<sup>76</sup> and uncertainty about how Envirogreen's activities may affect future mine reclamation. The Province must create clarity on governance for Crown Grants while considering absorbing them into the new *Mineral Tenure Act*,<sup>77</sup> ensure consent of First Nations and work with affected communities on major expansions; and increase fines for polluting water bodies and conduct robust monitoring to ensure compliance.






MOUNT POLLEY DAM BREACH. PHOTO: PHILIP N. OWENS


#### OPERATING MINES

## Mount Polley

 **Mine type:** Copper/Gold; Open-pit

 **Owner:** Imperial Metals Corp.

 **Location:** 56 km northeast of Williams Lake

 **Receiving watershed:** Quesnel Lake (part of Fraser River watershed)





The Mount Polley mine, where the largest environmental mining disaster in Canadian history released 25 billion litres of contaminated water into salmon habitat,<sup>78</sup> resumed operations in 2022. It took over a decade for Imperial Metals Corp., Mount Polley Mining Corporation, and engineering firm Wood Canada Ltd. to be charged for the disaster:<sup>79</sup> specifically, for 15 violations of the federal *Fisheries Act* with fines ranging from \$500,000 to \$6 million.<sup>80</sup> Court dates are being set in June 2025. Meanwhile, despite community opposition,<sup>81</sup> the mine is permitted to discharge approximately 6.7 billion litres of treated mine effluent annually into Quesnel Lake.<sup>82</sup> This discharge contains elevated copper, selenium, phosphorus, and nitrates.<sup>83</sup> Several permit amendments have reduced monitoring and reporting requirements, including decreasing Quesnel Lake sampling frequency from weekly to just four times a year.<sup>84</sup> Increased pollution and risks are evident in the company's application<sup>85</sup> for discharge permit extensions to 2034<sup>86</sup> and a dam raise of 18 metres above current height (roughly a 25-storey building).<sup>87</sup> The B.C. government denied Xat'sül First Nation's request to designate the proposed expansion reviewable for an Environmental Assessment<sup>88</sup> and later approved a separate proposal to raise the tailings dam by four metres.<sup>89</sup> Xat'sül has not issued consent and launched an appeal of the four metre dam raise, which will be heard at the end of June 2025.<sup>90</sup> The mine can not use the expanded tailings capacity until after the hearings.<sup>91</sup> The Province must prioritize tailings safety; ensure consent of First Nations and work with affected communities on major changes to mine permits, particularly when mines rely on dilution of pollution in natural water bodies; and create an industry-pooled fund<sup>92</sup> to compensate communities for mining disasters.



BRULE MINE. PHOTO: JONNY WAKEFIELD

## MINES IN CARE + MAINTENANCE

### Brule

-  **Mine type:** Coal; Open-pit
-  **Owner:** Conuma Coal Resources Ltd.
-  **Location:** 57 km south of Chetwynd
-  **Receiving watershed:** Pine River (part of Peace River watershed)

The Brule coal mine, one of three coal mines in northeastern B.C. operated by Conuma Resources, has been repeatedly penalized for serious environmental violations and non-compliance since it began operating in 2004.<sup>93,94</sup> As part of its permit, Conuma discharges effluent into fish habitat and is required to do ongoing sampling of toxins.<sup>95</sup> Between 2021 and 2023, the company committed over 400 infractions of its environmental permits, including unauthorized discharges into fish-bearing streams and repeated failures to properly monitor effluent and carry out fish toxicity tests on rainbow trout.<sup>96</sup> In 2024, Conuma was fined \$41,100 for violations at Brule under the *Environmental Management Act*,<sup>97</sup> including failing to report and prevent pollution entering into Blind Creek, a tributary of the Sukunka River, which supports Arctic grayling, Dolly Varden and other species.<sup>98</sup> Despite the infractions, fines were lowered and consolidated,<sup>99</sup> reducing one fine from \$22,000 to \$4,750.<sup>100</sup> In addition, the company was fined \$223,491 under the *Mines Act* for failing to post its outstanding reclamation security of close to \$18 million.<sup>101</sup> With the mine entering Care and Maintenance in 2025,<sup>102</sup> uncertainty remains about the adequacy of the site's reclamation planning and whether the full reclamation bond has yet been posted.<sup>103</sup> The Province must: ensure penalties are high enough to result in compliance, continue to ensure adequate monitoring and enforcement, establish a limit to be in Care and Maintenance status without undertaking reclamation, and continue to close the gap to ensure the polluter pays.



