

**Decision Statement**  
**Issued under Section 54 of the *Canadian Environmental Assessment Act, 2012***

to  
Pretium Resources Inc.  
c/o Robert A. Quartermain, Chairman and Chief Executive Officer

1600-570 Granville Street  
Vancouver, British Columbia  
V6C 3P1

for the  
**Brucejack Gold Mine Project**

**Description of the Designated Project**

Pretium Resources Inc. (the Proponent) is proposing the construction, operation and decommissioning of a gold-silver underground mine located approximately 65 kilometres north of Stewart, British Columbia. The proposed project would produce approximately 16 million tonnes of mineralized material at a rate of up to 2,700 tonnes per day over a minimum 22-year mine life.

**Conduct of the environmental assessment**

The Canadian Environmental Assessment Agency (the Agency) conducted an environmental assessment of the Designated Project and commenced its work on March 26, 2013. The Agency conducted its assessment in a manner that met the requirements of the *Canadian Environmental Assessment Act, 2012* and submitted its report to me in my capacity as Minister of the Environment.

**Decision on environmental effects referred to in section 5 of the *Canadian Environmental Assessment Act, 2012***

In accordance with paragraph 52(1)(a) of the *Canadian Environmental Assessment Act, 2012*, after considering the report of the Agency on the Designated Project and the implementation of mitigation measures that I consider appropriate, I have determined that the Designated Project is not likely to cause significant adverse environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012*.

In accordance with subsection 53(1) of the *Canadian Environmental Assessment Act, 2012*, I have established the conditions below in relation to the environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012*, with which the Proponent must comply.

The carrying out of the Designated Project does not require any federal authority to exercise a power or perform a duty or function conferred on them under an Act of Parliament other than the *Canadian Environmental Assessment Act, 2012*.

## **1 Definitions**

- 1.1 *Aboriginal groups* means the Nisga'a Nation, Tahltan Nation and Tsetsaut/Skii km Lax Ha.
- 1.2 *Agency* means the Canadian Environmental Assessment Agency.
- 1.3 *Construction* means the phase of the Designated Project during which physical activities in connection with site preparation, building or installation of any component of the Designated Project are undertaken by the Proponent prior to operation.
- 1.4 *Culturally modified tree* means a tree that has been altered by Aboriginal people as part of their traditional use of the forest.
- 1.5 *Days* means calendar days.
- 1.6 *Decommissioning* means the phase of the Designated Project where the Proponent has permanently ceased commercial production and has commenced actions to remove from service any component of the Designated Project, and continues these actions until site restoration activities are complete.
- 1.7 *Designated Project* means the Brucejack Gold Mine Project as described in documents provided by the Proponent to support the environmental assessment under the *Canadian Environmental Assessment Act, 2012* (Canadian Environmental Assessment Registry Reference Number 80034).
- 1.8 *Effluent* means effluent as defined in subsection 1(1) of the *Metal Mining Effluent Regulations*.
- 1.9 *Environment Canada* means the Department of the Environment as established under subsection 2(1) of the *Department of the Environment Act*.
- 1.10 *Fish* means fish as defined in subsection 2(1) of the *Fisheries Act*.
- 1.11 *Fish habitat* means fish habitat as defined in subsection 2(1) of the *Fisheries Act*.
- 1.12 *Follow-up program* means follow-up program as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.
- 1.13 *Heritage value* means the aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations.
- 1.14 *Migratory bird* means migratory bird as defined in subsection 2(1) of the *Migratory Birds Convention Act, 1994*.

- 1.15 *Mine water effluent* means mine water effluent as defined in section 1 of the *Metal Mining Effluent Regulations*.
- 1.16 *Mitigation measures* means mitigation measures as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.
- 1.17 *Operation* means the phase of the Designated Project during which the commercial production takes place.
- 1.18 *Project area* means the geographic area occupied by the Designated Project that includes the access road, the transmission line and the mine site.
- 1.19 *Proponent* means Pretium Resources Inc. and its successors or assigns.
- 1.20 *Qualified individual* means someone who, through education, experience and knowledge relevant to a particular matter, may be relied on to provide advice within his or her area of expertise.
- 1.21 *Reporting year* means January 1 to December 31 of a calendar year.
- 1.22 *Species at risk* means species at risk as defined in subsection 2(1) of the *Species at Risk Act*.
- 1.23 *Stope* means the void space left from underground mining after the desired ore body is extracted from the ground.
- 1.24 *Structure, site or thing that is of historical, archaeological, paleontological or architectural significance* means one that is determined, on the basis of Heritage Value, to be directly associated with an important aspect or aspects of human history or culture.
- 1.25 *Surface drainage* means surface drainage as defined in section 1 of the *Metal Mining Effluent Regulations*.

