**Backgrounder**

***Bill 6, Mines Amendment Act, 2020***

**To: First Nations Leadership Council**

**From: First Nations Energy and Mining Council (“FNEMC”)**

**Date: July 3, 2020**

**Issue:**

The Ministry of Energy, Mines and Petroleum Resources (“EMPR”) has unilaterally drafted and moved forward with substantive amendments to the *Mines Act*. On June 22, 2020 Minister Ralston introduced for first reading the *Mines Amendment Act, 2020*, known as Bill 6. Bill 6 is a very significant piece of legislation. The bill disregards the application of the *Declaration on the Rights of Indigenous Peoples Act* (“Declaration Act”) and the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”). Bill 6 strikes at the very heart of Indigenous governance with mineral exploration and mining projects, that of First Nations’ jurisdiction and authority over their ancestral lands.

**Recommendation:**

In light of the importance of Bill 6, FNEMC has prepared a letter for signature by the First Nations Leadership Council and recommends immediate forwarding to Minister Ralston. The BC government must work constructively with Indigenous peoples to reform Crown laws and policies on mineral exploration and mining. This means the government of British Columbia working in a consultative, cooperative manner with First Nations as envisaged by the *Declaration Act* and UNDRIP to modernize the *Mineral Tenure Act*, the *Mines Act* and the Code.

**History:**

* On February 28, 2019 in a forum with First Nations technicians on the *Mineral Tenure Act*, EMPR announced that along with possible amendment of the *Mineral Tenure Act*, the government would also amend the *Mines Act*.
* Minister Mungall sent a letter dated September 12, 2019 to FNEMC board member Robert Phillips on EMPR’s lack of response to First Nations concerns on the *Mineral Tenure Act*. The Minister,unsolicited, wrote, “I also wanted to inform you that EMPR will be releasing an Intentions Paper to propose amendments to the *Mines Act*.” Prior to receiving the Minister’s letter, FNEMC had no notice of the BC government plans to release an Intentions Paper to support its unilaterally developed amendments.

* On September 19, 2019, Robert Phillips stated to the BC AFN Annual General Assembly that BC First Nations leadership was left out of the legislative processes for modernizing the *Mineral Tenure Act*, the *Mines Act* and related mineral exploration and mining legislation and policy.
* FNEMC provided a submission to the Minister dated November 28, 2019 on the *Mines Act* and related matters. (The submission is attached below.)

**Bill 6:**

* The impacts of Bill 6 to Aboriginal rights and title, Inherent rights and Indigenous interests are numerous.
* The establishment of a “chief auditor” and “chief permitting officer” in Bill 6 are window dressing for the *Mines Act*. They do not fulfill the Auditor General of British Columbia’s recommendation in her May 2016 report on Mt. Polley tailings disaster for the need for independent regulation of exploration and mining.
* The Auditor General clearly identified the fatal flaw in EMPR’s compliance and enforcement (“C&E”) structure. That is, EMPR is a promoter of mining in the province while at the same time it is the regulator of the mining industry activities. The result being EMPR was at risk of “regulatory capture”. None of this has changed with the establishment of chief auditor and chief permitting officer. EMPR is still is the position of “irreconcilable conflict”.
* Contrary to the late 2018 *Report of the BC Jobs Mining Task Force*, Bill 6 impedes Crown reconciliation with Indigenous peoples in BC and flies in the face of the government’s very own *Declaration Act* and UNDRIP.
* The piecemeal approach to amending the *Mines Act* without providing the mere courtesy of a notice to First Nations leadership and First Nations rights and title holders mirrors EMPR’s approach with Indigenous peoples since November 2017 with the *Mineral Tenure Act* and the Code.
* The *Mineral Tenure Act*, the *Mines Act* and the Code combine to be the legislative underpinning for the entire placer and mineral exploration and mining sector in British Columbia. Reform and modernization of the three pieces of legislation must be done with the consultation and cooperation and, and indeed with the collaboration of First Nations.
* The clear strategy of the government of BC government since 2017 is to exclude Indigenous rights and title holders and First Nations leadership from legislative processes dealing with mineral exploration and mining.
* Bill 6’s conflict with the government’s *Declaration Act* and UNDRIP is deeply troubling. Section 3 of the *Declaration Act* stipulates in no uncertain terms that the BC government “must take all measures necessary to ensure the laws of British Columbia are consistent with the [UN] Declaration”. The government has ignored its own statute in the process of drafting Bill 6 and its tabling in the legislature.
* Since the unanimous passage of the *Declaration Act* in November 2019, the BC government has regressed in its dealing with First Nations rights and title holders. BC First Nations have been relegated to bystander status as the BC government unilaterally develops, determines and implements amendments to exploration and mining laws and policies that will irreversibly impact the air, land and water of every First Nation community and individual in the province.
* Legislative amendments such as Bill 6 enacted under the cover of darkness, during a global pandemic that impacts Indigenous peoples more than any other community, is shameful.
* The process of drafting and introduction of Bill 6 continues to repeat legislative practices of a bygone era of previous governments. The process is contrary to international law, it is contrary to Canadian law and it is contrary to the BC government’s very own laws.

