



# Environmental Appeal Board

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**EAB File No. 2010-EMA-009**

In the matter of an appeal to the Environmental Appeal Board under the *Environmental Management Act*, SBC 2003, c. 53

**BETWEEN:**

Fred Sam on his own behalf and on behalf of all the members of the Nak'azdli First Nation and the Nak'azdli First Nation ("Nak'azdli")

**APPELLANT**

**AND:**

Director, *Environmental Management Act* ("Director")

**RESPONDENT**

**AND:**

Terrane Metals Corporation ("Terrane")

**THIRD PARTY**

WHEREAS the Appellant Nak'azdli filed an appeal to the Environmental Appeal Board (the "Board") against the Respondent Director's issuance of Permit PE104777 issued on July 15, 2010 under Part 2 of the *Environmental Management Act* authorizing Third Party Terrane Metals Corporation to discharge mill and mine effluent to the ground;

AND WHEREAS the Appellant and Her Majesty the Queen in Right of the Province of British Columbia have agreed to resolve this matter by Consent Dismissal Order of the Board;

AND WHEREAS, at the request of the Appellant, the Respondent and the Third Party (the "parties"), without a hearing and by consent:

**THE BOARD ORDERS that:**

1. The within appeal be dismissed against the Respondent and the Third Party, without costs to any party;

2. Such dismissal shall be for all intents and purposes of the same force and effect as if the Order had been pronounced at the hearing of this appeal on its merits.

THE PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS NOTED ABOVE:

ORDERED and dated at Victoria, British Columbia, this 6th of July, 2012.

"Alan Andison"  
Alan Andison, Chair  
Environmental Appeal Board

APPROVED AND CONSENTED TO:

"Peter R. Grant"  
Peter Grant  
Lawyer for the Appellant Nak'azdli

"Paul E. Yearwood"  
Paul E. Yearwood  
Ministry of Justice  
Lawyer for the Respondent Director

"Joan Young"  
Joan Young  
Lawyer for the Third Party Terrane