AERIAL VIEW OF PREMIER GOLD MINE. PHOTO: GOOGLE EARTH/AIRBUS. 2025

#### MINES IN CARE + MAINTENANCE

## Premier Gold

 **Mine type:** Gold/Silver/Zinc; Underground

 **Owner:** Ascot Resources Ltd.

 **Location:** 25 km north of Stewart

 **Receiving watershed:** Salmon River (Portland Canal)

The historically operating Premier Gold Mine is located just one kilometre from the Salmon River, which supports four species of Pacific salmon.<sup>104</sup> Ascot Resources, an underfunded junior mining company, took ownership of the site in 2018.<sup>105</sup> Despite the mine being closed for nearly two decades, Ascot was permitted in 2021 to restart operations and expand its tailings storage facility (TSF) without any public engagement or environmental assessment.<sup>106</sup> Due to insufficient financing, Ascot did not uphold its permit agreement to upgrade the mine's water treatment plant<sup>107</sup> and ended up discharging mine wastewater to the environment that exceeded permit limits for cadmium, copper, and zinc by up to 886%.<sup>108</sup> There is evidence that the mine's discharges have negatively impacted downstream benthic invertebrates.<sup>109</sup> Yet, financial penalties to Ascot were reduced 6-fold from \$325,000 to only \$54,000, in part to give them a break on their financial struggles.<sup>110</sup> Reduced penalties like this may not be sufficient to deter further contraventions. In addition, Premier's permits allow the mine to exceed B.C. aquatic life guidelines for copper and zinc in downstream fish habitat indefinitely.<sup>111,112</sup> Premier is now in Care and Maintenance again as Ascot attempts to find more funding,<sup>113</sup> though they repeatedly state there is no guarantee they will raise enough capital to continue operations.<sup>114,115</sup> Amid their financial struggles, Ascot has already begun raising existing TSF dams that were historically built using risky upstream construction methods, as well as constructing two new tailings dams, all of which could degrade nearby salmon habitat if they fail.<sup>116</sup> British Columbia needs to ensure proponents have sufficient funding, increase public and environmental scrutiny on major changes to existing mine projects, tighten up enforcement, and keep receiving environment permit limits below aquatic life guidelines.





TRUCKS CARRYING ORE PAST DAVE JORGENSEN'S GIFT SHOP. PHOTO: DAVE JORGENSEN


## PROPOSED MINES

# Cariboo Gold

 **Mine type:** Gold/Silver; Underground

 **Owner:** Barkerville Gold Mines Ltd.  
(subsidiary of Osisko Development Co.)

 **Location:** District of Wells

 **Receiving watershed:** Willow River  
(part of Fraser River watershed)

As the first mine assessed entirely under the 2018 *Environmental Assessment (EA) Act*,<sup>117</sup> and having received operational permits from the newly formed Ministry of Mining and Critical Minerals,<sup>118</sup> Cariboo Gold demonstrates the red flags B.C. will overlook to approve mining development and the gaps that still exist in public and Indigenous engagement. Cariboo Gold's owner, Osisko Development, has a history of environmental damage across Canada,<sup>119</sup> including at nearby Bonanza Ledge mine,<sup>120</sup> where waste rock from Cariboo Gold will be stored<sup>121</sup> and could worsen existing water pollution. Cariboo Gold (which is not yet constructed) is not supported by local residents, largely because major mine infrastructure will be built directly within their quiet tourist town of Wells.<sup>122</sup> Many members of the Community Advisory Committee (CAC)—a new tool in the 2018 *EA Act* meant to enable meaningful public engagement—felt disempowered to provide their own evidence<sup>123</sup> or affect project design and received few meaningful responses from the Environmental Assessment Office and Osisko.<sup>124</sup> Even worse, Osisko now plans to expand mine infrastructure in Wells beyond what was approved in the EA less than two years ago.<sup>125</sup> Cariboo Gold is also opposed by the Xatśūll First Nation, who have grave concerns about the mine's risks to federally endangered/provincially red-listed caribou and Xatśūll's Aboriginal rights and title.<sup>126</sup> Lastly, Cariboo Gold is a precious metals mine and will not produce any "critical minerals", meaning the mine's environmental damage won't come with any benefits in combating climate change. The Province must: reject mining proposals by repeat offenders; enable CAC members to hire independent experts and meaningfully influence decision-making; obtain First Nation consent; and stop permitting unnecessary gold mines.