**What needs to be done?**

* FNEMC has advocated for the First Nations leadership pursuant to numerous resolutions over the last decade to reset exploration and mining legislation on a broad and increasing range of issues. There are two pathways to follow: amend legislation on a (1) piecemeal, reactive basis or (2) proactive, wholesale repeal and replacement with true reform of exploration and mining laws in the province.

Amendment

If an amendment-only process is to be pursued for the *Mines Act*, the following items require careful consideration.

1. It is a slap in the face of all BC First Nations for the BC government to amend the *Mines Act*, and any legislation dealing with lands and resources, without specific consideration and incorporation of UNDRIP, yet this is what the BC government, through the Minister, is proposing. Implementation of free, prior and informed consent (FPIC) in issuing tenures (*Mineral Tenure Act*) and operational authorizations (*Mines* Act and other legislation such as the *Water Sustainability Act*) is a must.
2. Recognition and the need to squarely address cumulative impacts of multiple mine sites and operational activities, including roads, trails and transmission lines.
   1. BC, in particular northwest BC, is the most intensely explored, and mined, region on the planet. The same concentration of activity has occurred in the oil and gas sector in northeast BC resulting in extirpation of caribou herds, and the disastrous loss of moose and wildlife habitat. This is in addition to billions of dollars in environmental liability for abandoned and orphaned oil and gas wells. In both northwest and northeast BC there has simply been no serious consideration of cumulative impacts of industrial projects.

While this may be the purview of environmental assessment legislation, the fact is EA legislation has no teeth with mining projects. From billion tonne metal and coal mines to smaller tonnage so-called “regional mines” of sand and gravel, quarries and placer gold, the increase in the sheer number and size of projects is plain for all to see. There is arguably now a place in mining legislation for consideration of cumulative impacts.

1. The need for a fully funded financial assurance system that incorporates the actual bottom line costs of exploration and mining to the environment and communities.
   1. The Initiative for Responsible Mining Assurance (IRMA) and the four Ecofiscal and FNEMC reports of 2018 and 2019 provide clear, unambiguous policy rationale to ensure mines are not a liability to the environment, local communities or the taxpayer.
2. Close the loopholes of unregulated placer mining (and sand & gravel operations, and quarries) in Parts 9 and 10 of the Code, the *Environmental Management Act* and *Environmental Assessment Act*’s *Reviewable Project Regulation* threshold.
3. Update the issuance of exploration tenures (in the *Mineral Tenure Act*, both claims and leases) and mining authorizations (*Mines Act*, Notices of Work) to conform to the common law of Canada as articulated by the Yukon Court of Appeal (a three member panel of BC justices) in two, very clear, declarations in the *Ross River Dena Council* decision.
   1. Replace the non-discretionary system of free entry with a discretion based system where the government must make tenure issuance decisions in keeping with s. 35 of the *Constitution Act, 1982* of Canada.
4. The Intentions Paper appears to be an afterthought in EMPR’s drive to amend the *Mines Act*. It is little more than a placeholder document for the BC government to show to the outside world that it has thought through the impacts and ramifications of amending the *Mines Act*.
5. The bottom line is that the amendments do not address the severe, substantiated criticisms of the Auditor General in her May 2016 report on the Mt. Polley copper-gold mine and the Line Creek coal mine. In particular the Auditor General calls for independent regulation of the sector.
6. The key recommendation of the Auditor General’s report is to:

“create an integrated and independent compliance and enforcement unit for mining activities, with a mandate to ensure the protection of the environment. Given … MEM … is at high risk of **regulatory capture**, primarily because MEM’s mandate includes a responsibility to both promote and regulate mining, our expectation is that this new unit would not reside within this ministry.” (**Bold text** by the Auditor General.)

