

AGENDA: BC/AK Bilateral Working Group

Wednesday, June 26, 2024– 2:00 PM-3:15 PM AKST,

Meeting location: In person– Juneau, Alaska

Attendees:

British Columbia:

- Elenore Arend, Associate Deputy Minister & Chief Executive Assessment Officer, Environmental Assessment Office (EAO)
- George Warnock, Assistant Deputy Minister, Mines Health, Safety and Enforcement Division (MHSE), EMLI
- Laurel Nash, Assistant Deputy Minister, Environmental Protection Division (EPD), Ministry of Environment and Climate Change Strategy (ENV)
- Lowell Constable, Chief Permitting Officer, RMCD, EMLI
- Andrew Rollo, Executive Director, Tulsequah Reclamation, MHSE, EMLI
- Amy Avila, Lead, Strategic Services Division (SSD), ENV
- David Grace, Project Assessment Director, Metal Mining, EAO
- Nikki Dodd, Director, Indigenous Partnerships and Engagement, EAO
- Deb Epps, Director, Authorizations and Remediation, EPD, ENV

Alaska:

- Emma Pokon, Commissioner, Department of Environmental Conservation (DEC)
- Doug Vincent-Lang, Commissioner, Department of Fish and Game (DFG)
- John Boyle, Commissioner, Department of Natural Resources (DNR)
- Christina Carpenter, Deputy Commissioner, DEC
- Brent Goodrum, Deputy Commissioner, DNR
- Terri Lomax, Water Quality Program Manager, DEC
- Sylvia Kreel, Large Project Coordinator, DNR
- Kate Kanouse, Habitat Regional Supervisor, DFG

Guests:

Taku River Tlingit (Tulsequah agenda item only):

- Charmaine Thom, Spokesperson
- Thaidra Sloane

Teck Resources: (Tulsequah agenda item only)

- Scott Maloney, Vice-President Environment
- Wayne Hall, Manager Community and Public Relations, Teck Alaska

Summary of Discussion

1. Welcome and Opening Remarks

- Alaska and British Columbia (BC) expressed appreciation for the in-person format of the BWG meeting, coordination in conducting a public Open House, and the Hecla Greens Creek mine tour (June 26, 2024).
- Commissioner Pokon was appointed as Commissioner by Governor Dunleavy in December last year and confirmed by the Alaska Legislature on May 7, 2024. Christina Carpenter was appointed Deputy Commissioner in February 2024. Congratulations to both.

2. Transboundary Open House Debrief

- The Transboundary Open House occurred on June 25, 2024, from 3:00-6:00pm at the Centennial Hall, Ballroom #3 in Juneau, Alaska. The format was believed to be successful, as it allowed for parties to engage in meaningful discussions with various Alaska interest groups.
- Several members of the Alaska Legislature attended.
- Individuals from Tribal nations, non-profits, and federal agencies attended.
- No media was present.
- Several attendees asked questions related to Alaska mining projects and requested that planning for future public events take that into consideration and include the appropriate State of Alaska staff to address those questions.
- Follow up:
 - Attendees asked for copies of the posters and handouts.
 - **Action Item:** Alaska and BC will post the posters on their respective transboundary websites.
 - Alaska and BC should review websites for clarity and style updates.
 - **Action Item:** BC offered to coordinate with Alaska through their communications contractor for joint messaging. Alaska will include hyperlinks to the BC website for individual project updates.

3. BC Updates

Public Interest Bonding Strategy

- A draft strategy for high-risk industrial bonding/reclamation.
- BC shared proposed strategy during the public engagement period with Alaska.
 - BC is aiming to develop new regulations for fall 2025.
 - **Action Item:** Alaska to review and provide any comments.

Transboundary Project Updates

- BC gave an update on the Southeast Alaska Indigenous Transboundary Commission's (SETIC) request to be a Participating Indigenous Nation in the Eskay Creek Revitalization Project environmental assessment. BC will keep Alaska informed as new information becomes available.
- All project reviews continue during the interregnum period given the operational nature of the work.
- New Polaris Gold Mine: Canagold Resources Ltd. is in the early engagement phase of the Environmental Assessment (EA) process.