## **Conditions**

These conditions are established for the sole purpose of the Decision Statement issued under the *Canadian Environmental Assessment Act, 2012*. They do not relieve the Proponent from any obligation to comply with other legislative or legal requirements of federal, provincial or local governments. Nothing in this Decision Statement shall be construed as reducing, increasing, or otherwise affecting what may be required to comply with all applicable legislative or legal requirements.

### **2 General conditions**

- 2.1 The Proponent shall, throughout all phases of the Designated Project, ensure that its actions in meeting the conditions set out in this Decision Statement are informed by the best available information and knowledge, including community and Aboriginal traditional knowledge, are based on validated methods and models, are undertaken by qualified individuals, and have applied the best available economically and technologically feasible measures.
- 2.2 The Proponent shall, where consultation is a requirement of a condition set out in this Decision Statement:
  - 2.2.1 provide a written notice of the opportunity for the party or parties being consulted to present their views on the subject of the consultation;
  - 2.2.2 provide sufficient information and a reasonable period of time to permit the party or parties being consulted to prepare their views;
  - 2.2.3 provide a full and impartial consideration of any views presented by the party or parties being consulted; and
  - 2.2.4 advise the party or parties that have provided comments on how the views and information received have been considered by the Proponent.
- 2.3 The Proponent shall, where consultation with Aboriginal groups is a requirement of a condition set out in this Decision Statement, and prior to initiating that consultation, communicate with each Aboriginal group to determine the manner by which to satisfy the consultation requirements referred to in condition 2.2.
- 2.4 The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement:
  - 2.4.1 undertake monitoring and analysis to verify the accuracy of the environmental assessment as it pertains to the particular condition and/or to determine the effectiveness of any mitigation measure(s);
  - 2.4.2 where the results of the monitoring and analysis indicate issues with respect to the accuracy of the environmental assessment and/or the effectiveness of any mitigation measures that may lead to adverse environmental effects, identify the means by which the Proponent determines whether additional mitigation measures are required, including the need for consultation with other parties in reaching that determination; and

- 2.4.3 if additional mitigation measures are required pursuant to condition 2.4.2, implement and monitor these additional mitigation measures pursuant to condition 2.4.1.
- 2.5 The Proponent shall, from the reporting year where construction starts, submit to the Agency an annual report, including an executive summary of the annual report in both official languages. The annual report shall be submitted by the Proponent no later than March 31 following the reporting year. The Proponent shall document in the annual report:
- 2.5.1 implementation activities undertaken in the reporting year for each of the conditions set out in this Decision Statement;
  - 2.5.2 how it has considered and incorporated the factors set out in condition 2.1 in the implementation of the conditions set out in this Decision Statement;
  - 2.5.3 for conditions set out in this Decision Statement for which consultation is a requirement, how the Proponent has considered any views and information that the Proponent received during or as a result of the consultation;
  - 2.5.4 the results of the follow-up program requirements identified in conditions 3.4, 5.4 and 6.8; and
  - 2.5.5 any additional mitigation measures implemented or proposed by the Proponent, as determined under condition 2.4.
- 2.6 The Proponent shall publish on the Internet, or any similar medium, the annual report and the executive summary referred to in condition 2.5, the archaeological and heritage resources management plan referred to in condition 7.1, and the implementation schedule and any updates or revisions to that schedule referred to in condition 10, upon submission of these documents to the parties referenced in the respective conditions. The Proponent shall keep these documents publicly available for twenty-five years following the end of operation or until the end of decommissioning of the Designated Project, whichever comes first.
- 2.7 The Proponent shall notify the Agency in writing no later than 60 days after the day on which there is a transfer of ownership, care, control or management of the Designated Project in whole or in part.
- 2.8 In the event another party becomes the Proponent of the Designated Project, it is bound by the conditions set out in this Decision Statement.