1. In an October 5, 2017 conference call with the Minister, FNEMC set out details of a number of mining issues that required immediate government attention. In response, the Minister made specific reference to the Mt. Polley investigation not having reached a conclusion and the Auditor General Report recommendations with the need to separate C&E from permitting within government. The Minister referenced her mandate letter and the priority item to establish an independent oversight unit for industry safety; the Minister mused that C&E generally should reside elsewhere in government or outside government.

FNEMC also informed the Minister about the National Indigenous Guardians Network and provided the example of the Innu guardians at Voisey’s Bay mine as a success in monitoring and that you were looking forward to a more substantive discussion with the Minister in a similar vein for BC First Nations. The Minister was very interested in learning more as C&E activities were an opportunity to bring the mining industry, government and First Nations together.

Repeal and Replace

FNEMC’s view is that the *Mines Act* needs to be repealed and replaced as do the *Mineral Tenure Act* and Code. The three pieces of legislation work in concert. However, 100 years of cut and paste amendments to the two statutes and 30 years of reactionary amendments to the Code have resulted in a hodge-podge of legislation, out of step with the times and values of British Columbians.

The antiquated nature of the *Mines Act* can be summed up in one telling section of this statute that regulates the entire multi-billion dollar sector. Section 38(1)(i) grants power to the Cabinet to require mine management to “forbid persons to engage in horseplay” on mine sites. Indeed, the prohibition of ‘horseplay’ is set out in detail in Part 3 of the Code, which states that “[N]o person shall engage in any improper or foolhardy behaviour such as horseplay, scuffling, fighting, playing practical jokes …”.

In the mid-late 2000s the BC government did carry out an overhaul of legislation regulating the oil and gas exploration and production industry. The *Oil and Gas Commission Act* and the *Pipeline Act* were repealed and replaced and the *Petroleum and Natural Gas Act* (“PNG Act”) was amended to be a tenure issuance-only enactment.

The BC government’s objective in the mid-late 2000s was to make BC more competitive as an oil and gas jurisdiction and enacted *the Oil and Gas Activities Act* (“OGA Act”) which streamlined and modernized oil and gas industry regulation using a result-based model. The *Oil and Gas Commission Act* and *Pipeline Act* were folded into OGA Act along with operational provisions of the PNG Act. Subordinate legislation and policies were all rewritten.



**First Nations Energy and Mining Council**

**Comments on the *Mines Act* Intentions Paper**

**November 28, 2019**

The First Nations Energy and Mining Council (FNEMC) provides the following comments on the *Mines Act* Intentions Paper entitled Regulatory Excellence and Continuous Improvement in the Mining Sector (*Mines Act* Reforms) and released in September 2019.

These comments are informed both by the Intentions Paper and subsequent meetings with representatives of the Ministry of Energy, Mines and Petroleum Resources (EMPR). This submission is divided into three parts. First, FNEMC provides general comments about the process, mostly which relate to the implications of the *Declaration on the Rights of Indigenous Peoples Act* (the “*Declaration Act*”) for *Mines Act* Reforms. Second, FNEMC provides specific comments about the reform proposals. Third, FNEMC provides comments on the importance of the other regulatory reform initiatives component at the end of the Intentions Paper – these other initiatives are all relevant to this submission.

1. **General comments arising from the *Mines Act* Intentions Paper**
2. ***This process is not consistent with the Declaration Act and any next steps***

***should align with the Declaration Act***

The *Mines Act* Intentions Paper was released, and this process was commenced, a month prior to the introduction of Bill 41, the *Declaration on the Rights of Indigenous Peoples Act*. This new law now requires that the BC government “take all measures necessary to ensure the laws of British Columbia are consistent” with the UN Declaration.

Among the requirements of the now passed *Declaration Act* will be the establishment of a government action plan and reporting to work toward implementation of the legislation. The intent of this legislation is to recognize Indigenous governance frameworks, particularly on a government to government basis in a manner that enables consent and/or shared statutory decision making by nations. As such, FNEMC is of the view that this reform process should recalibrate to ensure that next steps are designed to align with the *Declaration Act*.

