

ESKAY CREEK REVITALIZATION PROJECT SECTION 7

WHAT YOU NEED TO KNOW

Information on the Eskay Creek Revitalization Project and Red Chris Block Cave Section 7 consent-based decision-making agreements

» **What is the Declaration on the Rights of Indigenous Peoples Act?**

In **November of 2019**, the provincial government passed the Declaration on the Rights of Indigenous Peoples Act (Declaration Act) into law.

The Declaration Act establishes the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) as the province's framework for reconciliation, as called for by the Truth and Reconciliation Commission's Calls to Action.

The Declaration Act aims to create a path forward that respects the human rights of Indigenous Peoples while introducing better transparency and predictability to the work the province does with Indigenous Peoples.

There are four key areas of the legislation:

Section 3 mandates the government to bring provincial laws into alignment with the UN Declaration.

Section 4 requires the province to develop and implement an action plan, in consultation and co-operation with Indigenous Peoples, to meet the objectives of the UN Declaration.

Section 5 requires regular reporting to the legislature to monitor progress on the alignment of laws and implementation of the action plan, including tabling annual reports by June 30th of each year.

Sections 6 and 7 allow the province to enter into agreements that recognize the decision making authority of Indigenous governments and to exercise statutory decision-making authority together with Indigenous governments.

» **How has the Province of BC used the Declaration Act to advance reconciliation with the Tahltan Nation?**

ESKAY CREEK REVITALIZATION PROJECT

In **June of 2022**, the Tahltan Central Government and the Province of BC entered into the first consent-based decision-making agreement under Section 7 of the Declaration Act. This agreement, which also relies on Section 7 of the Environmental Assessment Act, respects Tahltan's jurisdiction in land management decisions in Tahltan Territory, in recognition of Tahltan's title and rights within its Territory.

This agreement outlines consent-based decision-making related to the Eskay Creek Revitalization Project. Through the implementation of this agreement, Tahltan and the province are working together to change BC's standard approach to environmental assessments, decision making on projects, and permit authorizations, by placing Tahltan values and rights at the forefront. As a result of the Eskay Creek agreement, the Eskay Creek Revitalization Project cannot proceed without Tahltan consent.

Section 7 of the Declaration Act provides a mechanism for the province to recognize in law Indigenous jurisdiction and decisions within the provincial statutory decision-making framework.

RED CHRIS MINE

In **November of 2023**, the Tahltan Central Government and the Province of BC entered into another consent-based decision-making agreement under Section 7 of the Declaration Act and Section 7 of the Environmental Assessment Act in relation to the future operation of the Red Chris gold and copper mine located in Tahltan Territory. This agreement was viewed as a necessary step forward in the evolving progression of a co-governance relationship between Tahltan and the province.

The agreement outlines consent-based decision-making for any substantial changes proposed by the mine operator to the Red Chris mine 2005 environmental assessment certificate.

The Red Chris agreement respects and recognizes Tahltan title, rights and inherent jurisdictional decision-making authority for land-management decisions for the Red Chris mine.

Under the Red Chris agreement, Tahltan and the provincial Environmental Assessment Office will collaboratively carry out their own assessment processes to inform their separate decisions on whether any proposed substantial change to the existing environmental-assessment certificate should be approved, including those required to transition Red Chris from open-pit to underground block cave mining. These amendments cannot proceed without Tahltan consent.

The Red Chris agreement provides clarity and transparency regarding how Tahltan and BC's respective assessment and decision-making processes will be carried out collaboratively and in a way that respects Tahltan decision-making about land-management decisions in Tahltan Territory.

» Can you tell me what a Section 7 consent-based decision-making agreement is and why it is important for the Tahltan Nation?

In June 2022, Tahltan Nation made history by being the first Indigenous government in BC to sign a Section 7 consent-based decision-making agreement regarding the Eskay Creek Revitalization Project; a second agreement was entered into in November 2023 in relation to the future operation of the Red Chris mine. Both agreements were entered into under Section 7 of the Declaration Act, which became law in BC in November of 2019.

Both consent-based decision-making agreements recognize Tahltan's authority to decide whether mining projects being proposed in Tahltan Territory should go ahead.