### **3 Fish and fish habitat**

- 3.1 The Proponent shall, for all effluent discharges, comply with the *Fisheries Act*, the *Metal Mining Effluent Regulations*, and any discharge limits for effluent set by British Columbia that meet or exceed the requirements of the *Fisheries Act* and the *Metal Mining Effluent Regulations*. In addition, the Proponent shall:
- 3.1.1 design and construct the perimeter ditching around the waste rock stockpile, mill building and portals to accommodate a 200-year rain-on-snow event;
  - 3.1.2 capture and divert surface drainage and mine water effluent to the water treatment plant for treatment prior to discharge into Brucejack Lake;

- 3.1.3 immobilize tailings and deposit potentially acid generating rocks on the bottom of Brucejack Lake where they shall remain submerged at all times or in decommissioned stopes; and
- 3.1.4 use multiple turbidity curtains at the outlet of Brucejack Lake.
- 3.2 The Proponent shall protect fish and fish habitat during all phases of the Designated Project, which shall include the implementation of mitigation measures to avoid causing harm to fish and fish habitat when using explosives or conducting activities in or around water frequented by fish, as well as on the Knipple Glacier.
- 3.3 The Proponent shall, during decommissioning, reclaim riparian habitats along the access road which shall include the planting of native plant species.
- 3.4 The Proponent shall develop and implement a water quality and fish and fish habitat follow-up program that shall include:
  - 3.4.1 monitoring the quality of water flowing from Brucejack Lake into Brucejack Creek to verify the accuracy of the water quality and fish and fish habitat predictions in the environmental assessment; and
  - 3.4.2 determining whether mitigation measures implemented to protect the quality of water flowing from Brucejack Lake into Brucejack Creek and downstream fish and fish habitat are effective.

#### **4 Migratory birds**

- 4.1 The Proponent shall carry out all phases of the Designated Project in a manner that protects and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests or eggs. In this regard, the Proponent shall take into account Environment Canada's *Avoidance Guidelines*. The Proponent's actions in applying the *Avoidance Guidelines* shall be in compliance with the *Migratory Birds Convention Act, 1994* and with the *Species at Risk Act*.
- 4.2 The Proponent shall design and build the transmission line in a manner that prevents electrocution, discourages nesting and makes the transmission line more visible to migratory birds taking into account the Avian Power Line Interaction Committee's *Suggested Practices for Avian Protection on Power Lines*.

#### **5 Health of Aboriginal peoples**

- 5.1 The Proponent shall implement mitigation measures to manage air emissions of the Designated Project during all phases, including:
  - 5.1.1 those mitigation measures required to comply with the *Waste Discharge Regulation* under British Columbia's *Environmental Management Act* for operational air emissions;
  - 5.1.2 fugitive dust best management practices; and
  - 5.1.3 use of low-sulphur diesel fuel equipment and pollution control equipment on mobile heavy equipment.

- 5.2 The Proponent shall, in consultation with the Nisga'a Nation and Tsetsaut/Skii km Lax Ha, monitor and assess any changes to ambient air quality at the Tsetsaut/Skii km Lax Ha Lodge that result from the Designated Project during all phases for particulate matter (10 microns in diameter or less) and fine particulate matter (2.5 microns in diameter or less) using the *Canadian Ambient Air Quality Standards* of the Canadian Council of Ministers of the Environment as a benchmark, as well as for nitrogen oxide, sulphur dioxide and carbon monoxide.
- 5.3 The Proponent shall develop and implement, in consultation with the Nisga'a Nation and Tsetsaut/Skii km Lax Ha, a mechanism for receiving noise complaints due to noise caused by the Designated Project during all phases, and respond in a timely manner to any noise complaint received.
- 5.4 The Proponent shall develop and implement, in consultation with the Nisga'a Nation and Tsetsaut/Skii km Lax Ha, a follow-up program based on the monitoring specified in condition 5.2 to evaluate the effectiveness of mitigation measures identified under condition 5.1. The follow-up program shall start with construction and ceases at the end of the decommissioning phase.
  - 5.4.1 The Proponent shall inform the Nisga'a Nation and Tsetsaut/Skii km Lax Ha in cases of exceedances at the Tsetsaut/Skii km Lax Ha Lodge of the *Canadian Ambient Air Quality Standards* of the Canadian Council of Ministers of the Environment parameters specified in condition 5.2.