The *Mines Act* Reforms have been developed with no prior engagement of the First Nations Leadership Council (FNLC) or FNEMC, no agreement on process, and no shared understanding of preferred outcomes. Ensuring alignment with the *Declaration Act* should include engaging the FNLC through FNEMC on the next steps, including inviting FNLC through FNEMC to contribute to the review of consultation results and collaborative drafting of legislative amendments, as was done with Bill 51, BC’s new *Environmental Assessment Act*.

The *Declaration Act* is designed in part to address this unilateral approach to law and policy development and it is concerning that EMPR commenced, and largely seeks to complete this process while the *Declaration Act* has been before the BC Legislature. We note that Bill 41 will likely have come into force prior to any of the *Mines Act* Reforms being introduced into the Legislature, thus there is still opportunity to better align these reforms with the *Declaration Act*.

1. ***A government to government approach would provide a more robust approach to Mines Act Reforms***

FNEMC appreciates EMPR’s focus on strengthening compliance and enforcement, and that this is a constantly evolving policy framework. Building on comment #1, above, FNEMC recommends that a government to government approach would provide a more robust and thorough approach to *Mines Act* Reforms. While the *Mines Act* Intentions Paper is to formalize recent organizational changes, there are a number of other initiatives underway that could have an impact on compliance and enforcement. Earlier engagement in the design and scope of initiatives such as the *Mines Act* Reforms, the new Abandoned Mines Unit and the proposed financial security policy could result in more robust and durable reforms.

In addition, FNEMC and FNLC have been advocating to develop an Indigenous Guardians Program, another initiative that could be a “game changer” for *Mines Act* compliance and enforcement. FNEMC looks forward to more fulsome involvement in these matters as part of the implementation of the *Declaration Act*.

1. ***The Mineral Tenure Act reform process appears to have been displaced by Mines Act Reforms***

BC’s *Mineral Tenure Act* has operated for over 150 years by granting crown mineral tenures with no legal requirement to engage with Indigenous peoples. The operation of the *Mineral Tenure Act* effectively alienates Indigenous lands for mineral exploration with no Indigenous consent or consultation. FNEMC continues to take the position that a more fulsome approach to mining law reforms would be to prioritize and complete the *Mineral Tenure Act* review, because it is the basis from which mining activities on Indigenous lands are initiated.

FNEMC is also concerned about the inconsistency whereby EMPR is unilaterally advancing some reforms and postponing others. FNEMC appreciates that there will be an opportunity to work with EMPR on the development of the Reconciliation Action Plan and would like confirmation that the *Mineral Tenure Act* Reform will remain the priority and be recommenced as soon as possible with the goal of concluding amendments before this government’s term ends.

1. ***The door will have closed on additional Mines Act reforms once these changes are implemented***

The *Mines Act* Reforms are “targeted updates … to formalize recent organizational changes … and modernize compliance and enforcement provisions”. However, it is often the case that a government ministry will be reluctant to open up a piece of legislation soon after it has recently been amended. These proposed reforms do not account for the implementation of the *Declaration Act*, which may well require additional reforms as the Reconciliation Action Plan is implemented. Nor does this process even consider other potentially merited modernizations. One example of an outdated provision is s. 38(1)(i), a regulation making power which grants the power to cabinet to require management to “forbid persons to engage in horseplay” at mine sites. FNEMC submits that the *Mines Act* merits broader reforms than those contemplated at this time.

1. **Specific comments arising from the Intentions Paper**
2. ***Regulatory Capture risks are not alleviated***

In its May 2016 Audit of Compliance and Enforcement of the Mining Sector, the Office of the Auditor General (OAG) identified that EMPR is at high risk of regulatory capture because its mandate includes “a responsibility to both promote and regulate mining”. The OAG’s main recommendation was that BC create an integrated and independent compliance and enforcement unit for mining activities that would not reside within the ministry.

While this Intentions Paper indicates that it is, in part, to implement changes in response to the OAG report, none of the proposals implemented by EMPR since that report was released are responsive to the OAG’s primary recommendation – there still is no independent compliance and enforcement unit that is housed outside EMPR. Notably, neither the new separated Mines Health, Safety and Enforcement Division (MHSED) Unit nor the new Audit Unit would operate independently of EMPR. Both of these units are housed in EMPR’s Compliance Management and Enforcement Branch. FNEMC submits that at least one of those units, or even the Standing Code Review unit, should be housed outside of EMPR if any of these efforts are to be responsive to the OAG’s primary recommendation.

