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c/o Elise Matzanke and Stasia Ferbey

VIA EMAIL: "**Elise.Matzanke@gov.bc.ca**" and "**Stasia.Ferbey@gov.bc.ca**"

**Re: Telkwa Mine Proposal (Tenas Project) – Review of Information Request Responses**

Dear EAO,

I am writing on behalf of the Community Advisory Committee, What Matters in Our Valley ("**WMIOV**") regarding the Telkwa Mine Proposal ("**Tenas Project**") put forward by the proponent, Telkwa Mining Limited ("**TML**"). We appreciate the opportunity to participate in the environmental assessment process by providing the Community Advisory Committee Report on or before September 16, 2026, within 30 days from the commencement of the Final Assessment period (the "**Submission**").

This Submission provides WMIOV's feedback on TML's responses to the four following Information Requests: Section 25, Fish and Fish Habitat, Caribou, and Water and Water Quality. This Submission is informed by expert analysis of each of the Information Request responses. These expert reports are filed as part of this Submission.

Please note that this Submission is limited to information addressing concerns raised or held by WMIOV and does not purport to address concerns raised by any other interested party in the Tenas Project, including First Nations who originally posed the questions in the Section 25 Information Request. Further, to the extent WMIOV has raised concerns not expressly addressed in this Submission, those concerns are maintained and should be treated as continuing.

**Summary of Information Request Responses and Expert Findings**

i. Section 25

The Section 25 response contains material deficiencies concerning greenhouse gas emissions, socio-economic effects, and economic assumptions.

The expert review conducted by Environmental Law Alliance Worldwide ("**ELAW**") identifies repeated conflation of carbon stocks with carbon sinks and annual carbon fluxes, as well as inconsistent use of tonnes of carbon and tonnes of $CO_2e$. On the assumptions reviewed, clearing 830.1 hectares would result in a loss of approximately 351,132.3 tonnes of carbon stock, while the proposed 817 hectares of seeding would sequester approximately 3,268 tonnes annually. The estimated recovery period is therefore approximately 107.4 years, subject to risks including fire, drought, insect mortality, and additional logging, not approximately 17 years.

The ELAW report also concludes that the greenhouse gas assessment lacks sufficient detail to verify machinery and equipment emissions because it does not identify machinery types, quantities, or usage

rates. It identifies inconsistent mine-life assumptions of 21, 22, and 25 years, which affect projected emissions, economic viability, compatibility with net-zero targets, and stranded-asset risk.

The responses conclusion that climate effects are "not significant" is also not adequately supported. The residual-effects matrix characterizes the effects as medium magnitude, beyond regional, long term, continuous, high context, and likely, while it remains unclear whether Scope 3 emissions were included in the significance assessment.

The review further concludes that fugitive methane emissions may be more than six times higher than the estimate in the Section 25 response.

The socio-economic analysis does not assess whether mine related noise, dust, and air pollution could reduce nearby residential property values; it focuses instead on workforce driven housing demand and inflationary pressures. It also fails to address material changes in the 2025 Updated Feasibility Study, including an increase in total operating costs from US$52.58 per tonne to US$80.48 per tonne and an increase in the assumed average coal price from US$114 per tonne to US$175 per tonne.

The expert review concludes that the improved projected net present value depends substantially on higher coal price assumptions and that downside scenarios involving steel sector decarbonization, reduced metallurgical coal demand, policy changes, and demand volatility have not been adequately assessed. Importantly, the proponent has not adequately accounted for the increasing possibility that the demand for coking coal will be reduced under net-zero policies, which could substantially alter the Tenas Project's economic forecast. It further identifies a risk that automation of haul trucks, drill rigs, and other mining equipment could reduce the projected employment benefits during the mine's operating life.

ii. Fish and Fish Habitat

*ELAW Report*

The Fish and Fish Habitat review conducted by ELAW concludes that the Tenas Project is likely to adversely affect fish, fish habitat, and the regional steelhead fishery despite proposed mitigation and offsetting.