- Canagold Resources Ltd. was in Juneau in January 2024 for engagement on the proposed project and received clear feedback about challenges from Alaska stakeholders.
- Eskay Creek: Skeena Resources Ltd. is currently developing its application for an Environmental Assessment Certificate.
 - Seven Alaska Tribes are part of the Eskay Alaska Tribal Transboundary Advisory Committee which advises the EAO on potential transboundary effects to Tribes. This committee formalizes engagement as part of the environmental assessment.
 - BC has a Consent Agreement with the Tahltan Nation for the proposed project.
- Red Chris: Proponent is proposing an amendment to transition an open pit mine into an underground mine.
 - BC has a Consent Agreement with the Tahltan Nation for the proposed amendment.
- Kerr-Sulphurets-Mitchell: KSM Mining ULC has applied for a substantially started determination in the EA process. A decision is expected mid-summer.
- Brucejack: Proponent is proposing a rate increase of production. No EA amendments are underway.
- Galore: Has an Environmental Assessment certificate and is undergoing an amendment related to road construction. A future amendment related to relocating the tailings storage facility is anticipated to be initiated by the end of 2024.
- Premier/Red Mountain: In the permitting process.
 - Permit amendments needed to address new dates due to construction delays in 2023. Alaska expressed curiosity about the nature of construction delays.
- Newmont acquisition: No substantial updates since the BWG met last.
- Tulsequah: **Update provided by BC, Teck and Taku River Tlingit First Nation (TRTFN) during BWG Pre-Meet on June 25, 2024.**
 - TRTFN Spokesperson Thom spoke of the importance of Tulsequah reclamation to TRTFN and described the Consent decree TRTFN has recently finalized.
 - Teck representatives summarized the 2024 investigation and data gathering program that is currently underway at the Tulsequah site. Teck is focused on safety improvements, inventory, and monitoring this season. Planned activities include:
 - Establish safe and reliable access;
 - Build temporary camps;
 - Secure underground entrance and workings;
 - Drone investigations of underground;
 - Quantify waste rock and ore, evaluate long term storage solutions;
 - Inspect and clean up existing water treatment plant, test operation;
 - Collect data on water quality and flow in underground and in the Tulsequah River watershed; and
 - Collect sediment, benthic macroinvertebrates, and fish from the Tulsequah River.
 - Teck indicated that the goal of this investigation program is to fill data gaps identified as part of the 2020 Tulsequah closure options report, with a goal of developing a final reclamation plan for implementation.

- While Alaska is encouraged by the planned summer activities, they continue to strongly urge Teck and BC to make meaningful progress on the closure of Tulsequah as quickly as possible.

4. Alaska Updates

Permitting and Projects

- Palmer Project: Located north of Haines, Alaska near the Alaska-BC border. Department of Environmental Conservation's (DEC) Waste Management Permit is being challenged in Superior Court.
- Greens Creek Mine: United States Forest Service issued the final Supplemental Environmental Impact Statement, but the record of decision will be delayed until monitoring requirements are finalized and mitigation for fugitive dust has been further discussed. This allows an additional 12-18 years to the mine's life.
- Kensington: Tailings spill from a ruptured tailing line occurred on January 31, 2024, which did not negatively affect salmon habitat in Johnson Creek. This led to increased media interest in mines in Southeast Alaska and the Transboundary region.

Other Updates

- Alaska Water Quality Standards update to Human Health Criteria. DEC initiated a public scoping effort on February 10, 2023, to collect and evaluate information and hear from stakeholders to determine what revisions are most appropriate. More recently the federal Environmental Protection Agency (EPA) set a deadline for progress on these standards.
- The Draft 2024 Integrated Report began public comment on June 21, 2024, and continues through July 22, 2024. DEC reviewed United States Geological Survey (USGS) collected transboundary data. Excursions from Alaska Water Quality Standards were observed throughout the region due to natural conditions. No Alaska or BC permitted sources are suspected of contributing to these values.
- Alaska Department of Fishing & Game (ADF&G) Habitat Section was recently approached by EPA with the opportunity to provide funding for aquatic studies on Southeast large transboundary rivers over 2-3 years. ADF&G Habitat Section is proposing to collect a suite of data on six large rivers (Asek, Chilkat, Taku, Salmon, Stikine, and Unuk Rivers) including algae density, benthic macroinvertebrate density and diversity, and juvenile Dolly Varden and coho salmon element concentrations, and publish this data with an updated summary of ADF&G's Dolly Varden element data statewide.
- UCUT Transboundary Mining Conference is August 26 - 30, 2024. The timing may be challenging for BC attendance due to the interregnum period.
 - Alaska and BC recognize and share the public concern and sense of urgency regarding the cleanup of Tulsequah.
 - **Action Item**: Alaska will reach out to the conference coordinators to understand the goal and agenda of the event.
- IJC media coverage has occurred in Alaska.
 - The parties agreed that thanks to Alaska and BC's ongoing constructive dialogue, an IJC reference is not needed at this time.
 - Alaska and BC both appreciate and acknowledge the relationship between the two governments and agree the Bilateral Working Group provides the platform to navigate challenges constructively.

5. Next BWG Meeting and Closing Remarks

- EMLI is transitioning the chair role of the BWG to DEC for the next year starting in July 2024.
- Overall, a very productive meeting and all appreciated the travel and coordination that occurred to host an in-person meeting and Greens Creek Mine tour in Juneau, Alaska.
- The next BWG meeting typically occurs in January. If Alaska is traveling to the Association for Mineral Exploration Roundup conference in Vancouver, BC offered to host an in-person meeting to coincide.