PRIMARY KSM WORKSITE AND CAMP VISIBLE NEAR SULPHURETS CREEK.  
PHOTO: CHRISTOPHER MILLER – CSMPHOTOS.COM

## PROPOSED MINES

### KSM

 **Mine type:** Gold/Copper/Silver; Open-pit

 **Owner:** KSM Mining ULC (subsidiary of Seabridge Gold Inc.)

 **Location:** 65 km northwest of Stewart

 **Receiving watershed:** Unuk River and Nass River

Seabridge Gold's KSM Mine is the world's largest undeveloped gold mine,<sup>127</sup> with potential impacts spanning two major salmon-bearing watersheds. Mine discharges of selenium- and metal-laden water to the Unuk watershed will require water treatment for hundreds of years<sup>128</sup> by technology not yet proven at the scale the mine will require.<sup>129</sup> At 239 metres tall, KSM's wet tailings storage facility will contain acid-generating materials and will be the highest permitted dam in B.C.<sup>130</sup> and among the highest in the world.<sup>131</sup> A dam failure could impact hundreds of kilometres of the Nass River,<sup>132</sup> one of B.C.'s top salmon-producing systems. To cut costs and maximize shareholder payback, Seabridge has altered the KSM mine plan in recent years to i) maximize extraction of gold, a luxury metal that is not required to support the renewable energy transition, and ii) prioritize more destructive open-pit mining and defer any underground mining.<sup>133</sup> In July 2024, KSM was deemed "substantially started" by the Environmental Assessment Office, thereby removing the expiration date on its Environmental Assessment (EA) Certificate,<sup>134</sup> even though only one out of 32 physical components identified in the EA Certificate had been constructed.<sup>135</sup> KSM's EA is already over ten years old, and this decision allows the mine to proceed indefinitely based on outdated science that doesn't consider new information about climate change effects and tailings dam failure impacts.<sup>136</sup> KSM's substantial start determination is facing legal challenge from a Canadian First Nation who claim a lack of consultation,<sup>137</sup> and another legal challenge asserting the decision was legally and factually unreasonable.<sup>138</sup> Provincial regulators should require a reassessment of the KSM project based on current information, Indigenous consent, and a mine plan that prioritizes critical minerals extraction and minimizes the scale of water- and waste-related risks.




TREES AND GRASSLANDS AT RECORD RIDGE WITH VIEWS TO PATERSON BELOW.  
PHOTO: SRRAC


## PROPOSED MINES

# Record Ridge

 **Mine type:** Magnesium; Open-pit

 **Owner:** West High Yield Resources Ltd.

 **Location:** 7.5 km west-southwest of Rossland

 **Receiving watershed:** Sophia Creek (part of Columbia River watershed)

The proposed Record Ridge mine lacks transparency on multiple fronts. The mine's owner, West High Yield (W.H.Y.) Resources Ltd., claims the open-pit magnesium mine will be used towards green energy, but in reality, intends to sell its products for manufacturing helicopters, race cars, and oil wells.<sup>139</sup> W.H.Y. has also repeatedly attempted to evade an Environmental Assessment (EA): they initially classified Record Ridge as an "industrial mineral mine" that would extract 249,000 tonnes of material per year (tpy),<sup>140</sup> only 1,000 tpy below the threshold to trigger an EA. They later dropped to 200,000 tpy to avoid scrutiny;<sup>141</sup> however, efforts by several affected stakeholders resulted in the project being designated a "mineral mine", subject to a lower EA threshold of 75,000 tpy.<sup>142</sup> In response, W.H.Y. *again* reduced Record Ridge's proposed production to 63,500 tpy and asserted an EA was unnecessary.<sup>143</sup> Affected First Nations, municipalities, and community groups continue to argue an EA is warranted because the project's footprint has not been substantially reduced and it carries significant potential environmental impacts.<sup>144,145,146</sup> Environmental concerns include: anticipated destruction of critical habitat for threatened Mountain Holly Fern;<sup>147</sup> degradation of red-listed grassland habitat vital for local animals;<sup>148</sup> asbestos dust and water quality impacts to nearby residential areas;<sup>149</sup> and W.H.Y.'s clear intentions to continue expanding the project after approval.<sup>150</sup> The Province needs to challenge project greenwashing and ensure that mine products are actually used in renewable energy when promoted as such. The Environmental Assessment Office must ensure the proposed Record Ridge mine undergoes a robust EA process, regardless of stated production capacity, given the ongoing lack of transparency from its proponent.