RESOURCES & INFORMATION

FOR MORE
INFORMATION
PLEASE VISIT:
**TAHLTAN.ORG/
SECTION7ESKAYCREEK/**

Eskay Overview ([video](#))

2024 Eskay Creek Revitalization Project
Information Package ([pdf](#))

Assessment Process Mar 2025
Update ([pdf](#))

Project Update – Oct 2024 ([pdf](#))

Eskay Creek Revitalization Project Agreement

Declaration Act Consent Decision-
Making Agreement for Eskay Creek
Project ([pdf](#))

Red Chris Mine Agreement

Declaration Act Consent Decision-
Making Agreement for Red Chris
Porphyry Copper-Gold Mine Project ([pdf](#))

» **What is being proposed at the Eskay Creek Revitalization Project and at the Red Chris Mine?**

At the Eskay Creek Revitalization project, Skeena Gold + Silver is proposing to restart operations at the historical underground gold and silver mine.

At the Red Chris mine, Newmont is proposing to transition the existing mine from open-pit mining to an underground method called 'block-caving'.

» **How does the Tahltan Nation decide whether to give its consent under a Section 7 agreement?**

Both agreements stipulate that the Tahltan Central Government, represented by its Board of Directors, will make decisions on behalf of the Tahltan Nation regarding whether to consent to the Eskay Creek Revitalization Project and to the future operation of Red Chris.

IN DOING SO, THEY WILL CONSIDER THE FOLLOWING FACTORS:

- An assessment of the projects carried out by the TCG Lands & Regulatory Affairs Department, which will include a consideration of the potential benefits and impacts of the projects
- An assessment of the projects carried out by BC's Environmental Assessment Office
- The results of engagement with Tahltan members, including engagement carried out through the Tahltan and Iskut Bands and the Tahltan Family Representatives
- The results of engagement with BC and Canada about the project
- The results of engagement with the proponents about the project

In making its decisions whether to consent to the projects, the TCG Board can decide that additional conditions are required for the projects, for example, to address environmental impacts.

STEPS TOWARDS TAHLTAN DECISION TO CONSENT

- 1 Consent-based decision-making agreement signed November 09, 2023
- 2 Identify Tahltan Areas of Interest (AOIs)
- 3 Identify Tahltan Values
- 4 Identify Condition of Values
- 5 Identify Impacts of Project
- 6 Conduct Tahltan Risk Assessment
- 7 Develop Recommendations and Conditions for Decisions
- 8 Tahltan Recommendations for Decisions
- 9 **Tahltan Decision to Consent**

Any decisions must reflect input from the Tahltan Nation. Feedback will be sought to evaluate project impacts, assess acceptability, and identify core Tahltan values.

FOR BOTH MINING PROJECTS:

- **If the TCG Board decides to consent** – The project can go ahead if BC also decides to approve it, subject to any additional conditions the TCG Board has identified.
- **If the TCG Board decides not to consent,**
The project cannot go ahead. There is a process that BC can use to ask the TCG Board to reconsider its decision. However, if at the end of that process the TCG Board still does not consent, the project cannot proceed.

The TCG Board can choose to approve both projects, only one, or none. These groundbreaking agreements mark a first in British Columbia, leaving the specific measures for halting the projects in case of non-consent to be defined. Nevertheless, they incorporate firm assurances from BC that Tahltan approval is essential for project advancement, which we will ensure are upheld.

WHAT IS THE ESKAY CREEK REVITALIZATION PROJECT?

Skeena Gold + Silver is proposing to develop and operate the Eskay Creek Revitalization Project (Project), an open pit gold and silver mine at the past producing Eskay Creek Mine site located in Tahltan Territory. The Eskay Creek Mine operated from 1994-2008 as an underground mine. Skeena is proposing to revitalize the mine, moving to a conventional truck and shovel open pit development to produce a gold-silver concentrate.

WHO IS SKEENA?

The following information has been provided by Skeena.

Skeena Gold + Silver is a BC built company focused on developing the Eskay Creek Revitalization Project located in Tahltan Territory's renowned Golden Triangle in Northwest British Columbia. The company is headquartered in Vancouver, with an office in Smithers and employees located across British Columbia. Skeena's corporate development has focused on building projects in Tahltan Territory, including the Eskay Creek Revitalization Project, the former SNIP Mine, and other exploration projects. Our commitments to the Environment and community are driven by our environment and social design principles, developed in collaboration with the Tahltan Central Government. This commitment to building Projects the right way has supported our growth as a company, growing to a market cap of over \$2B.

THE FUTURE OF ESKAY CREEK

Skeena aims to have Eskay Creek in operations and begin initial production in 2027. If it becomes operational, the restored Eskay Creek would bring new, meaningful economic and social benefits to the Tahltan Nation through the creation of jobs, wealth generation, skills training, community development, and procurement opportunities. Skeena is currently developing an Impact Benefit Agreement (IBA) that will outline specifications for how the company will partner with the Tahltan Nation to build a positive legacy in the community.