## **6 Current use of lands and resources for traditional purposes**

- 6.1 The Proponent shall provide Aboriginal groups with the implementation schedule and any updates or revisions to that schedule as stated in condition 10 at the same time the Proponent provides the schedule to the Agency.
- 6.2 The Proponent shall prohibit any hunting, fishing and trapping within the Project Area by the Proponent's employees and contractors hired by the Proponent, unless an employee or a contractor is provided access for traditional purposes as per condition 6.6 or for exercising rights as per condition 6.7.
- 6.3 The Proponent shall prohibit public access to the access road.
- 6.4 The Proponent shall impose speed limits on the access road taking into account provincial guidelines.
- 6.5 The Proponent shall construct and maintain gaps in snow banks large enough to provide passage for fauna, including ungulates and furbearers.
- 6.6 The Proponent shall, following consultation with Tsetsaut/Skii km Lax Ha, provide access to the Project Area to the Tsetsaut/Skii km Lax Ha for traditional purposes, to the extent that such access is safe.
- 6.7 The Proponent shall, following consultation with the Nisga'a Nation, provide access to the Project Area for the Nisga'a Nation to exercise rights under the *Nisga'a Final Agreement*, to the extent that such access is safe.

- 6.8 The Proponent shall develop and implement, in consultation with the Nisga'a Nation and Tsetsaut/Skii km Lax Ha, a follow-up program to determine the effectiveness of the mitigation measures used to avoid mortality of fauna, including ungulates and furbearers, along the access road and to verify the accuracy of the environmental assessment.

## **7 Physical and cultural heritage and structures, sites or things of historical, archaeological, paleontological or architectural significance**

- 7.1 The Proponent shall develop and implement, in consultation with Aboriginal groups, an archaeological and heritage resources management plan for the Designated Project prior to construction. The archaeological and heritage resources management plan shall take into account British Columbia's *Handbook for the Identification and Recording of Culturally Modified Trees*. The archaeological and heritage resources management plan shall include:
- 7.1.1 a description of structures, sites or things of historical, archaeological, paleontological or architectural significance (including Culturally Modified Trees) that may be encountered by the Proponent during construction;
  - 7.1.2 procedures and practices for on-site monitoring of construction activities that may affect a structure, site or thing of historical, archaeological, paleontological or architectural significance (including a Culturally Modified Tree) and for the identification and removal of the resource; and
  - 7.1.3 a chance find protocol if a previously unidentified structure, site or thing of historical, archaeological, paleontological or architectural significance (including a Culturally Modified Tree) is discovered by the Proponent or brought to the attention of the Proponent by an Aboriginal group or another party during construction.

## **8 Species at risk**

- 8.1 The Proponent shall conduct pre-clearing surveys to determine distribution of Little Brown Myotis (*Myotis lucifugus*) and Northern Myotis (*Myotis septentrionalis*), and establish a 50-metre buffer zone around active hibernacula and active roosts.
- 8.2 The Proponent shall, prior to construction and throughout all phases of the Designated Project, install and maintain roosting structures to offset if there is loss of Little Brown Myotis (*Myotis lucifugus*) and Northern Myotis (*Myotis septentrionalis*) bat roosting habitat.
- 8.3 The Proponent shall monitor mortality of Little Brown Myotis (*Myotis lucifugus*) and Northern Myotis (*Myotis septentrionalis*) and their usage at buffer-zones and of roosting structures, to determine the effectiveness of the mitigation measures during construction and operation.
- 8.4 The Proponent shall construct wildlife tunnels and fencing along the access road to allow passage of the Western Toad (*Anaxyrus boreas*) beneath the road as close as possible to existing migration corridors taking into account British Columbia's *Guidelines for Amphibian and Reptile Conservation during Urban and Rural Land Development in British Columbia*.