Further, and in light of the ongoing concern about regulatory capture, FNEMC notes that housing the mine permitting function in the same unit as mine competitiveness (the Mines Competitiveness and Authorizations Division or MCAD) will not resolve either the perception or risk of regulatory capture. Given that the MHSED is ultimately responsible for permit enforcement and mine health and safety, it would be more practical and more consistent for permitting to be aligned with that unit, instead of the unit responsible for ensuring competitiveness, which by its nature often seeks to reduce regulatory burden.

1. ***Compliance and Enforcement amendments***

FNEMC is supportive of the series of amendments that are designed to strengthen compliance and enforcement practices (order authorities, inspections, reports, mine manager designates, permit compliance, offences). The minor changes proposed in the various amendments are welcome as they will expand and clarify powers available in respect of inspections. However, we note that these amendments have been developed and proposed without any Indigenous input, and that it may well be that the ability to strengthen compliance and enforcement could be even more improved if there had been additional Indigenous engagement in the design of these reforms, such as integrating options to enable Indigenous Guardians.

1. ***New decision-making powers do not take into account existing challenges with statutory decision-makers***

We have noted our concern above that the executive lead of authorizations function will be housed in MCAD, alongside policy work to encourage mine competitiveness. We also note that by establishing a new statutory decision maker, EMPR has still not addressed existing concerns about how to the reconcile free, prior and informed consent found in the UN Declaration with BC’s legal position that statutory decision makers cannot have their discretion fettered. The implications of this proposed change to establish a new statutory decision maker is another example of why it would be preferable to delay these changes until the Reconciliation Action Plan anticipated by the *Declaration Act* is in effect.

1. ***Bankruptcy related amendments***

Consistent with FNEMC’s interest in ensuring adequate financial security for mine clean-up, FNEMC supports the proposed addition of a provision requiring that reclamation be performed. The *Mines Act* should ensure that mine clean up cannot be avoided and that environmental obligations are prioritized in the event of a bankruptcy. The FNEMC has provided its reports on financial assurance tools for mine remediation and disasters to EMPR. The solutions proposed in these reports should be incorporated by EMPR, either in this reform process, through the expected release of the financial security policy, or as part of the Reconciliation Action Plan. This will help protect Indigenous communities from dealing with legacy mine sites, such as the Tulsequah Chief Mine.

1. ***Greater Indigenous engagement in the Audit Unit***

FNEMC understands that EMPR takes the position that housing the Audit Unit within EMPR is adequate to address concerns about regulatory capture. FNEMC respectfully disagrees and is concerned that in addition to genuine concerns about actual capture, this approach will not address the perception of regulatory capture. FNEMC recommends that rather than housing this unit in EMPR because of existing expertise, those qualified personnel should be appointed by the Office of the Auditor General, which reports to the Legislature rather than the Deputy Minister of EMPR in order to guarantee a truly independent audit office.

In terms of audit functions and priorities, FNEMC recommends that Indigenous input be sought and incorporated into the design and operation of the Audit Unit by FNLC through FNEMC and that Indigenous perspectives be considered in matters such as program design and the scope of responsibilities of the office, and more than consultation on predetermined topics for audits.

1. **Comments relating to other Regulatory Reform Initiatives**

The reference to other regulatory reform initiatives is in the Intentions Paper is important because there are other initiatives and issues that warrant consideration alongside the *Mines Act* Reforms that would provide a broader picture of the strengths and weaknesses in the *Mines Act* regime. There are three initiatives that are worth mentioning and that have an impact on the reforms proposed in this Intentions Paper.

1. ***Financial security policy***

Among the recommendations of the 2016 OAG report were several recommendations to ensure that BC’s security regime be strengthened to protect communities and the environment. These include ensuring that reclamation liability estimates are accurate, that security amounts are sufficient, and to require public reporting of estimated liability and security for each mine.[[1]](#footnote-1)

FNEMC has written extensively about the need for a fully funded, mandatory, and legislated hard financial assurance system that appropriately reflects risks and protects Indigenous peoples on whose lands mines often operate, as well as BC taxpayers.[[2]](#footnote-2) While a revised financial security policy is expected to be released before the end of 2019, it would have been more helpful for that effort to have been folded into this process in order to provide a more fulsome window on EMPR efforts to improve mining practices.