AERIAL VIEW OF YELLOW GIANT MINE. PHOTO: DANIEL MESEC / GITXAAŁA NATION


## CLOSED + ABANDONED MINES

# Yellow Giant

 **Mine type:** Gold/Silver; Underground

 **Owner:** Abandoned

 **Location:** Banks Island (100 km south of Prince Rupert)

 **Receiving watershed:** Hecate Strait (Pacific Ocean)

Yellow Giant Mine, located in Gitxaała Nation's traditional territory, is a cautionary tale about what can happen when mining is deregulated. Yellow Giant avoided an environmental assessment by being just shy of the reviewable limit.<sup>151</sup> Gitxaała Nation leadership were also not meaningfully consulted despite vocally opposing the mine.<sup>152</sup> Within months of opening in 2014, the mine illegally and intentionally dumped tailings and wastewater, elevated in copper and zinc, into nearby water, woods, and wetlands on Banks Island, known as "Lax k'naga dzol", an important Gitxaała harvesting location for traditional foods.<sup>153,154</sup> The mine shut down in 2015; its owner, Banks Island Gold, declared bankruptcy shortly thereafter, and the site has remained in disarray since.<sup>155</sup> The company's CEO was recently convicted of criminal charges related to the spills.<sup>156</sup> While the courts could have sentenced him to imprisonment or imposed hundreds of thousands in fines,<sup>157</sup> he was only charged \$30,000, which Gitxaała leadership say pales in comparison to the \$2.2 million needed for cleanup.<sup>158</sup> Reclamation of Yellow Giant has been held back by a lack of reclamation bonding,<sup>159</sup> high costs to clean up such a remote location,<sup>160</sup> and Banks Island Gold's creditors, who now technically own the mine.<sup>161</sup> No work has taken place on site since we last wrote about it two years ago.<sup>162</sup> Amid current mining industry pressure and provincial government commitments to 'speed up mine approvals'<sup>163,164</sup> and 'cut red tape',<sup>165</sup> environmental protections and Indigenous consent must be prioritized to avoid more examples like Yellow Giant. Mines must have appropriate systems and contingency plans to prevent harmful discharges. More severe consequences must be issued to deter bad actors.




NICKEL PLATE MINE. PHOTO: TJFLEX2 VIA FLICKR (CC BY-NC-ND 2.0)

## CLOSED + ABANDONED MINES

# Nickel Plate

 **Mine type:** Gold; Open-pit/Underground

 **Owner:** Barrick Gold Inc.

 **Location:** 3 km northeast of Hedley

 **Receiving watershed:** Similkameen River

Nickel Plate gold mine operated for over 100 years from 1987 to 1996.<sup>166</sup> Acquired by Barrick Gold as a legacy site in 2001,<sup>167</sup> the mine demonstrates the long-term consequences that mines often have on the receiving environment long after they stop producing. For years, Nickel Plate has discharged cobalt-laden wastewater into Hedley Creek, which feeds the Similkameen River. In March 2025, Barrick was fined for discharging mine effluent containing cobalt levels over 7000% above permissible levels.<sup>168</sup> This was not the mine's first contravention,<sup>169</sup> and the provincial decision-maker acknowledged previous penalties had been too low to deter repeat offences.<sup>170</sup> Despite this, the decision-maker still reduced Barrick's 2025 fines from \$520,000 to only \$114,750.<sup>171</sup> Environmental reporting indicates mining activities have impacted benthic invertebrate communities in the receiving watershed,<sup>172</sup> which may be related to the mine's persistent cobalt exceedances.<sup>173</sup> Barrick has failed to develop water treatment to reduce cobalt concentrations<sup>174</sup> and is considering discharging mine wastewater directly into the Similkameen and relying on dilution by the river instead.<sup>175</sup> Barrick recently paid the mine's reclamation security bond after years of being severely underfunded.<sup>176</sup> However, until an updated reclamation and closure plan is developed that includes effective water treatment and appropriate discharge approaches, the mine's true long-term costs will remain uncertain. The Province must ensure appropriate water management plans exist prior to mine approvals, or at least by the time of mine closure; apply mine permit limits for natural waterbodies that do not exceed B.C.'s aquatic life guidelines nor rely on dilution; and use the full force of the law to penalize and deter repeat environmental offenders.



