

Meeting Summary: B.C./AK Bilateral Working Group

Wednesday, January 25, 2023– 1:00 PM-2:30 PM PST, 12:00 PM-1:30 PM AKST
Meeting location: Room 17, Vancouver Convention Centre East, Vancouver, B.C.
Remote Access via Microsoft Teams

Attendees:

British Columbia:

- Elenore Arend, Associate Deputy Minister & Chief Executive Assessment Officer, Environmental Assessment Office (EAO)
- Laurel Nash, Assistant Deputy Minister, Environmental Protection Division, EPD, ENV
- Chris Trumpy, Assistant Deputy Minister, EAO
- Peter Robb, Assistant Deputy Minister, Energy, Mines, Competitiveness and Authorizations, EMLI
- Tania Demchuk, Assistant Deputy Minister, Mines Health, Safety and Enforcement, EMLI
- Anthony Danks, Executive Director, Strategic Policy Branch (SPB), SSD, ENV (remote)
- Lisa Paquin, Director, Intergovernmental Relations, SPB, SSD, ENV (remote)
- Gabrielle Barwin, A/Director, Initiatives and Priorities Advancement, EMLI
- David Grace, A/Executive Project Director, EAO

Alaska:

- Jason Brune, Commissioner, Department of Environmental Conservation (DEC) (remote)
- Doug Vincent-Lang, Commissioner, Department of Fish and Game (remote)
- John Boyle, Commissioner, Department of Natural Resources (remote)
- Emma Pokon, Deputy Commissioner, DEC
- Ben White, Large Project Coordinator, Office of Project Management and Permitting, Department of Natural Resources (remote)
- Terri Lomax, Program Manager, Water Quality Standards Assessment & Restoration, Department of Environmental Conservation (remote)

Guests

- Robin Sidsworth, General Counsel, Teck Resources Ltd.
- Jeff Hanman, Senior Vice President Sustainability and External Affairs, Teck Resources Ltd.
- Amber Johnston-Billings, Vice President Communities, Government Affairs, and HSEC Systems, Teck Resources Ltd.

Decisions and follow up actions

The following documents were approved:

- October 12, 2022, BWG meeting summary.
- 2022 Transboundary Waters Newsletter.
- Updated (revision 2) Communications Plan.

The following action items were identified:

- B.C. committed to provide a further update on the Tulsequah site at the next BWG meeting.
- B.C. will provide the group with the meeting notes, including any action items, for approval at the next BWG meeting and posting to Alaska and B.C.'s respective websites.
- Teck offered to provide a further update on the Tulsequah site at the next BWG meeting.

Summary of discussion

1. Welcome and introduction of BWG members and guests

- Welcome Commissioner John Boyle in his new role as Commissioner of the Alaska Department of Natural Resources, and Emma Pokon, Deputy with the Department of Environmental Conservation.
- Welcome Ben White in his new role as Large Project Coordinator, Office of Project Management and Permitting, Department of Natural Resources, and the main Alaska staff-level contact for B.C- Alaska collaboration.

B.C. Leadership changes

- On January 18th David Eby was sworn in as B.C.'s 37th Premier of British Columbia, replacing former Premier John Horgan who chose to step aside after governing for five years and asked his party to hold a leadership convention to replace him.
- Previous Energy, Mines and Low Carbon Innovation Minister Bruce Ralston is now the Minister of Forests.
- Minister Josie Osborne is now the Minister of Energy, Mines and Low Carbon Innovation. Her previous Ministry was Water, Land and Resource Stewardship.
- Deputy Minister Shannon Baskerville has come to Energy, Mines and Low Carbon Innovation from the Ministry of Advanced Education. Previous Deputy Minister Fazil Mihlar is now at Jobs, Economic Development and Innovation.
- Peter Robb, Assistant Deputy Minister has accepted a new role with the BC Energy Regulatory (formerly the Oil and Gas Commission) as an Executive Vice President. Tania Demchuk, Assistant Deputy Minister of the Mines, Health, Safety and Enforcement Division will now be acting as the Assistant Deputy Minister for Mines, Competitiveness and Authorizations Division. Andrew Rollo will be acting as Assistant Deputy Minister for the Mines, Health, Safety and Enforcement Division.

2. Tulsequah update

- Teck Resources Ltd provided an overview of Teck's involvement at the Tulsequah site and the preparatory work for site reclamation.
- The current focus of work is water quality data-gathering and engagement with Taku River Tlingit First Nation (TRTFN) to understand their objectives for the site. The priorities identified through engagement with TRTFN will guide the selection of water management approaches.
- Alaska highlighted the desire to see measurable on-the-ground improvements as quickly as possible.
- Alaska requested a direct report-out to Alaska state, ENGOs, and Tribes about next steps, and emphasized the importance of early and frequent consultation.
- **Action item:** Teck offered to provide a further update on the Tulsequah site at the next BWG meeting.
- The 2022 Transboundary Waters newsletter reviewed at the BWG meeting provides recent updates on the progress of B.C.'s reclamation work at the site, which is being undertaken in collaboration with TRTFN.
- Alaska Commissioners noted that ENGOs have raised concerns regarding mining bonding practices in B.C. in comparison to Alaska.