Among FNEMC’s recommendations on this matter are that if the BC government will not require full financial assurance to ensure remediation and protect against disasters, then Indigenous Nations in BC ought to do so. This is a matter that could be expressly addressed in EMPR’s Reconciliation Action Plan, if not sooner.

1. ***Linkages to other ministries, such as Environment and Climate Change are still not integrated***

This lack of coordination was also recently evident in relation to an initiative by BC’s Ministry of Environment and Climate Change Strategy which unilaterally developed and proposed amendments to the *Water Sustainability Regulation* under the *Water Sustainability Act* for the use of water in mineral exploration and small-scale placer mining. FNEMC was separately invited to comment on this proposal with no financial support for technical or legal advice.

FNEMC is well aware of the concerns of many Indigenous nations, whose resource departments are overwhelmed with referrals that are uncoordinated and require almost immediate response. We are also aware that those nations are often being asked to respond to specific proposals without considering the totality of impacts of referrals, or in this case, the full spectrum of issues related to mine development and operation oversight.

FNEMC does not have a clear understanding of how these other changes integrate with the *Mines Act* Reforms, whether those changes will require legislative change to the *Water Sustainability Act*, and what their timeline or implementation date is expected to be. FNEMC looks forward to engaging on the Reconciliation Action Plan in this regard.

1. ***Indigenous Guardians Programs***

FNLC and FNEMC have been advocating to build natural resource sector enforcement capacity through the adoption of Indigenous Guardians programs to support crown administered compliance and enforcement. These efforts have included submitting funding proposals, and engaging BC regularly to pursue these proposals. The fact of these efforts is known to EMPR, the Ministry of Indigenous Relations and Reconciliation, and other government agencies, including the Office of the Premier.

FNEMC believes that Indigenous Guardians is an important “boots on the ground” component for mining compliance and enforcement – as well as other natural resource development oversight. While FNEMC is disappointed that these *Mines Act* Reforms have been proposed without any consideration for the potential role of a funded Indigenous Guardians program, we look forward to working with EMPR on next steps in this regard.

1. ***Cumulative Impacts***

Finally, we wish to make reference to FNEMC’s longstanding concern about cumulative impacts from mine operations. While this issue is out of scope for these current amendments, FNEMC is of the view that the cumulative impacts of multiple mining operations - particularly placer mining of gold and jade, and more particularly in the northwest part of BC, is worth considering. Even where reforms are proposed to strengthen regulation of mining operations, it is nonetheless important that cumulative effects be meaningfully considered at the permitting stage and as a condition of any approvals. The water permits matter referenced above is an important gap, as is general consideration of impacts associated with mine operations (roads, trails and transmission lines). FNEMC would be interested to discuss the scope of statutory duties of the new permitting decision maker, to determine whether and how cumulative impacts could be factored into mine permitting decisions.

1. **Conclusion**

Finally, FNEMC commend to you the brief that was submitted by the BC Mining Law Reform Groups dated October 25, 2019. We note that those organizations have come together around broader mining law reform goals and are also recommending reforms that expand beyond the narrow scope that is anticipated in these *Mines Act* Reforms. FNEMC supports those recommendations and endorses their submission.

FNEMC looks forward to working collaboratively on behalf of the FNLC on future efforts related to EMPR’s Reconciliation Action Plan. This will be an opportunity to ensure that future efforts, be they resumption of the *Mineral Tenure Act* reform process, the ongoing Code review, revisions to security policy or other initiatives are better calibrated with reconciliation and the values of shared governance.

1. Office of the Auditor General of BC, *An Audit of Compliance and Enforcement of the Mining Sector*, May 2016, available online: <http://www.bcauditor.com>, pp. 12-15. [↑](#footnote-ref-1)
2. See [Mining Risk and Responsibility](http://fnemc.ca/wp-content/uploads/2019/06/Mining-Risk-and-Responsibility.pdf), [Reducing the Risk of Mining Disasters In BC](http://fnemc.ca/wp-content/uploads/2015/07/Reducing-the-Risk-of-Mining-Disasters-in-BC-FNEMC.pdf), and [Using Financial Assurance to Reduce the Risk of Mine Non-Remediation](http://fnemc.ca/wp-content/uploads/2015/07/Using-FA-to-reduce-the-risk-of-mine-non-remediation.pdf) found at <http://fnemc.ca/resources-2/>. [↑](#footnote-ref-2)