1970S POSTCARD OF CASSIAR MINE

CLOSED + OPERATING

## Cassiar Mine

🔑 **Mine type:** Asbestos; Open-pit (closed)/Jade; Placer Mining (operating)

👤 **Owner:** Cassiar Asbestos Company (filed bankruptcy in 1992); Cassiar Jade Contracting Inc. (CJCI)

📖 **Location:** 120 km north of Dease Lake

🌊 **Receiving watershed:** Dease River (part of Mackenzie River watershed)

The unincorporated town of Cassiar, built in the 1950s to house workers and families at the Cassiar Asbestos Company mine and mill, had an annual population of over 1,200 residents.<sup>177</sup> The company used mine tailings as crush for driveways<sup>178</sup> and asbestos dust blew through the town, covering layers of snow that children played in and ate.<sup>179</sup> The company went bankrupt and shut the town down in 1992,<sup>180</sup> with no reclamation bonds having been collected by the Province.<sup>181</sup> Following the closure of the asbestos mine, Minroc Mines Inc. mined magnesium out of the chrysolite tailings<sup>182</sup>—operating less than a year until the mill facility was damaged by fire.<sup>183</sup> Jade was always found in the area.<sup>184</sup> In 2003, Cassiar Jade Contracting Inc. (CJCI) purchased the mine's operational permit to conduct jade mining at the site for \$1, committing to undertake \$50,000 in reclamation activities annually.<sup>185</sup> From 2016 to 2022, CJCI was ordered—and failed—numerous times to develop an updated reclamation program for the large mine site.<sup>186</sup> While appealing a recent \$40,000 Administrative Penalty, CJCI claimed that they had done some reclamation activities, "however, much of the old asbestos mine remains to be reclaimed."<sup>187</sup> CJCI lost its appeal,<sup>188</sup> and, in March 2024, finally submitted an updated 5-year Reclamation and Closure Plan<sup>189</sup> to revegetate 112 ha of a total disturbed area of 477 ha.<sup>190</sup> An estimated 50,000 people were employed over the lifetime of the Cassiar mine.<sup>191</sup> Many of them have died or suffered from mesothelioma, asbestosis, and other lung diseases from asbestos exposure,<sup>192</sup> which often have a 10–40 year latency period.<sup>193</sup> No one tracks these workers or residents, and miners have no recourse from the bankrupt mine except to try difficult claims through WorkSafe BC.<sup>194</sup> While a federal ban on







CASSIAR MINE. SOURCE: FACEBOOK.COM


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asbestos and asbestos-containing products finally came into effect in 2018,<sup>195</sup> B.C. needs to track and support those with health-related impacts from the Cassiar asbestos mine. Health and safety standards<sup>196</sup> for reclamation at the old asbestos mine site are needed, along with more progress to remediate this toxic site.



"We are at a critical time to ensure B.C. has strong mining laws, regulations, policies, and practices to reduce risks of mining pollution in this province."

TRAIL RUNNERS ENJOY THE SEVEN SUMMITS TRAIL AT RECORD RIDGE. PHOTO: SRRAC

## Conclusion

As British Columbians, we value nature and our ecological and social diversity. Amidst initiatives to fast-track and expand mining development, risks and shortcomings in British Columbia's mining regulatory regime remain.

Environmental protections were incorporated into laws and regulations in response to damage and destruction that we determined as a society were unacceptable. In many cases, we are still paying for those impacts from tailings dam disasters (like Mount Polley), contaminated waterways (like the Elk and Kootenay Rivers), and ill health (from asbestos mining at Cassiar). We can't afford to go backwards, regardless of the urgency industry and political talk of critical minerals and tariff wars might trigger.

As the case studies in this report highlight, there are real consequences to our watersheds and infringements on Indigenous and workers' rights when rules are undermined and not enforced. Deregulation, skipping over Environmental Assessments, and reducing monitoring and enforcement will inevitably lead to more of these consequences. While efficiencies may be

found in our regulatory system, any modification or elimination of regulations must be based on evidence, facts, and a comprehensive review of what problems the regulations were there to solve and how those will be addressed elsewhere.

Instead of pursuing deregulation as a response to tariff threats, we are at a critical time to ensure B.C. has strong mining laws, regulations, policies, and practices to reduce risks of mining pollution in this province. The BC Mining Law Reform network believes British Columbia needs to protect critical resources, like water and salmon, and respect Indigenous rights while addressing the current crises; this means strengthening, not weakening, our mining regime.