- B.C. communicated that one of its mandate commitments includes work to ensure owners of large industrial projects are bonded moving forward so they – not B.C. taxpayers – pay the full costs of environmental cleanup if their projects are abandoned.
- In April, the Ministry of Energy, Mines and Low Carbon Innovation released an Interim Major Mines Reclamation Security Policy following engagement with industry, environmental organizations and Indigenous groups (the policy can be viewed [here](#)). The Interim Policy sets clear expectations with respect to calculating the amount of required financial assurance and establishes the forms of acceptable reclamation security.
- The Ministry of Environment is leading development of a Public Interest Bonding Strategy. This could include consideration of amendments to the *Environmental Management Act* to require companies to develop a decommissioning and closure plan, and to provide a bond to ensure that the plan is implemented.

3. B.C. project updates

New Polaris

- The proposed Project is an underground gold mine about 100 km south of Atlin, B.C. with approximately 1,000 tpd mill throughput rate with an estimated 10-year production life.
- The EAO has received a draft Initial Project Description from the proponent, who has also shared it with Taku River Tlingit First Nation (TRTFN).
- A final Initial Project Description is anticipated in Q1 2023, which would be followed by an open public comment period where anyone concerned could submit comments on the proposal.

Red Chris Mine

- The Red Chris Mine is located 18km southeast of the village of Iskut and 80 km south of Dease Lake (near the Stikine River watershed) producing gold and copper.
- Newcrest Red Chris Mining Limited, as owner and operator of the Red Chris Mine, is pursuing a transition from open pit to underground block cave mining.
- Options to incorporate a consent-based decision-making process with Tahltan for the Red Chris Block Cave EAC amendment are currently being explored with Tahltan.

Galore mine

- Galore Creek Cooper-Gold-Silver mine is in the Galore Creek watershed.
- The proponent has advised they will be proposing major changes to mine that will require a major amendment to their Environmental Assessment Certificate (EAC).
- An initial project description is expected in fall 2023. A new federal Impact Assessment will also be required. Discussions are underway about the most efficient regulatory path and will include Tahltan engagement.

Eskay Creek Revitalization Project

- The project's proponent is Skeena Resources Limited. The project is located near the Unuk River watershed in northwestern B.C.
- The project is a proposed open pit gold-silver metal mine at the past producing Eskay underground mine.
- The project will be in the Environmental Assessment (EA) Process Planning Phase until March 20, 2023. Currently there is a 30-day public comment period on the draft process planning documents that set out the requirements for the EA.

- Tahltan Central Government and the Province have entered into the first consent-based decision-making under *the Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) that establishes a collaborative process for the Eskay Creek EA, with Tahltan consent required for the project to proceed.
- The Southeast Alaska Transboundary Commission (SEITC) has made assertions of rights in B.C. in relation to the Eskay project.
- The EAO is establishing an Alaskan tribal transboundary community advisory community, to advise EAO on potential transboundary effects in Alaska.

Alaska updates

- A Section 404 permit decision is expected on the Pebble Mine and Donlin Gold mine in the next few months.
- As discussed at the last BWG meeting, under HB 123, which was passed into law in 2022, the State of Alaska recognizes the special and unique relationship between the United States government and federally recognized tribes in Alaska.
- The State of Alaska is tracking several federal initiatives including but not limited to:
 - Waters of the US rulemaking and court challenges.
 - The Alaska Native Claims Settlement Act addresses Indigenous land ownership comprehensively.
 - The national strategy for the Arctic region will address contaminated sites in Alaska and advance responsible critical mineral production in Alaska.
 - The State of Alaska is preparing joint comments on EPA’s Draft Tribal Reserved Water Quality Rights Rule. Department of Environmental Conservation (DEC) is leading the efforts as the rule focuses on water quality standards, but Department of Natural Resources, Alaska Department of Fish and Game, and Alaska National Lands Conservation Act/Alaska Native Claims Settlement Act programs are participating.
- United States Geological Service continues to receive stable funding to monitoring water quality in transboundary watersheds. All data gathered by this project is publicly available and reviewed by DEC.

Document approvals

- **Document approval:** The BWG approved the October 12, 2022, BWG meeting summary.
- **Document approval:** The BWG approved the 2022 Transboundary Waters Newsletter.
- **Document approval:** The BWG approved the updated (revision 2) communications plan, as discussed at the last BWG meeting.

Closing

- The next meeting will be planned for the spring, preferably in Alaska.
- **Action Item:** B.C. will provide the group with the meeting notes, including any action items, for approval at the next BWG meeting and posting to Alaska and B.C.’s respective websites.