## **9 Accidents or malfunctions**

- 9.1 The Proponent shall take all reasonable measures to prevent accidents and malfunctions that may result in adverse environmental effects and shall implement emergency response procedures and contingencies developed in relation to the Designated Project.
- 9.2 The Proponent shall, prior to construction, consult with Aboriginal groups to identify potential accidents and malfunctions that may result in an adverse environmental effect, and on the measures to be applied to prevent such accidents and malfunctions.
- 9.3 In the event of an accident or malfunction with the potential to cause adverse environmental effects, the Proponent shall:
  - 9.3.1 notify relevant federal and provincial authorities, including notifying the Agency in writing of the accident or malfunction as soon as possible in the circumstances;
  - 9.3.2 implement immediate measures to minimize any adverse environmental effects associated with the accident or malfunction;
  - 9.3.3 submit a written report to the Agency as soon as possible in the circumstances, but no later than 30 days after the day on which the accident or malfunction took place. The written report shall include:
    - 9.3.3.1 a description of the accident or malfunction and of its adverse environmental effects;
    - 9.3.3.2 the measures that were taken by the Proponent to mitigate the environmental effects of the accident or malfunction;
    - 9.3.3.3 a description of any residual environmental effects, and any additional measures required to address residual environmental effects; and
    - 9.3.3.4 if an emergency response plan was implemented, details concerning its implementation;
  - 9.3.4 as soon as possible in the circumstances, but no later than 90 days after the day on which the accident or malfunction took place, submit a written report to the Agency on the changes made to avoid a subsequent occurrence of the accident or malfunction and on the implementation of any additional measures to mitigate residual environmental effects.
- 9.4 The Proponent shall develop and implement a communication plan, in consultation with Aboriginal groups, that shall include:
  - 9.4.1 the types of accidents or malfunctions requiring a notification by the Proponent to the respective Aboriginal groups;
  - 9.4.2 the manner by which Aboriginal groups shall be notified by the Proponent of an accident or malfunction and of any opportunities for the Aboriginal groups to assist in the response to the accident or malfunction; and

- 9.4.3 the contact information of the representatives of the Proponent that the Aboriginal groups may contact and of the respective Aboriginal groups to which the Proponent provides notification.

## **10 Implementation schedule**

- 10.1 The Proponent shall submit an implementation schedule for conditions contained in this Decision Statement to the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, at least 30 days prior to construction. The implementation schedule shall indicate the commencement and completion dates for each activities relating to conditions set out in this Decision Statement.
- 10.2 The Proponent shall submit an update to this implementation schedule in writing to the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, every two years on or before March 31, until completion of the activities.
- 10.3 The Proponent shall provide the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, with a revised implementation schedule if any change occurs from the initial schedule or any subsequent updates. The Proponent shall provide the revised implementation schedule at least 30 days prior to the implementation of the change.

## **11 Record keeping**

- 11.1 The Proponent shall maintain a written record, or a record in an electronic format compatible with that used by the Agency, and retain and make available that record to the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, at a facility close to the Designated Project (local facility). The record shall include information related to the implementation of the conditions set out in this Decision Statement, and the results of all associated monitoring, including:
- 11.1.1 the place, date and time of any sampling, as well as techniques, methods or procedures used;
  - 11.1.2 the dates and the analyses that were performed;
  - 11.1.3 the analytical techniques, methods or procedures used in the analyses;
  - 11.1.4 the names of the persons who collected and analyzed each sample and documentation of any professional certifications relevant to the work performed that they might possess; and
  - 11.1.5 the results of the analyses.
- 11.2 The Proponent shall retain and make available upon demand to the Agency, or anyone designated pursuant to section 89 of the *Canadian Environmental Assessment Act, 2012*, the information contained in condition 11.1 at a facility close to the Designated Project (or at a location within Canada and agreed upon by the Agency, should the local facility no longer be maintained). The information shall be retained and made available throughout construction and operation, and for twenty-five years following the end of operation or until the end of decommissioning of the Designated Project, whichever comes first.

**Issuance**

This Decision Statement is issued in Ottawa, Ontario by:

<Original signed by>

July 30, 2015

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**The Honourable Leona Aglukkaq**  
Minister of the Environment

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Date