CONTACT

TCG Team

Connor Pritty

Lands and Regulatory Affairs Director
landsdirector@tahtlan.org

Roxanne Ball

Lands Administrator
landsadmin@tahtlan.org

Shawn Ducharme

Major Projects Coordinator
lands@tahtlan.org

Blaine Lindstrom

Shared Engagement Record Coordinator
sercoordinator@tahtlan.org

Norm Maclean

Senior Technical Advisor
norm.maclean@tahtlan.org

Skeena Contacts

Jodi Payne

Community Relations Manager
jpayne@skeenagold.com

Nalaine Morin

Senior VP Environment and Social Affairs
nmorin@skeenagold.com

Karen Leven

VP Environment and Regulatory Affairs
kleven@skeenagold.com

For questions about the Project, general updates, environment, permitting, etc, reach out to:

Email at:

engage.eskay@skeenagold.com

Visit our Project Website:

skeenaeskaycreek.com/

Check out our facebook:

facebook.com/skeenagoldsilver

The Project is anticipated to have a 18-year mine life from Construction through Reclamation and Closure, followed by a period of Post-closure. The Project has 3.3Moz of Gold and 88Moz of silver in proven and probable reserves, and will also produce critical minerals by-products, including antimony and zinc. Across the mine life, the Project would generate an average of 0.20 million ounces (Moz) to 0.25 Moz of gold annually and 5.5 Moz to 7.0 Moz of silver annually. There is also opportunity for extension of the mine life, through exploration and new discoveries.

The Project would utilize existing infrastructure, including camp facilities and existing access roads, and benefit from a newly constructed transmission line bringing clean hydroelectric power from the provincial grid connected to the nearby Coast Mountain Hydroelectric Facilities partly owned by the Tahltan Nation. Collaboration with BC Hydro has produced a GHG forecast of 0.2 tCO₂e per ounce of gold produced, approximately 72% lower than the global average for an open pit mine.

APPROVALS AND AUTHORIZATIONS

The Eskay Creek Revitalization Project will require three major approvals: A consent decision from the Tahltan Nation under Section 7 of The Declaration on the Rights of Indigenous Peoples Act (DRIPA), an Environmental Assessment Certificate issued by the BC Environmental Assessment Office, and a Major Mines Permit under the mines act from the BC Ministry of Mining and Critical Minerals. Skeena is currently working towards all 3 of these approvals, with the goal of achieving each in the fall of 2025.

The British Columbia Ministry of Mining and Critical Minerals has provided approval to Skeena for the extraction of a 10,000-tonne bulk sample. The bulk sample application has been the subject of consultation with the Tahltan Nation. Additionally, extensive environmental baseline monitoring, engineering design, geotechnical investigation, stockpile assessment, safety and reclamation studies have been completed to support the bulk sample program.

The Existing Eskay Creek Mine operates under an existing Major Mines Permit and Environmental Assessment certificate. Skeena is applying for new approvals, to ensure Tahltan values lead the way for the development of the Revitalization Project.

WHAT'S HAPPENING NOW?

An Environmental Assessment (EA) for the Project was initiated in July 2021 as a collaborative effort between the BC Environmental Assessment Office (EAO), the Impact Assessment Agency of Canada (IAAC), and the Tahltan Central Government (TCG). In July 2022, the Province of BC and the Tahltan Central Government signed the first consent based decision making agreement under Section 7 of the Declaration of the Rights of Indigenous Peoples Act. This agreement sets out the Environmental Assessment process for the Eskay Creek Revitalization Project, and the role the Tahltan Central Government will play in reviewing the project and developing conditions under which the Project would be governed.

Skeena submitted its Environmental Assessment Certificate (EAC) Application in August 2024 and has since revised the Project in response to feedback from both the TCG and the EAO. The revised EAC Application was submitted in early April 2025 and has successfully passed the adequacy review conducted by the TCG and the BC EAO. This milestone advances the Project into the legislated 150-day Effects Assessment phase of the EA process. During this phase, the BC EAO and TCG will collaboratively develop a draft Assessment Report and proposed conditions, informed by engagement with Indigenous Nations, the Technical Advisory Committee, and the Community Advisory Committee. Concurrently, the Project has entered the Tahltan Risk Assessment phase. As required by the Agreement, the TCG is conducting its own assessment (the Tahltan Risk Assessment) of the Environmental Assessment Application for the Project.

Skeena continues to actively participate in the TCG's evaluation of the Project's alignment with Tahltan Sustainability Requirements, with a focus on understanding potential impacts to Tahltan values and way of life.

Following the Tahltan Risk Assessment, the TCG Board, informed by community, technical and leadership feedback, will vote to determine consent for the Environmental Assessment Certificate.