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The resources below contain recommendations to improve mine safety in B.C. (and globally):

- The BC Mining Law Reform (BCMLR) network developed a comprehensive list of recommendations for shifting to more responsible mining in B.C., endorsed by nearly 30 local, provincial and national organizations from a wide range of sectors, including citizen and community groups, First Nations, academics, and social justice and environmental organizations. Recommendations can be found here: [reformbcmining.ca/reports/](https://reformbcmining.ca/reports/)
- The First Nations Energy and Mining Council released a report in 2022 on consent for mining on Indigenous lands that includes recommendations for all stages of the mining process, and potential pathways for operating within legal pluralism: [fnemc.ca/2022/01/25/mining-and-consent/](https://fnemc.ca/2022/01/25/mining-and-consent/)
- The First Nations Energy and Mining Council has three reports with recommendations for B.C. on reducing risks related to safety, mine disasters, and non-remediation: [fnemc.ca/mining/](https://fnemc.ca/mining/)
- "Safety First: Guidelines for Responsible Mine Tailings Management" was endorsed by over 140 NGOs and technical experts. A second version was released in 2022 with 17 recommendations to improve tailings safety: [miningwatch.ca/sites/default/files/safety\\_first\\_-\\_safe\\_tailings\\_management\\_-\\_v2.o\\_-\\_executive\\_summary.pdf](https://miningwatch.ca/sites/default/files/safety_first_-_safe_tailings_management_-_v2.o_-_executive_summary.pdf)
- The Initiative for Responsible Mining Assurance (IRMA) is a voluntary standard developed by a multi-stakeholder committee. While a strong



regulatory regime is needed, IRMA provides independent third-party verification to metal mine sites. It has also drafted a mineral exploration standard: [responsiblemining.net/resources/](https://responsiblemining.net/resources/)

- Many First Nations have created their own mining policies to reduce risks and better protect the lands and waters of their territories. One example is the Tsilqot'in National Government Mining Policy, released in 2023, that includes goals to protect the water and return the land to a state agreeable to the Nation: [tsilhqotin.ca/wp-content/uploads/2024/09/TNG-Mining-Policy.pdf](https://tsilhqotin.ca/wp-content/uploads/2024/09/TNG-Mining-Policy.pdf)
- SkeenaWild Conservation Trust put out the report, *Key Risks and Lessons at the Red Chris Mine: Charting a path forward for responsible mining development in northwest British Columbia*, in March 2025. This report highlights some of the concerns we raise here and has resulted in dialogue and discussions to implement some of the recommendations. [skeenawild.org/wp-content/uploads/2025/03/SkeenaWild-Key-Risks-Lessons-Red-Chris-Mine.pdf](https://skeenawild.org/wp-content/uploads/2025/03/SkeenaWild-Key-Risks-Lessons-Red-Chris-Mine.pdf)
- Northern Confluence Initiative put out a primer on Critical Minerals in B.C. to help broaden the conversation and fact-check around the push for "critical minerals" in February 2025: [northernconfluence.ca/wp-content/uploads/2025/02/Refined-look-at-critical-minerals-BC.pdf](https://northernconfluence.ca/wp-content/uploads/2025/02/Refined-look-at-critical-minerals-BC.pdf)
- BCMLR hosted a forum in February 2024 called *Transition Minerals: Now and Never*. A summary from that conference is available that includes recommendations and challenges assumptions about the amount of resources needed: [northernconfluence.ca/wp-content/uploads/2025/02/Refined-look-at-critical-minerals-BC.pdf](https://northernconfluence.ca/wp-content/uploads/2025/02/Refined-look-at-critical-minerals-BC.pdf)
- The Environmental Investigation Agency put out a report in early 2024 looking at how flow-through tax credits benefit those in mineral exploration in northwest B.C. It highlights the subsidies and incentives in its report, *Bad Prospects: The Mining Exploration Financial Model that Rewards a Few While Creating Excessive Risks in the Shared Watersheds of British Columbia and Alaska*. [eia.org/report/bad-prospects/](https://eia.org/report/bad-prospects/)

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namely, having to pay a mineral land tax under Section 3 of the *Mineral Land Tax Act* (MTA, *supra* note 5 s 3). Specific conditions are listed under each Crown Grant – which defined "minerals" a certain way. However, surface rights and activities are not part of this land holding, except often some forest activity to clear timber for mineral access. Despite granting mineral rights, they are not subject to the *Mineral Tenure Act*.

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- 76 Conversation with Chief Gold Commissioner on October 18, 2024 clarified that all Crown Grants are available to the public through Tantalus GATOR, and that rights granted are specific to each Crown Grant (as well as cross checking definition of "minerals" at time of signing). These colonial, archaic grants are not clearly understood by regulators when granting permits, leaving rights and tenure holders often lacking who to turn to with complaints.
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