Construction would permanently eliminate three Tenas Creek tributaries totaling more than 9,900 m², reduce water flows, and cause the loss of nearly 200 m² of Dolly Varden spawning and rearing habitat in Four Creek. Potential effects also concern coho, Chinook, and pink salmon, steelhead, rainbow trout, and bull trout, the latter of which is a 'blue-listed' Species of Special Concern in BC. Further, the confluence of Four Creek and Goathorn Creek is a spawning area for many of the above-listed species.

TML's conclusion that mitigation and offsetting would avoid significant adverse effects is internally inconsistent with its acknowledgement that residual water quality changes are predicted to remain throughout all Project phases, including post-closure. The expert review concludes that best available technology would not achieve applicable aquatic life guidelines: modelled concentrations of nitrite, total iron, and dissolved iron exceed British Columbia guidelines.

The review also cautions that reliance on LC50 values is inappropriate as a measure of a safe threshold. LC50 represents the concentration expected to kill 50% of an exposed test population; modelled nitrite

concentrations approach the rainbow-trout LC50.

Water quality modelling predicts potential exceedances for selenium, dissolved cobalt, and nitrite-nitrogen in Four Creek, Tenas Creek, and Goathorn Creek. In Four Creek, dissolved cobalt is predicted to reach up to 4.3 times the applicable guideline, selenium up to 1.6 times, and nitrite-nitrogen up to 1.7 times. The review concludes that active treatment would not resolve localized exceedances driven primarily by groundwater seepage and that long-term groundwater contamination could persist for decades and be extremely difficult to mitigate.

The proposed offsetting plan is not demonstrated to be equivalent to the habitat losses. It focuses on off-channel juvenile salmonid rearing and wintering habitat but does not address the anticipated loss of Dolly Varden spawning habitat. It remains at an early conceptual stage without sufficient site-specific information concerning groundwater, streamflow, substrates, access, feasibility, and downstream contamination risks.

The ELAW review also identifies 6PPD-quinone, associated with tire use and traffic, as an additional potential fish toxicity risk. Finally, the biological baseline is incomplete: although TML refers to surveys conducted in 2023, 2024, and 2025, the 2024 and 2025 survey dates, methods, and results have not been provided. The 2023 spawning surveys, conducted over only two days, were insufficient to characterize an entire salmonid spawning period.

The ELAW review concludes that Goathorn and Tenas creeks and the lower Telkwa River provide important juvenile steelhead rearing habitat supporting the Bulkley River sport fishery, and that the Tenas Project could significantly affect that fishery.

*SkeenaWild Report*

The SkeenaWild report similarly concludes that important uncertainties remain and are deferred to permitting, monitoring, adaptive management, and future management plans. It states that “the improved baseline does not fully resolve effects questions around population-level risk, chronic contaminant exposure, flow-related habitat effects or post-closure effects,” including concerns about steelhead population-level risk, watershed-level effects, winter habitat and baseflow, prey-subsidy loss, and water quality degradation.

SkeenaWild reports that recent 2025 fieldwork improved the baseline for Tenas, Goathorn, Four, and Helps creeks, but that downstream Telkwa and Bulkley receiving environments were addressed primarily through existing information, prediction nodes, and desktop review rather than detailed updated fish assessments. It cautions that expected downstream dilution does not eliminate the need to assess cumulative downstream exposure, habitat function, and biological response.

The SkeenaWild review identifies Four Creek as the area of greatest concern for surface-water quantity, seasonal flow distribution, low flows, baseflow, and associated habitat effects. It notes that Four Creek contains an isolated resident Dolly Varden population above a hanging culvert and that the updated information does not provide a population-level assessment of viability, recruitment, population trend, genetic distinctiveness, recolonization potential, or extirpation probability.

SkeenaWild also identifies Tenas Creek Reach 1 as the primary steelhead/rainbow-trout spawning and

rearing area. It reports that most steelhead spawning likely occurs in lower Tenas Creek and lower Goathorn Creek and refers to historical estimates of approximately 52 adult steelhead in lower Goathorn Creek and an expected population approximately twice that size in Tenas Creek.

The review further identifies bull trout as an under-assessed conservation receptor. Although bull trout were not observed in recent surveys, SkeenaWild states that this does not establish that the species has been lost from the system or that the fish community has changed. Historical records identify bull trout spawning and rearing throughout the Goathorn Creek watershed, including Goathorn Reach 2, Cabinet Creek, Webster Creek, Tenas Reach 2, and the East and West forks of upper Tenas Creek.

SkeenaWild emphasizes that the approximately 10,000 $m^2$ loss in Tenas tributaries TN6, TN7, and TN8 should not be assessed solely by reference to their non-fish-bearing classification. Those tributaries may provide flow and inputs of organic matter and invertebrates that support downstream fish productivity. The review also characterizes Tributary J247, proposed as an effluent discharge pathway, as "the functional conversion of a small headwater tributary to an effluent conveyance pathway."

SkeenaWild identifies selenium as a particular food-web-mediated reproductive concern, and identifies suspended sediment as a material fish habitat concern.

The review concludes that habitat offsetting remains unresolved because detailed offset designs, site investigations, effectiveness monitoring, and accounting for time lags and lost productivity have been deferred to permitting. Finally, SkeenaWild concludes that the assessment is more effective in addressing localized habitat alteration than "long-term watershed-scale ecological resilience, cumulative aquatic stressors, and downstream habitat function important to migratory and resident salmonids over time." It identifies post-closure waste rock weathering, evolving groundwater pathways, freeze-thaw processes, changing precipitation patterns, extreme precipitation, rain-on-snow events, and hydrologic variability as continuing sources of uncertainty.

iii. Water and Water Quality

The water and water quality expert, Littlejohn Environmental Consulting, and the dams expert, the Center for Science in Public Participation, together identify significant deficiencies concerning management-pond dams, liners, seepage, water treatment, and long term contamination.

*Water Quality Report*

Littlejohn Environmental Consulting concludes that the Tenas Project excludes active and passive water treatment despite projected exceedances of British Columbia guidelines for selenium, cobalt, and nitrite. The review states that best management practices and best available technology should be applied before reliance on an Initial Dilution Zone, and that an Initial Dilution Zone should not substitute for reasonable and practical treatment.

The report identifies exceedances under base case conditions and notes that low-flow conditions combined with upper case geochemical assumptions were not modelled. Selenium concentrations in seepage are expected to increase over time, with most seepage not reaching Tenas Creek until well after closure.

The report also finds that contingency planning is insufficiently developed. Groundwater capture is described as "Not operationally or practically feasible," while contingency treatment is addressed only in passing and without enough detail to assess its effectiveness, cost, or timely implementation. The review further identifies significant unaccounted-for closure, post-closure, care and maintenance, and potentially perpetual treatment liabilities.

*Dam Management Report*

The Center for Science in Public Participation reports that the management ponds would contain potentially acid-generating waste and fine process waste. Groundwater beneath the ponds has a direct connection to surrounding streams and is projected to be a primary long-term source of contamination.

The proposed dams are arranged in a cascading configuration, but cascading failures were not modelled in the dam breach assessment. The assessment indicates that 150 people could be affected if the East, North or Tenas dams catastrophically failed, including expected fatalities. Further, if the West dam failed, 200 people could be affected. Even so, specific improvements and design features are not identified, but are instead expected to be left to the permitting stage. The assessment also assumed that a catastrophic failure would release only water and no mine waste. The report considers that assumption unsupported because the waste would remain saturated and potentially mobile after closure, and recommends a quantitative, non-Newtonian breach model.

The report identifies unresolved stability, groundwater, dam construction, and quality control issues, including uncertainty concerning shallow groundwater and the use of potentially acid-generating material in dam construction. It recommends that updated seismic and hydrologic design studies be available during the EAO evaluation process rather than deferred to permitting.

The proposed soil-bentonite liner requires a hydraulic conductivity of 1E-10 m/s, which the report describes as approaching the limit of what is possible for the design. The report recommends a double-liner system with leak detection and collection.

iv. Caribou

The Caribou expert report describes the Telkwa caribou herd as endangered and at imminent risk of herd extinction, with existing habitat disturbance already exceeding recovery objectives. The proposed mine is located within the herd's recovery area, and forest removal, mine noise, haul-road effects, and predator access could displace caribou and further impair recovery.

The expert, Len Vanderstar, R.P.Bio, identifies disturbance-mediated apparent competition as a central concern, as roads and other linear corridors can facilitate predator movement, contributing to caribou mortality and reduced body condition before calving. The report concludes that recovery requires no further loss of low-elevation habitat and a minimum of 65% undisturbed low-elevation habitat.

The report disputes TML's position that low elevation habitat is currently unoccupied and unlikely to be used during the Tenas Project's lifespan. It notes that current avoidance may itself reflect habitat degradation and disturbance, and that restoration efforts are intended to restore the herd's use of low-elevation habitat.

The expert further states that caribou avoidance may extend beyond TML's modelled buffers. A realistic disturbance impact of four kilometres from active infrastructure would affect more than seven percent of the recovery area, or approximately 18,864 hectares, without accounting for possible acoustic displacement from blasting. The report states that the reasonable acoustic displacement distance remains unknown and that 10 kilometres "may not be unreasonable."

**Implications for the Assessment Process**

The expert findings identify incomplete baseline information, unsupported or unclear methodologies, inadequate treatment of cumulative and long-term effects, insufficient analysis of environmental, social, economic, cultural, and health consequences, and inadequate integration of relevant public, community, and Indigenous concerns. These concerns are principally grounded in ss 2(2)(b), 19 and 25 of the *Environmental Assessment Act* [SBC 2018] ch 51, with ss 21-23 and 27-29 providing related mechanisms for technical review, public and Indigenous participation, disclosure, reporting and decision-making.

Taken together, the deficiencies undermine the EAO's ability to conduct a thorough, impartial, and science-based assessment. Proceeding without addressing them would compromise procedural fairness and the integrity of the assessment process. The adequacy of information is critical to ensuring that decisions are justified, transparent, and within a range of acceptable outcomes.

**Requests to the EAO**

Based on our review of the above-listed expert reports, we respectfully request that the EAO:

1. Require further information from TML to address gaps identified in this submission, including complete 2024 and 2025 fish-survey information, corrected greenhouse gas and methane calculations, consistent mine-life assumptions, and additional socio-economic analysis.
2. Require a complete assessment of permanent fish-habitat losses, chronic and acute water quality effects, groundwater seepage, guideline exceedances, 6PPD-quinone, steelhead-fishery effects, and the feasibility and equivalency of the proposed habitat offsets.
3. Direct TML to provide further information about how it analyzed cumulative effects across all Information Request topics, including cumulative habitat disturbance, climate effects, downstream water quality effects, caribou recovery, and socio-economic risks.
4. Clearly set out the EAO's analysis and rationale for cumulative effects in the assessment report, including how uncertainty, long-term post-closure effects, and the potential for worsening contamination have been considered.
5. Commission independent expert reviews where necessary, including specifically:
    - greenhouse gas accounting, fugitive methane, carbon stock recovery, Scope 3 emissions, and climate significance;
    - socio-economic effects, including property value impacts, coal market and transition risks, and automation-related employment effects;
    - fish and fish habitat, including baseline sufficiency, chronic toxicity, water quality modelling, steelhead fishery effects, and offset feasibility;
    - caribou recovery, habitat disturbance, predator access, cumulative effects, and acoustic displacement;
    - dam safety, cascading failures, breach modelling, liner performance, groundwater, and construction quality control; and
    - water treatment, best available technology, seepage capture, contingency planning, and long-term closure and care-and-maintenance liabilities.

We thank the EAO for its attention to the matters raised in this Submission and look forward to your

response.

Please direct any queries to jgilden2@gmail.com and copy denea@bascombelegal.com.

Sincerely,



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| Denea Bascombe, on behalf of Bascombe Legal | September 15, 2026<br>Date |

Encl.

1. Section 25 Report (Environmental Law Alliance Worldwide) dated September 9, 2026.
2. Fish and Fish Habitat Report (SkeenaWild Conservation Trust) dated September 9, 2026.
3. Water Quality Report (Littlejohn Environmental Consulting) dated September 9, 2026.
4. Dams Management Report (Centre for Science in Public Participation) dated September 2, 2026.
5. Caribou Report (Northern Habitat Solutions) dated August, 2026.